

From: Harris, Lisa [REDACTED]
Sent: Tuesday, December 21, 2021 9:50 AM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Public Comment for Next Board Meeting Jan 27th

I submit these comments to public record for the next board meeting. Please advise how the Board fairly represents all Public employees and made the decision to put a medical surcharge to unvaccinated employees and their families. I don't recall getting the opportunity to vote for any of the Board members and feel they do not represent me. Yesterday (12/20/21), the Federal Government said free Covid tests are being distributed. Per Biden, the administration said it is purchasing 500 million rapid tests that Americans can order for free delivery to their homes on a forthcoming website. Why are State agencies mandating testing for only unvaccinated and then trying to pass the cost if the tests are free? It is a scientific fact that vaccinated can get and spread Covid. Per the CDC, 80% of Omicron cases are among the vaccinated. "The Omicron variant likely will spread more easily than the original SARS-CoV-2 virus and how easily Omicron spreads compared to Delta remains unknown. CDC expects that anyone with Omicron infection can spread the virus to others, even if they are vaccinated or don't have symptoms." The surcharge is discriminatory and an effort to push an unapproved vax that is safe...oh wait until it's not like Johnson and Johnson or the fact that all vaccines currently available in the US are still under the emergency use order, thus decreasing liability for adverse side effects or death. Life insurance will not pay out if one takes unapproved or experimental medicines. It is my understanding PEBP is attempting to recoup testing costs. How are there any costs if a.) The testing is free, b.) my spouse and dependents are not subject to discriminatory testing yet costs will be passed along to them?

Since when is PEBP in charge of my family's medical decisions? Since when is this not an invasion of privacy?

I have requested information about the exemption policy. There is currently no information available and it does not seem it will be available in a timely manner. Please advise. The lack of transparency and timely direction is causing undue stress and financial burden for my family and all State employees that have conscience rights to illegal and unethical Federal and State mandates and the decisions of PEBP.

From: Parker, Matthew M. [REDACTED]
Sent: Tuesday, December 21, 2021 4:06 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: RE: Public Comment on recent board vote

Good afternoon Ms. Lunz,

Would you please be so kind as to add the following message to the public comment record, please and thank you:

Recently it has been announced that non-vaccinated employees will be subjected to an expensive insurance surcharge to recover the expenses of mandatory testing for all unvaccinated employees. Mandatory testing being a tool to ensure the *health and safety* of the state's workforce. I would like to formerly express my dissatisfaction with this unethical and hypocritical decision for the following reasons:

- 1) We state employees are still recovering from last year's furloughs and currently grappling with our current low pay in a world of increasing inflation. Myself, and many other state employees, are already stressed and struggling with making ends meet. And to now be threatened with financial burden regarding our own personal medical decisions, is only exacerbating our stress and struggles. This is unscrupulous intimidation that sours and erodes our confidence in state leadership and worsens employee morale, which is already very low. We are already understaffed, struggling with recruitment and retention. This surcharge will absolutely, without a doubt, worsen recruitment and retention. How can we say we care about *health and safety* when we will likely lose even more employees critical to the safety of our state's residents, like those who keep our roads safe in winter, for example, whose low pay puts them in the category of those likely to be heavily burdened by this policy. Are we willing to lose even more employees critical to road safety?
- 2) This surcharge irresponsibly negates the fact that fully vaccinated employees can still spread COVID to other employees. If *health and safety* is a primary concern, why aren't they being tested as well? Is it because testing them would further dissuade others from getting vaccinated, hurting the overarching mission to increase vaccination rates?
- 3) This surcharge irresponsibly negates the fact that many non-vaccinated employees have had COVID and have natural immunity making them less likely to spread COVID than unvaccinated employees who have not already had COVID. If the vaccinated are getting a free pass, why can't those previously infected with natural immunity get the same privileges?
- 4) We had testing in place at my office that was removed once we reached a pre-determined vaccination rate goal. Since that goal was reached and the testing ended, COVID rates have improved significantly county and state wide. Why are the goal posts being moved again and a stricter testing policy being put in place when COVID numbers have dropped and vaccination rates increased in the time that has elapsed since? Why have the standards for what is *safe*, been changed pessimistically when safety itself has improved?

If state leadership honestly desires to prioritize health and safety and follow science, as they often claim, then they should be focusing on efforts to *improve* recruitment and retention to meet the needs of Nevadans. Not cripple it further. State leadership needs to formerly recognize natural immunity and

recognize that the fully vaccinated also pose a risk to spreading COVID. Testing should either be applied to ALL employees and/or accommodations should be made to allow antibody tests or past positive COVID test results to demonstrate natural immunity. Furthermore, the cost of testing should be absorbed by the State, shared among all state employees, or testing discontinued altogether to remove the need for the surcharge. This would honor the prior agreement we had at my office to discontinue testing once the pre-determined vaccination rate was met. But to instead renege on this promise and bring back testing when COVID rates have gone down and vaccinations have gone up, means this decision is not based on health and safety, but for the sole purpose of increasing vaccination rates in the State workforce. It is one thing to try to raise vaccination rates among us via the use of benefits and rewards, but to instead utilize threats of financial burden to coerce us is offensive. To test only a select portion of the workforce, and charge them substantially for it, is deeply discouraging, unethical and hypocritical. This hurts state employees much more than it helps, and will only lead to greater staff shortages and more stress and depression among the state work force. I strongly encourage state leadership to remove this unethical surcharge and revisit the testing policies in the name of fairness and reason, and to salvage the relationship between state leadership and the public servants they depend on to keep this state *healthy and safe*.

From: Brent Slobe <[REDACTED]>
Date: December 19, 2021 at 6:18:16 PM PST
To: [REDACTED]
Subject: Surcharge to PEBP Members (please forward to all board members)

Dear PEBP Board Members,

I am writing today concerning the surcharge to non-vaccinated participants that the board voted on December 2nd. After watching this meeting it was obvious that the majority of the board had been persuaded by the governor and that most of your minds were made up prior to any public comment. This is very concerning. Public employees are trusting the board to make decisions in their best interest, on behalf of the the participants, not the governor. The PEBP website states "The Board of the Public Employees Benefits Program helps to make decisions regarding the program, with the ultimate goal of helping PEBP best serve Nevada public employees and their benefit-plan needs". The way this meeting was handled shows that in no way does the majority of the board have the same mission as your website states, to serve Nevada public employees.

This new surcharge will cause employees undue heartache, it will force many of them to quit the careers they have chosen within the state. It will not only effect the state, it will effect all Nevadans, including you. Once these employees leave the state they will no-longer be an asset to all Nevadans but they will no-longer be paying into the deteriorating insurance plans we currently have as public employees. Majority of the board voted not to reinstate the pre-covid plans but voted to add a surcharge onto the non-vaccinated participants. This is very concerning. We have all chosen to work for the state in one department or another for the benefits and retirement. As we all keep seeing these benefits diminish and our costs keep rising we are all asking ourselves if it is worth it anymore. I personally cannot recommend anyone to come to work for the State of Nevada at this time due to the dwindling insurance, dwindling retirement and low pay.

If what you say is true and there are 5,000 participants that are not vaccinated then this should tell you that there are at a minimum 5,000 people that are all willing to stand and fight together no matter what, including many of the vaccinated. On December 1st Dr. Anthony Fauci stated that the definition of fully vaccinated includes booster shots. How can the board only plan for 5,000 unvaccinated when this statement from Dr. Fauci will change that number dramatically? How many PEBP participants are willing to keep being injected over and over again? This will increase the number of unvaccinated causing this asinine surcharge to effect more participants then the board is planning for. President Biden said on December 2nd that private health insurance companies will be required to reimburse people who buy at home test kits. He also states that the government will provide another 25 million test kits to the non insured. This being said, the state of Nevada received money from the CARES Act for this purpose. Not for charities and raffles. You as board members should be going to the governor asking for reimbursement from the CARES Act money not going after the participants and their families pay checks.

