

How state lawmakers pump up pensions in ways workers can't

By Thomas Frank, USA Today

At age 55, South Carolina state Sen. David Thomas began collecting a pension for his legislative service without leaving office.

Most workers must retire from their jobs before getting retirement benefits. But Thomas used a one-sentence law that he and his colleagues passed in 2002 to let legislators receive a taxpayer-funded pension instead of a salary after serving for 30 years.

Thomas' \$32,390 annual retirement benefit – paid for the rest of his life – is more than triple the \$10,400 salary he gave up. His pension exceeds the salary because of another perk: Lawmakers voted to count their expenses in the salary used to calculate their pensions.

No other South Carolina state workers get those perks.

Since January 2005, Thomas, a Republican, has made \$148,435 more than a legislative salary would have paid, his financial-disclosure records show. At least four other South Carolina lawmakers are getting pensions instead of salaries, netting an extra \$292,000 since 2005, records show.

Pension perks aren't unique to legislators in South Carolina.

More than 4,100 legislators in 33 states are positioned to benefit from special retirement laws that they and their predecessors have enacted to boost their pensions by up to \$100,000 a year, a USA TODAY investigation found. Even as legislators cut basic state services and slash benefits for

police, teachers and other workers, they have preserved pension laws that grant themselves perks unavailable to voters they serve or workers they direct.

Read the whole story

Mother Nature more of a threat to U.S. than terrorism

By Christopher Dickey, Newsweek

Paul Stockton, the Pentagon's point man for security in the homeland, plans for the kind of apocalyptic events that could forever change the lives of millions of Americans. Assistant Secretary of Defense Stockton, a lifelong academic who speaks passionate jargon, calls them "complex catastrophes" with "cascading effects," and, like Sept. 11, 2001, these new tragedies could have gut-wrenching social and political consequences. Yet the horrors he's preparing for are far bigger than 9/11: tens of thousands of people killed, the economy devastated, national security gravely compromised. And the terrorist who will be responsible for these atrocities is Mother Nature. Stockton's yardstick for cataclysms is not "worse than 9/11," it is "disasters even more severe than Hurricane Katrina."



Hail in South
Lake Tahoe in
July 2010.
Photo/LTN file

They're coming. Of that, Stockton and other disaster-management specialists have little doubt. Last month the East Coast suffered the psychological shock of a relatively small earthquake and what turned out to be a pretty weak hurricane after some pretty strong hype. "Apocalypse Not," headlined the New York Post. New York City "dodged a bullet," as Mayor Michael Bloomberg put it. But New Jersey, upstate New York, and several states in New England didn't. In Connecticut alone, a record 650,000 households lost power, many of them for several days. In Vermont, food had to be airlifted to towns cut off by flooding. All told, Hurricane Irene killed 43 people in the United States, and estimates of the damage range up to \$20 billion.

That's just a little taste of things to come. Whatever the cause—greenhouse gases, natural warming, or both—rising temperatures and sea levels already are breeding bigger, more intense hurricanes and more dangerous storm surges. Former vice president Al Gore, the teller of so many inconvenient truths about climate change, says it is "absolutely" a national-security issue. "We can expect continued increases in the frequency and severity of extreme floods, droughts, wildfires, storms and other events," he says. "We need to begin the process now of preparing for the disasters that are to come."

According to Gore, "some scientists are considering adding a Category 6 classification to the Saffir-Simpson hurricane scale, which uses wind speed to measure hurricane intensity." (Irene hit the Northeast as a low-grade Category 1 and then was downgraded to a tropical storm; Katrina hit New Orleans as a Category 3. A Category 5 hurricane has sustained winds

greater than 155 miles per hour; Category 6 would be upwards of 175 or 180mph.) And each notch on that scale means an exponential increase in destructive power.

Read the whole story

Nevada agency focuses on waste, abuse and fraud in Medicaid

By Sean Whaley, Nevada News