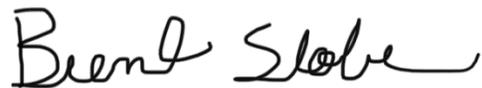
We are not only friends and coworkers, we are family. We spend more time together than we do with our families. Many of the vaccinated and non vaccinated will stand together and will not be divided. We have chosen to be or not to be vaccinated for our own reasons. These reasons are not any of the governments business. These choices are between our families, our doctors and our churches. We are all adults and will decide what is right for us and our families. You as a board for the public employees have chosen to discriminate against the non vaccinated. This new surcharge will not help raise the vaccinated numbers, it will cause public employees to seek other employment. If they have not been vaccinated by now, then most likely they do not plan on being vaccinated.

I am requesting a special meeting to be set for the middle of January for a re-vote with public comment and all PEBP participants be notified via email for this meeting. I am also requesting this email be sent to all the board members and read during public comment at the special meeting in January or at the very least at your next meeting.

Please listen to all the participants that are reaching out to you asking for this nonsense to be stopped. We are all at a point we could use some good news. Every time we think we are gaining ground with all the Covid mandates, something like this happens. This all needs to stop, we are asking that you listen to us and assist us in this matter.

Thank you for your time and consideration of a true open meeting without having your minds made up prior to the meeting.

Brent Slobe

A handwritten signature in black ink that reads "Brent Slobe". The signature is written in a cursive, flowing style with a long, sweeping tail on the letter "e".

From: Matt [REDACTED]
Sent: Thursday, December 23, 2021 6:16 AM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Fwd: Increase in insurance premiums

To who it may concern,

I am writing this email due to the concern for the State employees that are about to ensure a new cost due to a decision by Pebs. This meeting and key vote on placing costs to employee's is not only absurd but is placing State Employees in a financial position that is already at its worst point. The Governor of Nevada has already made it clear that Covid is more of his concern then that of the safety of the motoring public, and these decisions have already cut employment in the state in half. I am requesting a new meeting to have a vote on the increase in cost for the unvaccinated and their dependents in January and that this communication be sent to all board members.

Being a State Employee the level of care to the public is dropping by the day, and unfortunately this will come at the cost of lives when the State is no longer providing a service that the tax payers are paying for. We all know this is due to Covid and the Governor's decisions that covid is the greater threat. The state has already made this clear and added new policies that went into affect to discipline all employees not testing for Covid. This ever changing policy has been changed numerous times and has given employees a distrust for the agencies along with decisions like this from Pebs. If destroying the agency and having employees acquire new insurance companies is the goal then so be it, you are leaving the employees with no other options.

Thanks
Matt Shepphird
State of Nevada Employee

From: Jason Peard [REDACTED]
Sent: Wednesday, December 22, 2021 6:35 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: "surcharge" To the board for public comment

PEBP Board Members,

To the board for public comment, I am contacting you today in regard to the fine you have voted for concerning the non-vaccinated State of Nevada Employees and their 18 and over dependents. This "surcharge" will push many State Employees out of State service and away from the retirement program that they have worked hard for. State Employees are already the lowest paid civil servants, being hit with this fine is just another slap in the face from a governor and his minions with an agenda against our freedom of choice and thousands of other PEBP members choices. I am formally requesting a special session/meeting with the PEBP board in January to reconsider this surcharge, furthermore I request this email be forwarded on to all of the voting board members. If joe biden can send out 500 million FREE covid-19 home test kits, why on gods green earth are State of Nevada Employees being fiscally raped over the "cost" of testing? Simply to force them to follow an agenda. All PEBP members also need to be notified of this meeting so the board can hear from the people that they will directly affect.

Jason Peard
20 year State Employee
[REDACTED]

From: oscargardea7141 [REDACTED]
Sent: Thursday, December 23, 2021 8:04 AM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject:

Dear PEBP Board Members,

I am writing today concerning the surcharge to non-vaccinated participants that the board voted on December 2, 2021. After watching this meeting, it was obvious that the majority of the board was persuaded by the governor, and most of your minds were made up prior to any public comment. This is very concerning and means that we, as public employees, are the ones who get the crappy end of the stick as usual .

The PEBP website states, "The Board of the Public Employees Benefits Program helps to make decisions regarding the program, with the ultimate goal of helping PEBP best serve Nevada public employees and their benefit-plan needs". The way this meeting went shows in no way does the majority of the board have the same mission as your website states - "to serve Nevada public employees".

This new surcharge will cause employees to quit the careers they have chosen within the state. It will not only affect the state but will also affect you. Once these employees leave the state, they will no longer be an asset to all Nevadans, the public already complains about the road conditions and closures wait till there are no experienced workers out there.

Our insurance has diminished over the years and the majority of the board voted to not reinstate the pre-covid plans but also voted to add a surcharge onto the non-vaccinated participants. This is very concerning. We have all chosen to work for the state, in one department or another, for the benefits and retirement. As we all keep seeing these benefits diminish and our costs keep rising, we are all asking ourselves if it's worth it anymore. It has degraded so bad, that I personally cannot recommend anyone to come to work for the State of Nevada at this time due to the dwindling insurance, dwindling retirement, and low pay as well as the coercion that is now allowed towards the unvaccinated .

If what you say is true, that there are 5,000 participants that are not vaccinated, then this should tell you that there are at a minimum of 5,000 people that are all willing to stand and fight together no matter what, including many of the VACCINATED. Dr. Anthony Fauci said on December 1st, that the definition of fully vaccinated is to include booster shots. How can the board only plan for 5,000 unvaccinated, when this statement from Dr Fauci will change that number drastically? How many PEBP participants are willing to keep being injected over and over and over again? This will increase the number of unvaccinated causing this asinine surcharge to affect more participants than the board is planning for. President Biden said on December 2nd, that private health insurance companies will be required to reimburse people who buy at home test kits. He also states that the government will provide another 25 million test kits to the non-insured. That being said, the state of Nevada received money from the CARES Act for this purpose. Not for charities, lotteries, and raffles. You as board members should be going to the governor asking for reimbursement from the CARES Act money not going after the participants and their families pay checks. So once again the government takes care of the uninsured and screws the hard working Americans over.

All of us are not only friends and coworkers but we are family. We spend more time together than we

do with our families. Many of the vaccinated and non-vaccinated will stand together and will not be divided. We have chosen to be or not to be vaccinated for our own reasons. These reasons are not any of the governments business. These choices are between our families, our doctors, and our churches. We are all adults and will decide what is right for us and our families. You, as a board for the public employees, have chosen to discriminate against the non-vaccinated. This new surcharge will not help raise the vaccinated numbers. What it will do, is cause public employees to seek other employment. If they have not been vaccinated by now, then most likely they do not plan on being vaccinated.

I am requesting a special meeting to be set for the middle of January for a re-vote with public comment and all participants be notified via email for this meeting. I am also requesting this email be sent to all the board members and read during public comment at the special meeting in January or at your next meeting.

Thank you for your time and consideration of a true open meeting without having your minds made up prior to the meeting and without having people muted because they say some thing you do not like.

Sincerely, Oscar T Gardea .

From: Herman, John [REDACTED]
Sent: Friday, December 17, 2021 11:10 AM
To: PEBP Member Services <memberservices@peb.nv.gov>
Subject: surcharge concern

For Board member response.

I have concern that I won't be able to afford healthcare due to your surcharge. I have researched this and it appears that your acting outside the scope of federal guidelines.

Can you provide information as to how you are legitimately charging more for my family who does not want to get the vaccine. I can drop my dependents from my healthcare but then the federal government would fine me. I can get my own healthcare where there would be no surcharge but my healthcare costs would increase either way. I need some way to not pay for people I have no control over yet the federal government says I have to provide for them. This is causing me a lot of anxiety and is affecting my ability to make good decisions. There has got to either be a good answer or maybe it's time for me to take other actions. Please advise so I can have some resolve.

Health insurers are a different story. A slew of state and federal regulations in the last three decades have heavily restricted their ability to use health factors in issuing or pricing policies. In 1996, the Health Insurance Portability and Accountability Act began prohibiting the use of health status in any group health insurance policy. And the Affordable Care Act, passed in 2014, prevents insurers from pricing plans according to health – with one exception: smoking status

Best Regards,

John Herman NDOT
[REDACTED]

12/23/2021

Dear PEBP Board Members,

I am writing today concerning the surcharge to non-vaccinated participants that the board voted on December 2, 2021. After watching this meeting, it was obvious that the majority of the board was persuaded by the governor, and most of your minds were made up prior to any public comment. This is very concerning and means that we, as public employees, are trusting the board to make the best decisions for the participants, not the governor.

The PEBP website states, "The Board of the Public Employees Benefits Program helps to make decisions regarding the program, with the ultimate goal of helping PEBP best serve Nevada public employees and their benefit-plan needs". The way this meeting went shows in no way does the majority of the board have the same mission as your website states - "to serve Nevada public employees".

This new surcharge will cause employees to quit the careers they have chosen within the state. It will not only affect the state but will also affect you. Once these employees leave the state, they will no longer be an asset to all Nevadans, but they will also not be paying into the deteriorating insurance plans we currently have as public employees.

Our insurance has diminished over the years and the majority of the board voted to not reinstate the pre-covid plans but also voted to add a surcharge onto the non-vaccinated participants. This is very concerning. We have all chosen to work for the state, in one department or another, for the benefits and retirement. As we all keep seeing these benefits diminish and our costs keep rising, we are all asking ourselves if it's worth it anymore. It has degraded so bad, that I personally cannot recommend anyone to come to work for the State of Nevada at this time due to the dwindling insurance, dwindling retirement, and low pay.

I am an employee with TWO adult dependents on my plan who are NOT required to test at their jobs. This increase will break me!!!

If what you say is true, that there are 5,000 participants that are not vaccinated, then this should tell you that there are at a minimum of 5,000 people that are all willing to stand and fight together no matter what, including many of the VACCINATED. Dr. Anthony Fauci said on December 1st, that the definition of fully vaccinated is to include booster shots. How can the board only plan for 5,000 unvaccinated, when this statement from Dr Fauci will change that number drastically? How many PEBP participants are willing to keep being injected over and over and over again? This will increase the number of unvaccinated causing this asinine surcharge to affect more participants than the board is planning for. President Biden said on December 2nd, that private health insurance companies will be required to reimburse people who buy at home test kits. He also states that the government will provide another 25 million test kits to the non-insured. That being said, the state of Nevada received money from the CARES Act for this purpose. Not for charities, lotteries, and raffles. You as board members should be

going to the governor asking for reimbursement from the CARES Act money not going after the participants and their families pay checks.

All of us are not only friends and coworkers but we are family. We spend more time together than we do with our families. Many of the vaccinated and non-vaccinated will stand together and will not be divided. We have chosen to be or not to be vaccinated for our own reasons. These reasons are not any of the government's business. These choices are between our families, our doctors, and our churches. We are all adults and will decide what is right for us and our families. You, as a board for the public employees, have chosen to discriminate against the non-vaccinated. This new surcharge will not help raise the vaccinated numbers. What it will do, is cause public employees to seek other employment. If they have not been vaccinated by now, then most likely they do not plan on being vaccinated.

I am requesting a special meeting to be set for the middle of January for a re-vote with public comment and all participants be notified via email for this meeting. I am also requesting this email be sent to all the board members and read during public comment at the special meeting in January or at your next meeting.

Please listen to all the participants that are reaching out to you asking for this nonsense to be stopped. We are all at a point we could use some good news. Every time we think we are gaining ground with all the Covid mandates, something like this happens. This all needs to stop and we are asking for you to listen to us.

Thank you for your time and consideration of a true open meeting without having your minds made up prior to the meeting.

Sincerely,



Alisha Brown

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██████████

From: researcher [REDACTED]
Sent: Thursday, December 23, 2021 9:58 AM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Discrimination on a massive scale Nuremberg 2.0 right around the corner

This is wrong on so many levels! You have more chance of dying from the clot shot than from covid. Discrimination on a massive scale can't wait for the legal eagles to get hold of this. Nuremberg 2.0 is just around the corner!

Dear PEBP Board Members,

I am writing today concerning the surcharge to non-vaccinated participants that the board voted on December 2, 2021. After watching this meeting, it was obvious that the majority of the board was persuaded by the governor, and most of your minds were made up prior to any public comment. This is very concerning and means that we, as public employees, are trusting the board to make the best decisions for the participants, not the governor.

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Our insurance has diminished over the years and the majority of the board voted to not reinstate the pre-covid plans but also voted to add a surcharge onto the non-vaccinated participants. This is very concerning. We have all chosen to work for the state, in one department or another, for the benefits and retirement. As we all keep seeing these benefits diminish and our costs keep rising, we are all asking ourselves if it's worth it anymore. It has degraded so bad, that I personally cannot recommend anyone to come to work for the State of Nevada at this time due to the dwindling insurance, dwindling retirement, and low pay.

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going to the governor asking for reimbursement from the CARES Act money not going after the participants and their families pay checks.

All of us are not only friends and coworkers but we are family. We spend more time together than we do with our families. Many of the vaccinated and non-vaccinated will stand together and will not be divided. We have chosen to be or not to be vaccinated for our own reasons. These reasons are not any of the government's business. These choices are between our families, our doctors, and our churches. We are all adults and will decide what is right for us and our families. You, as a board for the public employees, have chosen to discriminate against the non-vaccinated. This new surcharge will not help raise the vaccinated numbers. What it will do, is cause public employees to seek other employment. If they have not been vaccinated by now, then most likely they do not plan on being vaccinated.

I am requesting a special meeting to be set for the middle of January for a re-vote with public comment and all participants be notified via email for this meeting. I am also requesting this email be sent to all the board members and read during public comment at the special meeting in January or at your next meeting.

Please listen to all the participants that are reaching out to you asking for this nonsense to be stopped. We are all at a point we could use some good news. Every time we think we are gaining ground with all the Covid mandates, something like this happens. This all needs to stop and we are asking for you to listen to us.

From: Donna Lewis [REDACTED]
Sent: Thursday, December 23, 2021 12:58 PM
To: Wendi Lunn <wlunn@peb.nv.gov>
Subject: The increase in Pebp for COVID

I'm retired and do not feel I should be penalized for not getting a COVID vaccine by increasing the cost of my benefits.

It should not be up to the government to determine what kind of medical care I receive.

Since Biden is authorizing the insurance company to reimburse individuals who do home testing, this change being proposed for NV employees is not needed. The state is out nothing.

Please represent the state of NV employees and they're right to choose.

Thank you,
Donna Lewis

From: chill7105 [REDACTED]
Sent: Monday, December 27, 2021 4:15 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Surcharge

To Whom it may concern:

This letter is regarding the Surcharge on unvaccinated taking place in July. I was not notified of this meeting and request a special meeting to be held in January to have a re-vote.

This Surcharge will have a devastating impact on myself and family. I have been with this company for 18 years and planned on retiring in the near future. My family and I are currently struggling with inflation, price of fuel to drive to work. and back. We have not received any pay increase over the last couple years. This has further put us in an incredible financial bind with basic living expenses. Adding an additional surcharge will put us into possible poverty and unattainable living situations. . I am reaching out to you with great concern of how you are impacting myself and family in grave diers. I am asking that you grant us this meeting so that we can discuss our concerns.

12/23/2021

Dear PEBP Board Members,

I am writing today concerning the surcharge to non-vaccinated participants that the board voted on December 2, 2021. After watching this meeting, it was obvious that the majority of the board was persuaded by the governor, and most of your minds were made up prior to any public comment. This is very concerning and means that we, as public employees, are trusting the board to make the best decisions for the participants, not the governor.

The PEBP website states, "The Board of the Public Employees Benefits Program helps to make decisions regarding the program, with the ultimate goal of helping PEBP best serve Nevada public employees and their benefit-plan needs". The way this meeting went shows in no way does the majority of the board have the same mission as your website states - "to serve Nevada public employees".

This new surcharge will cause employees to quit the careers they have chosen within the state. It will not only affect the state but will also affect you. Once these employees leave the state, they will no longer be an asset to all Nevadans, but they will also not be paying into the deteriorating insurance plans we currently have as public employees.

Our insurance has diminished over the years and the majority of the board voted to not reinstate the pre-covid plans but also voted to add a surcharge onto the non-vaccinated participants. This is very concerning. We have all chosen to work for the state, in one department or another, for the benefits and retirement. As we all keep seeing these benefits diminish and our costs keep rising, we are all asking ourselves if it's worth it anymore. It has degraded so bad, that I personally cannot recommend anyone to come to work for the State of Nevada at this time due to the dwindling insurance, dwindling retirement, and low pay.

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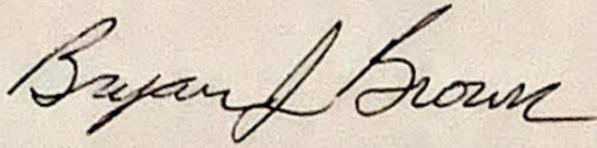
All of us are not only friends and coworkers but we are family. We spend more time together than we do with our families. Many of the vaccinated and non-vaccinated will stand together and will not be divided. We have chosen to be or not to be vaccinated for our own reasons. These reasons are not any of the governments business. These choices are between our families, our doctors, and our churches. We are all adults and will decide what is right for us and our families. You, as a board for the public employees, have chosen to discriminate against the non-vaccinated. This new surcharge will not help raise the vaccinated numbers. What it will do, is cause public employees to seek other employment. If they have not been vaccinated by now, then most likely they do not plan on being vaccinated.

I am requesting a special meeting to be set for the middle of January for a re-vote with public comment and all participants be notified via email for this meeting. I am also requesting this email be sent to all the board members and read during public comment at the special meeting in January or at your next meeting.

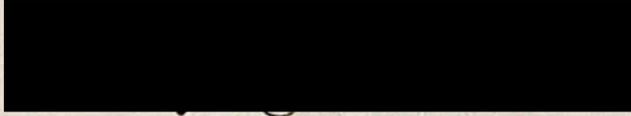
Please listen to all the participants that are reaching out to you asking for this nonsense to be stopped. We are all at a point we could use some good news. Every time we think we are gaining ground with all the Covid mandates, something like this happens. This all needs to stop and we are asking for you to listen to us.

Thank you for your time and consideration of a true open meeting without having your minds made up prior to the meeting.

Sincerely,

A handwritten signature in cursive script that reads "Bryan J. Brown". The signature is written in black ink and is positioned above the printed name.

Bryan Brown



PUBLIC EMPLOYEES' BENEFITS PROGRAM
901 S. STEWART STREET, SUITE 1001
CARSON CITY, NEVADA 89701
www.pebp.state.nv.us

RCUD JAN 8 '22

December 29, 2021

Dear The Public Employees' Benefits Program,

I feel it's my duty to apologize for abusing the medical benefits that I participate in paying for with my employment by the state of Nevada. I realize now that the three medical appointments for annual examinations that are highly suggested by medical providers along with one emergency room visit (first in my life) and one prescription would cause such financial hardship for your company that it would become necessary to fine me and my family for utilizing our Constitutional right to choose whether or not to receive a shot falsely called a vaccine illegally mandated by people that keep altering the science those same individuals insist we follow.

I'm very frustrated, hurt and scared by where this will lead for myself, my family, and future generations. I feel that if mine and my family's health were the real concern than it would have been made apparent many years ago for any one of the multitude of flu strings that have taken many lives each winter including new and unknown variants each and every season. And what about HIV? That was a terrifying time, nothing known about that virus, not even it's origins.

In this time where everyone is tossing around diversity, equity and inclusion for indigenous people, African American people, LBGTQ people, it seems that just plain people are on the receiving end of getting bullied and beaten into submission. I definitely feel like the outsider in my own life story because I no longer control the narration, any where in any way.

I enjoy my job and all that it entails but not enough to pay to keep it. It's absurd that anybody would think this concludes well.

I sincerely ask that this proposed "fine" be reconsidered before it's implemented on July 1, 2022.

Respectfully,



Terresa Mettler
PEBP Member



From: john herman [REDACTED]
Sent: Thursday, January 20, 2022 3:01 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: For the board meeting minutes of January 27

I am still very anxiously waiting for an answer to my concerns regarding how am I going to afford health insurance for my family members who are over 18 and do not want to be vaccinated. I wrote to you people expressing my concerns a month ago and I have not received any reasonable response. Please give me options for this latest mandate that is very important that their be a resolution to. I cannot find the exemption form's so that I can get this mental burden behind me. Where do I get the form's. Please respond with answers that are helpful. I don't want to have to leverage anything or anyone. This is so exhausting not knowing my financial future. How can I steer you in the right direction. If I have to steer this board in the right direction I will. But only because I can't get answers now. Not in July. Thank you for your time and I look forward to hearing from you.

John Herman

From: john herman [REDACTED]
Sent: Thursday, January 20, 2022 3:01 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: For the board meeting minutes of January 27

I am still very anxiously waiting for an answer to my concerns regarding how am I going to afford health insurance for my family members who are over 18 and do not want to be vaccinated. I wrote to you people expressing my concerns a month ago and I have not received any reasonable response. Please give me options for this latest mandate that is very important that their be a resolution to. I cannot find the exemption form's so that I can get this mental burden behind me. Where do I get the form's. Please respond with answers that are helpful. I don't want to have to leverage anything or anyone. This is so exhausting not knowing my financial future. How can I steer you in the right direction. If I have to steer this board in the right direction I will. But only because I can't get answers now. Not in July. Thank you for your time and I look forward to hearing from you.

John Herman

From: Tisha Bernhard [REDACTED]

Sent: Tuesday, January 25, 2022 9:42 AM

To: Wendi Lunz <wlunz@peb.nv.gov>

Cc: [REDACTED]

Subject: FW: Greetings From Your HR Team 12-02-2021

Good morning,

This insurance surcharge is unlawful, discriminatory, and coercive (NOT motivational). As of the December 2, 2021 Public Employees Benefits Program Board meeting, you decided to place a surcharge for unvaccinated employees and unvaccinated dependents to recoup weekly covid testing costs. It has been proven that the "Covid vaccines" do NOT prevent transmission of the virus especially as seen with the Omicron Variant. On January 13, 2022, the Supreme Court made a ruling that blocked the Biden Administration and OSHA from enforcing covid vaccine mandate and weekly covid testing for businesses. <https://www.cnbc.com/2022/01/13/supreme-court-ruling-biden-covid-vaccine-mandates.html> . Additionally, On January 21, 2022, a Federal District Court Judge in Texas rejected the Biden administrations Vaccine Mandate and blocked it from imposing disciplinary action on Federal Employees [Texas Judge Rejects Federal Employee Vaccine Mandate \(executivegov.com\)](https://www.executivegov.com/news/texas-judge-rejects-federal-employee-vaccine-mandate). Therefore these unlawful, discriminatory and coercive surcharges should be vacated.

I have a large family of eight (8) that is covered through PEBP. This includes my husband and six (6) children. Four (4) of my children are between the ages of 19-21. According to the email you sent regarding, if all us are not fully vaccinated, that I would have to pay an extra \$55 for myself and \$175 x 5 dependents amounting to an additional **\$930/mo (surcharge)** for my family to stay insured.

The State of Nevada (PEBP) cost of employee + family insurance I currently pay is about \$550.77/mo . If the rate stays the same, and I need to pay a \$930/mo surcharge, it would mean **I would have to pay \$1,480.77/mo or roughly \$17,769.24/yr** for the medical insurance (with the added surcharge). This would be a little more than 36% of my gross income. With all of the other additional deductions from my pay, my net pay would be roughly \$329/wk, which people on unemployment receive more that this. This would NOT meet ACA requirements for affordability in cost of medical coverage. My husband's job does not offer insurance and the mRNA medical procedure (aka "vaccine") is NOT an option for us. This is discriminatory against those who do not to go through with this medical procedure.

According to the October 4, 2021, HIPPA nondiscrimination and ACA wellness program requirements, there is an insurance surcharge cap of 30% that is applied to the cost of coverage for the employee AND dependents enrolled. <https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/publications/caghipaaandaca.pdf> Also, <https://www.natlawreview.com/article/impact-aca-employer-shared-responsibility-rules-and-wellness-program-limits-covid-19> , from January 3, 2022. Therefore, if my cost of coverage is roughly \$550.77/mo, the cap of 30% of this amount would be roughly \$165.23/mo. **Therefore, according to this 30% rule, I should NOT incur a TOTAL family surcharge of more than about \$165.23/mo.**

I did not find a resource regarding the surcharge on the EAP website. I called the EAP and spoke to "Ann". She stated EAP cannot help with the surcharge or provide money to offset the cost. Ann questioned why anyone would be contacting them regarding a surcharge as it is nothing they can assist

with other than speaking to a therapist. Which doesn't change the fact of this discriminatory and unlawful surcharge.

It is also discriminatory for the use of administrative leave to be only available for those with Covid -19 who provided Human Resources proof of their COVID-19 vaccination. As currently employees who are not vaccinated are not eligible for paid UADMC and will be required to use their own sick leave. More people who are "fully vaccinated" are the ones getting Covid, not those that are unvaccinated.

In the 1st week of December, (7) seven DMV employees at the North Decatur DMV came down with Covid. All of them were FULLY VACCINATED. None were unvaccinated. I understand the Biden Administration made a mandate of employers with 100+ employees requires people to be vaccinated or have weekly covid testing. However, it makes no sense to do the weekly testing of only the unvaccinated employees when the vaccinated are getting covid.

The State doesn't pay enough for our jobs as it is. Not to mention the cost of housing has gone through the roof in Nevada. This alone has placed major financial strains for people renting or trying to buy a home like myself. I can't imagine the State wants to lose good employees because of an unlawful and discriminatory surcharge for employees &/or their dependents aren't "fully vaccinated". People still get Covid-19 whether or not they are "fully vaccinated". You see this every day with the "Omicron" variant. Also for a specific example, at the North Decatur DMV, seven (7) employees were out on covid leave the first week of December 2021. ALL seven (7) were FULLY vaccinated when they got Covid.

In a review of NRS statutes, NRS 686A.100 (2) states *"No person may make or permit any unfair discrimination between persons of the same class and of essentially the same hazard in the amount of premium, policy fees or rates charged for any policy or contract of health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever."*

As we are all working at for the State of Nevada, and everyone is susceptible to Covid-19 (same hazard), it is blatantly unlawful discrimination to surcharge for insurance for those employees and their unvaccinated dependents.

NRS 686A.010 Purpose. The purpose of [NRS 686A.010](#) to [686A.310](#), inclusive, is to regulate trade practices in the business of insurance in accordance with the intent of Congress as expressed in the Act of Congress approved March 9, 1945, being c. 20, 59 Stat. 33, also designated as 15 U.S.C. §§ 1011 to 1015, inclusive, and Title V of Public Law 106-102, 15 U.S.C. §§ 6801 et seq.

(Added to NRS by [1971, 1688](#); A [2001, 2214](#); [2019, 1601](#))

NRS 686A.100 Life insurance, annuities and health insurance: Unfair discrimination prohibited.

1. No person may make or permit any unfair discrimination between persons of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract.

2. No person may make or permit any unfair discrimination between persons of the same class and of essentially the same hazard in the amount of premium, policy fees or rates charged for any policy or contract of health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever.

3. No person may make or permit any unfair discrimination between persons legally qualified to provide a particular service, in the amount of the fee or charge for that service payable as a benefit under any policy or contract of health insurance.

(Added to NRS by [1971, 1690](#); A [1983, 326](#))

According to December 2, 2021, PEBP agenda item (see attached), and page 47 of the transcript from the PEBP meeting, [F-12-2-21PEBP \(state.nv.us\)](#), Ms. Rich states “Health insurance must still be considered affordable under the Affordable Care Act, meaning that the least expensive employee only, and that’s important, the employee only premium option must be less than the 9.83 percent of the employee’s household income.”

On page 48, Ms. Rich continues, “While the dependent surcharges must still comply with HIPPA wellness rules they are not subject to the same limitations that employee surcharges are. So employers have a lot more flexibility in dependent surcharges in that amount. PEBP anticipates needing about \$175 for surcharge for dependents in order to recoup sufficient revenue to offset the expected expenditures of the plan “ pages 53-54, Ms. Rich explains “MS. RICH: So Laura Rich for the record. So quite honestly, I mean, so we’re limited in what we can assess in a surcharge. So \$55 is what we’re limited for the employee. So we have to pick up the rest of the cost through the dependents surcharge. Now this is only addressing the testing cost. We can certainly add in the anticipated COVID hospitalization and treatment on this, but then we’re looking at very significantly high numbers for the dependent surcharge, and staff wasn’t prepared to really go above that 175.” CHAIRWOMAN FREED: “Okay. Okay. Got it. So the surcharge is to cover the testing costs. The cost sharing is to bring PEBP in line with other health plan, tier health plans in Nevada, as well as large public sector health plans in other states and from that end tackle the claims cost side?” MS. RICH: “That is correct.”

As of January 13, 2022, the Supreme Court blocked the covid vaccine mandate and weekly testing for businesses. **Therefore, we should not be subjected to the surcharges as this is the reason being to cover the costs of the weekly testing.** I am the only State of Nevada employee in my household. So, not sure why my 5 dependents (over the age of 18) would even be required to have an insurance surcharge for surveillance testing when they are not receiving the surveillance testing!

EEOC laws state “**Employers must not require employees to have their family members get vaccinated and must not penalize employees if their family members decide not to get vaccinated.**”

<https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws> **K.21. Under GINA, may an employer offer an employee’s family member an opportunity to be vaccinated *without* offering the employee an incentive? (5/28/21)**

Yes. GINA permits an employer to offer vaccinations to an employee’s family members if it takes certain steps to comply with GINA. **Employers must not require employees to have their family members get vaccinated and must not penalize employees if their family members decide not to get vaccinated.** Employers must also ensure that all medical information obtained from family members during the screening process is only used for the purpose of providing the vaccination, is kept confidential, and is not provided to any managers, supervisors, or others who make employment decisions for the employees. In addition, employers need to ensure

that they obtain prior, knowing, voluntary, and written authorization from the family member before the family member is asked any questions about the family member's medical conditions. If these requirements are met, GINA permits the collection of genetic information.

Therefore, the state should vacate the unlawful, discriminatory, and coercive insurance "surcharge" amounts of \$55/employee and \$175/dependent, for any employee nor their dependents if they are not fully vaccinated.

Sincerely,

TISHA BERNHARD | Compliance Investigator II



From: Sean [REDACTED]
Sent: Tuesday, January 25, 2022 2:04 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Public Comment on Insurance Surcharge

Good afternoon, Ms. Lunz,

Can you please add the following to the public comment record regarding the insurance surcharge for unvaccinated employees?

The recent PEPB board vote to start charging unvaccinated State of Nevada employees a surcharge came as quite a shock to me. This will have a large impact to my family because I currently have three dependents on my insurance which would result in a \$580 a month surcharge.

With the federal vaccine requirement being lifted for employers with 100 or more employees, the time is now to reverse this vote. This is going to have a devastating impact on state agencies. My agency is having problems retaining employees now and if more leave the state service because of this mandate, we will be in really bad shape with less than skeleton crews in place to serve the public. We have already had one employee resign because of this decision.

Much like has happened with the airlines, who instituted a vaccination mandate and then removed it when they realized they weren't going to have enough staff to run their operations, the same will happen to Nevada state agencies.

Plus, the vaccinated are getting sick with the virus now as much as the unvaccinated. The vaccinated also can get sick and pass it on to others as well.

We haven't gotten the vaccine for religious reasons and hope there will at least be a religious exemption. This is a legitimate reason as well, we're not claiming it just to get out of it.

If I left state service over this, I'd be leaving with only 15 years with the State of Nevada. This would have a big impact on my retirement, as I planned on working at least another ten years and quite possibly 15.

Not to mention, my family cost the state very little on our insurance. We are very healthy, all exercise regularly and eat well. We very rarely go to the doctor besides routine checkups. We feel it is unfair to target us. All of us have had COVID at some point and described it mostly like a cold, probably due to our strong immune systems.

This virus is going to be around for a while and it appears that the vaccines don't do much to prevent Omicron. We need to learn to live with it. We socially distance, wear masks and don't go anywhere if we feel sick like everyone else. At this point, I don't want to be around anyone with symptoms, vaccinated or unvaccinated.

Please find it in your heart to rethink this decision for the good of the state and families like mine. I don't mind the \$55 surcharge for myself but the \$175 each for my family members who don't work for the state is too much.

Thank you for your consideration.

1/23/2022

<https://www.fox5dc.com/news/defeat-the-mandates-march-happening-in-dc-sunday>

Follow the link from yesterday's amazing rally against Mandates Feel free to share this with your board. Vaccines are personal and religious choice and we should not be threatened or Coerced. I am feeling very intimidated by the board that unvaccinated will be finically punished for our choice. please "Choose the Good". The term "coercion" is used to describe the act of forcing or intimidating someone to do what you want them to do. At some point or another, most people have been subjected to coercion. For example, coercion is what every schoolyard bully uses when he tells another student to give up his lunch money to the bully or risk being beaten up. To explore this concept, consider the following coercion definition. Definition of Coercion Noun The act of forcing, threatening or intimidating a person so as to get a desired result from them.

<https://www.fox5dc.com/news/defeat-the-mandates-march-happening-in-dc-sunday>

Follow the link from yesterday's amazing rally against Mandates Feel free to share this with your board. Vaccines are personal and religious choice and we should not be threatened or Coerced. I am feeling very intimidated by the board that unvaccinated will be finically punished for our choice. please "Choose the Good". The term "coercion" is used to describe the act of forcing or intimidating someone to do what you want them to do. At some point or another, most people have been subjected to coercion. For example, coercion is what every schoolyard bully uses when he tells another student to give up his lunch money to the bully or risk being beaten up. To explore this concept, consider the following coercion definition. Please have your board revert the surcharges against the unvaccinated benefit holders since it is proven that vaccines are leaky, cause injuries and Not working. thank you again for your time Chilant Dixon

Michael Fuess



01/25/2022

VIA ELECTRONIC MAIL ONLY

PEBP Board
c/o Wendi Lunz (WLunz@PEB.nv.gov)
901 South Stewart St; Suite 1001
Carson City, NV 89701

PEBP Board:

Please share this letter with the PEBP Board Members and include in the meeting record for your next PEBP Board Meeting. Please read this letter during public comment if possible.

While I am a civil servant, I write this letter as a tax payer and a voter. My thoughts here are my own and do not in any way represent my employer.

I would like to start by thanking each and every one of you for your service on this board. Your position is challenging and you have many difficult choices to make at each meeting. Your role is essential in order for the state to effectively manage our programs, projects and assets. You are tasked with providing meaningful benefits to our civil servants while also being fiscally responsible. The benefit package you provide plays a critical role in recruiting and retaining quality staff. These decisions also have a significant impact on the quality of life for all civil servants and their dependents. The decisions you make are important and have far reaching consequences. The state cannot do its business without your program.

Our state civil servants are our state's most valuable asset. This concept is taught by the Department of Human Resource Management (DHRM) and is quite true. None of the state's programs, projects or assets would exist without the dedication and hard work from our civil servants. Failing to recruit and retain high quality staff put all state programs, projects and assets at risk. Recruiting and retaining high quality staff must be placed at the state's highest priority and must be addressed first before considering any other operating or capital investment.

Unfortunately, some sectors of Nevada civil service are in crisis. Attrition rates and staff shortages are unprecedented. Seniority rates are low. We have all read about the great resignation. The great resignation is very real. This trend is nation wide and affects all sectors of our economy – including Nevada civil service. It is common knowledge that the great resignation is triggered by three main issues:

- 1) Compensation
- 2) Benefits
- 3) Culture

All three of these challenges are plaguing Nevada civil service in a big way; however, these challenges are solvable if we recognize the issues quickly and take bold and meaningful steps to resolve them. The longer we wait, the more damage our civil service program will experience and the harder it will be to repair. The time for action is now.

Compensation; In Nevada, compensation for civil servants has not been a priority for a very long time. State civil servant salaries and benefits are handled by the legislature last – not first. We have lost retention pay. Steps were frozen for several years. We even had a special session to cut state employee

pay. We have been furloughed for more than half of the last 12 years. For decades, the take home pay for civil servants has not kept up with the consumer price index – and the consumer price index is a poor, low ball measure of inflation. There is a big difference between gross and net pay – this is important when the increased employee contributions for benefits offset cost of living pay increases. The bottom line take home pay needs to increase annually commensurate with or greater than the consumer price index or the employee will lose purchasing power for that year. Sales tax revenues increase annually commensurate with inflation. Property taxes assessments increase annually. Even OSHA fines are increased every year commensurate with the consumer price index. When the state increased the state minimum wage, Pay Grade 10 Step 1 became below the state minimum wage. There is no attempt to adjust Paygrade 10 Step 1 to match the state minimum wage – we just increase the step for new employees so that their pay is above the state minimum wage.

Benefits; We have watched the quality of our medical benefits degrade over time while our premiums and service costs have been increasing. We are told this is to mitigate inflation, while our take home pay is not increased to mitigate against inflation.

Culture; The messaging during the COVID-19 crisis has resulted in many challenges for our culture. It is creating a division between vaccinated and unvaccinated team members. This is not healthy or productive. Somehow we need to find a way to embrace this diversity as an asset and build the team rather than divide it. Vaccinated and unvaccinated team members deserve equal dignity and respect.

Right now, I suggest the state needs to immediately recognize that civil service is in a state of crisis and work with the Interim Finance Committee to develop immediate bold strategies to improve the compensation, benefits and culture of civil service in order to quickly resolve our ability to recruit and retain high quality team members. This has to be a package deal with PERS, PEBP and DHRM affecting employee salaries, benefit quality and employee benefit contribution. There is no time for more studies, more reviews or more committees. Now is the time for immediate, bold action to restore civil service to the desirable career it once was. I argue this is an emergency worthy of emergency declaration.

During your last meeting on December 2, 2021, your board made decisions relating to:

- 1) Coverage of members for COVID-19 infection
- 2) Surcharge for unvaccinated employees and dependents
- 3) Proposed plan changes for plan year 2023

I would like to offer comments on each of these issues and encourage you to immediately schedule an emergency PEBP Board Meeting to reconsider each of these issues. I would also like to strongly encourage PEBP to advise membership by e-mail when considering issues that will affect employee cost or quality of benefits. You have e-mail addresses for all your membership – you send us many e-mails for other initiatives. I encourage you to seek out and welcome feedback on the initiatives affecting membership. Cities and counties have done this for many years for issues affecting taxes and land use development. The public comment discussions can be long and sometimes difficult; however, the effort to be transparent with stakeholders is well worth it. And, the discussions with stakeholders often lead to program improvements.

1) Coverage of members for COVID-19 infection

During the last meeting, the PEBP board voted to consider COVID-19 coverage for infection like other illness. This makes it seem that the COVID-19 emergency is over.

Unfortunately, we are still in a state of emergency for COVID-19. We are still wearing masks and following emergency orders from the state and county. State employees and their families are suffering with inflation and struggling with COVID-19 related issues associated with the pandemic. However, COVID-19 illness will be paid by your membership at the same rate as any other illness. Nevada has received CARES

Act funding to meet exactly this need. To tell state employees that they still need to comply with all emergency orders and endure all the pandemic related struggles – because we are still in a state of emergency – but we need to pay for COVID-19 illness just like any other illness just seems inconsistent to me and even inappropriate.

The increased infection rates are helping us achieve herd immunity. We have medications and vaccines that are helping us live with this pandemic. One day the state of emergency will end. Meanwhile, COVID-19 is still in our community with varying waves of infection. We are still struggling with the COVID-19 emergency orders, intermittent home/remote schooling of children, significant inflation, supply chain related issues, etc. While we are under state of emergency, it makes sense that coverage for COVID-19 infection be paid at 100% - use CARES act funding if you need it. When the state of emergency is over, then members should be expected to pay for care at the normal illness rates in the plan. Please reconsider this decision.

2) Surcharge for unvaccinated employees and dependents

At your last meeting, PEBP rolled out a plan to perform required surveillance testing for unvaccinated employees funded through PEBP funds rather than CARES Act funds. The Board voted to charge unvaccinated member employees a surcharge rate of \$55/month in order to partially fund this testing. It appears this is intended to recover costs for testing while also pushing staff toward vaccination. The program was modeled after smoking surcharges implemented by some insurance plans in our nation. Nevada is apparently the first state in the union to consider such a funding strategy for surveillance testing for civil servants. Unfortunately, given the inflation rates we have experienced over the last several decades and given the take home pay each year has not increased commensurate with the consumer price index (some years take home pay was reduced), this is a cost many can ill afford. While this may be legal, it is not helping to recruit and retain highly qualified staff. In my opinion, it is not appropriate.

During the last Board meeting, it was represented that the \$55/month surcharge for unvaccinated employees was not enough to cover the funds required to pay for weekly surveillance testing for the unvaccinated employees. Therefore, PEBP proposed to charge a \$175/month surcharge for each unvaccinated dependent of civil service team members over the age of 18. I find this not only outrageous but foolish. There is no rational nexus for this surcharge for unvaccinated dependents. The unvaccinated dependent creates no additional financial burden to PEBP related to state employee surveillance testing requirements. If a vaccinated employee has unvaccinated dependents over the age of 18, the vaccinated employee will be expected to pay \$175/month for each unvaccinated dependent over 18 in order to cover for the surveillance testing needs of other unvaccinated employees? (In this case, a vaccinated employee who does not require surveillance testing but has one unvaccinated dependent will pay more than three times as much as a single unvaccinated employee requiring weekly surveillance testing.) Right now, we are seeing affected employees consider options such as quitting their civil service positions or planning to discontinue providing insurance for unvaccinated dependents. Very few state employees can afford such a high surcharge. I seriously doubt this program will actually generate the revenue anticipated. I find it unconscionable that such a strategy would be even considered to fund surveillance testing for unvaccinated civil servants. If this is intended to be a bully tactic by government to push more people into vaccination, it will likely fail miserably.

I strongly suggest the PEBP board reconsider the decisions for these surcharges ASAP. Given the civil service crisis we are facing, we need to retain every able civil servant. Losing civil servants – in many cases knowledgeable civil servants with invaluable institutional memory and leadership skill - over these surcharges in my opinion is foolish. Bully tactics and partisan politics has and will continue to push many unvaccinated staff away from state employment. If we want more vaccinated staff members, I suggest we need to rebuild trust in our medical industry and trust in our government. These surcharges do not

appear to be the answer. We have CARES Act funds for exactly this need. I suggest requesting IFC approval to use CARES Act funds to meet our surveillance testing needs – not these surcharges.

3) Proposed plan year changes for plan year 2023

Given the crisis we are currently experiencing in civil service, I strongly suggest this decision be revisited ASAP. The Aetna program implemented this year for the premier plan is terrible and is yet another degradation of our benefits. Quite frankly, I strongly encourage PEBP to significantly improve investment in medical benefits and restore the high-quality Hometown Health HMO plan we once had and restore adequate subsidies for this plan so that the employee costs do not increase – and possible even reduce employee premiums and service costs. This is essential for the State of Nevada to become a competitive employer once again. Doing this will be a significant investment in your team and the future of Nevada. Hometown Health is a local corporation so you would also be investing in a local healthcare corporation rather than an out of state corporation. I encourage you to declare the civil service crisis an emergency and request IFC for additional funds ASAP if required. At the beginning of the pandemic, there was a sweep of PEBP funds to balance the general fund. You might be able to get some of these funds back through the CARES Act.

We have been approaching this tipping point for many years. We have known for a long time that civil service was on borrowed time due to the lack of investment in employee pay and benefits. The staffing shortages, high attrition rates and low seniority rates are real. They need to be addressed now. There is no time to wait for studies, committees, or the next legislative session. The time for action is now. All of you are in key roles that can make a big difference. Using the immortal words of William Danforth, I dare you to make a difference. I look forward to seeing the great things we can achieve by working together to solve this challenge.

Thank you again for reviewing and considering these thoughts. Your role on the PEBP Board is important. Your decisions matter and significantly affect the lives all state employees and their dependents. Your decisions also affect the success of our state projects, programs and assets. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Fuess" with a stylized flourish at the end.

Mike Fuess

From: Robert Harris [REDACTED]
Sent: Wednesday, January 26, 2022 8:00 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Public comment

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Robert Harris

I am disappointed that this panel thinks passing a surcharge for a shot for a strain of a virus that is no longer the most prevalent in our society shows incompetence in your decision making. If the shot stopped transmissibility then you could consider this a vaccine however if the shot you are requiring stopped transmissibility we would be out of this pandemic. I don't think any court will allow such a tyrannical measure but even if they do you will definitely have a bigger labor shortage then you currently do. Highest unemployment rate in the nation for a reason. Part of me hopes you really are this out of touch. I have been wanting to move because of the horrible schools in Nevada. Worst schools in the nation for a reason and you are part of the problem not the solution. Brain drain doesn't even describe what this state is facing. California junior without Yosemite or the Golden Gate.

From: liz Davis [REDACTED]
Sent: Wednesday, January 26, 2022 10:25 PM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Unfair and unjust employment practices

The HIPPA Law protects our medical records. You are wanting to punish State workers for CHOOSING not to inject an experimental therapy in their body. By having total disregard for your employees you will continue to lose workers. How much are you getting paid to push the jab? An outdated jab that does no good! Can't you see how foolish your mandate is? If you've had the virus you shouldn't get the jab. Charging higher insurance rates for unvaxed is wrong, sexist, discriminatory.

If your worker is injured by the jab, is insurance going to cover the cost and or funeral expenses? This financial burden is forcing medical decisions for an emergency use shot
Taxpayer

From: Lynn Kretschmer [REDACTED]
Sent: Thursday, January 27, 2022 5:18 AM
To: Wendi Lutz <wlunz@peb.nv.gov>
Subject: Vax

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If, retirees have to get the vax this is totally wrong! Trying to save \$\$ from us that worked years to get to put it back in the system is wrong

From: Maxine Bradshaw [REDACTED]
Sent: Thursday, January 27, 2022 5:49 AM
To: Wendi Lunz <wlunz@peb.nv.gov>
Subject: Retired State Employees Monthly Surcharge

To the attention of W Lunz,

Enclosed - **Notice from 'We The People of Nevada' of Violation of Federal & State Law - Committing a Felony**

Regarding the PEB meeting today to vote on the unlawful act of withholding monies from present and past state employees, I am attaching the multiple violations that Governor Steve Sisolak has committed since being in office. This was brought to the attention in September 2020 when representatives on every level of government were mailed this letter. These actions against the people of Nevada are felonies and are punishable by imprisonment. Anyone in any capacity taking action to carry out these unlawful acts is also complicit in these crimes. You need to do the right thing now and you do possess the power to change this. Thank you.

Sincerely,

Maxine Bradshaw
mpdbradshaw@gmail.com

September 2, 2020

To All Nevada State, County and Local Representatives,

The purpose of this letter is to advise you of the following steps and direction that We The People of Nevada are taking regarding the Non-Pandemic Covid-19. First, there are two major points of concern that exist statewide that are dangerously impacting every citizen regarding this 'influenza'.

***THE GOVERNOR CANNOT MANDATE ANYTHING AND
THERE IS NO STATE OF EMERGENCY!***

Each person has the God-given right to make any and all decisions, most significantly, related to their personal health and well-being and the Governor does not have the authority to mandate anything. More critically, when it may be endangering the health of the people. US Title II, Civil Rights Act, US Code 42, SS 2000(a)

The most significant factor is that it is now public information that over 90% of the actual Covid cases diagnosed have now been proven to be 'clinically insignificant' because they are not likely to be contagious. This is not an opinion but a fact taken from the actual PCR test findings in the states of New York, Massachusetts and Nevada as very recently reported by the New York Times. Also the Center for Disease Control (CDC) recently updated the actual Covid deaths to 9,210 nationwide, far below the annual seasonal influenza death rate. At the earlier point in time that any proposed state of emergency was announced, it should have been terminated at the earliest possible date that conditions warranted.

Thousands of Nevada healthcare workers have been furloughed since April. No legal grounds exist to support a state of emergency based on public health as there is no "threat that overwhelms the current resources of the state" based on the actual covid-related deaths.

The above information also substantiates that Covid-19 cannot lawfully be classified as an "epidemic". An epidemic is when there are disproportionately large numbers experiencing an outbreak of a disease. There is no evidence of this in Nevada as current numbers testify. Subsequently, there are no legal grounds for an additional extension or a new state of emergency to be declared, with the Governor unlawfully mandating extended shutdowns of businesses in this state.

Nevada Revised Statute also addresses the civil process and subsequent violation regarding the following. NRS 41.508. Related NRS 414.0345, 232.3532.

Liability Of Persons Who Make Or Cause To Be Made False Reports Of Crimes Or Emergencies

Based on the Governor's unlawful mandates, and we as Nevadans understanding the gravity and debilitating toll that these actions have taken on the lives of all Nevadans for many months, are now coming together to reclaim all of our God-given rights that were being stripped from us.

You as representatives for us, the citizens of this state, now have the responsibility and obligation to immediately take action to remedy this severe damage done. Every business statewide must be immediately made aware by their county, city and state representatives of these unlawful actions taken against them based on the Governor's mandates and all mandate related messages removed from all Nevada business sites. They need to be assured that they will not again be intimidated, threatened, penalized, fined or jailed for practicing their God-given rights by lawfully running their businesses, feeding their families, and putting in their life's work just to pay their bills. We Nevadans will no longer be mandated to wear face coverings of any type, practice social distancing, be subjected to temperature taking, viral testing or vaccination, unless we each personally choose to do so.

For many Nevadans it is already too late. They have lost everything, some of them their lives, and they did not die of Covid. Our lives from this day forward are going to return to the 'real normal'; what should be. But rest assured, we the people of Nevada will be certain that anyone serving us in their political capacity understands they work for us and they will be held accountable for any and all actions that become a threat or detriment to us and our way of life. A final point. Now that the truth of this Non-Pandemic virus has surfaced, we the Nevada voters demand our God-given right to have the choice to vote in person at the polls in the 2020 election in November. May God Bless Us All. We The People of Nevada.

Signature /s/ Maxine Bradshaw County Name Carson

From: Karen Stephens [REDACTED]
Sent: Wednesday, January 26, 2022 9:25 PM
To: Wendi Lutz <wlunz@peb.nv.gov>
Subject: Objection to Health Insurance Surcharge

As a State of Nevada retiree, I am stating my opposition to the mandatory health insurance surcharge for employees who have not been fully vaccinated, regardless of medical issues.

First, this is still America and as sovereign citizens we have a right to make our own medical decisions.

Secondly, the vaccine has not been fully approved by the FDA and is considered experimental.

Thirdly, what exactly is the definition of 'fully vaccinated'? Two vaccines have been determined to be ineffective in the prevention or transmission of Covid and a 3rd shot is now recommended. Soon it will be a 4th, then a 5th, a 6th. Where does this end?

It is well known that natural immunity is superior to any pharmaceutical vaccine. Accordingly those with natural immunity have already been vaccinated and therefore do not require an experimental injection consisting of aluminum, mercury, or other ingredients that have not been disclosed.

Sincerely,
Karen Stephens

Dr. Kent M. Ervin



Kent Ervin, K-E-N-T E-R-V-I-N, State President of the Nevada Faculty Alliance. Chair Freed, Executive Officer Rich, and committee members: Thank you for your service today and your dedication to the program. Since my statement of excess reserves in the first public comment period was questioned earlier, I would like to put the values on the record.

According to the Q1 budget report in item 4.2.1, the beginning cash balance for FY 2022 was \$159,011,280. The mandatory reserves for FY2022 total \$112,217,030. That amount is the sum of \$52,296,000 in Incurred But Not Reported Liability, \$34,875,000 in Catastrophic Reserves, and \$25,060,050 in HRA Reserves for FY2022. The difference between the \$159M beginning balance and the \$112M in mandatory reserves is \$46,794,250 or about \$47M in excess reserves as of the beginning of the current fiscal year. In addition, \$8.6M in CARES Act reimbursements that were not known at rate-setting time is being received in FY2022. That raises the total available to \$55M for new expenditures in fiscal year 2022.

According to email correspondence with Chief Financial Officer Eaton this week (attached below), the final cash balance for the Close of FY2021 in the budget report should be \$159,011,280 instead of the \$154.7M listed in the table on page 2 of the report. That revises the excess reserves as of the close of FY2021 to \$42,111,629. That's up by \$9M from \$33M that was projected at the May 7, 2021, legislative budget closing for PEBP. The mandatory reserves for FY2022 were reduced from FY2021 to FY2022, which accounts for another \$5M increase in available excess reserves at the beginning of this fiscal year. As discussed at the September meeting, the new mandatory reserves were calculated by AON back in August but the determination letter from AON has yet to be shared with the PEBP Board, despite the request by Chair Freed at that time (p. 34 of the September 2021 meeting transcript), or to the public.

On the projected expenditures side, roughly \$3M to \$4M per year for restoring the medicare exchange HRA contributions from \$11/month/YOS to \$13, and as noted by Chair Freed the \$26M has been allocated for FY2023, FY2024, and FY2025. Ms. Eaton indicated today that the excess reserves are \$38.1M "at this time", which I can only presume means as of today, January 27, 2021, but we don't know what that number includes. It would be helpful if current projections were provided to the Board and the public on a regular basis.

Thank you.



→ **Cari Eaton**
to me, Laura ▾
Kent,

Tue, Jan 25, 3:56 PM (2 days ago) ☆ ↶ ⋮

Thank you for bringing this error to our attention and I apologize for the delay in my response. It turns out that the workbook didn't pick up the final FY21 payments that posted in August in the macro so that has been corrected and hopefully won't be an issue moving forward. I did also see a typo on page 3 where I forgot to change "less" to "more". Thank you.

Operational Budget 1338

	FISCAL YEAR 2022			FISCAL YEAR 2021		
	Actual as of 9/30/2021	Work Program	Percent	Actual as of 9/30/2020	Fiscal Year 2021 Close	Percent
Beginning Cash	159,011,280	159,011,280	100%	154,541,329	154,541,329	100%
Premium Income	84,457,476	355,412,324	24%	74,097,153	368,820,091	20%
All Other Income	3,744,797	16,329,797	23%	3,466,083	24,098,398	14%
Total Income	88,202,273	371,742,121	24%	77,563,235	392,918,488	20%
Personnel Services	446,825	2,822,786	16%	456,897	2,413,496	19%
Operating - Other than Personnel	465,100	2,635,822	18%	437,631	2,340,118	19%
Insurance Program Expenses	100,977,790	374,702,990	27%	97,772,799	383,178,704	26%
All Other Expenses	85,350	331,125	26%	115,304	516,219	22%
Total Expenses	101,975,064	380,492,723	27%	98,782,631	388,448,537	25%
Change in Cash	(13,772,791)	(8,750,602)		(21,219,396)	4,469,951	
REALIZED FUNDING AVAILABLE	145,238,489	150,260,678	97%	133,321,933	159,011,280	84%
Incurred But Not Reported Liability	(52,286,000)	(52,286,000)		(51,514,000)	(51,514,000)	
Catastrophic Reserve	(34,875,000)	(34,875,000)		(34,835,000)	(34,835,000)	
HRA Reserve	(25,056,050)	(25,056,050)		(30,550,651)	(30,550,651)	
NET REALIZED FUNDING AVAILABLE	33,021,439	38,043,628		16,422,282	42,111,629	

Expenses for Fiscal Year 2022 are projected to be \$5.6 million (1.4%) less than budgeted when changes to reserves are excluded. Operating expenses are projected to be **more** than budgeted by \$0.01 million (1.0%). Employee and Retiree insurances costs are projected to be less than budgeted by \$5. million (1.5%) when taken in total (see table above for specific information).

Cari Eaton
Chief Financial Officer
Public Employees' Benefits Program
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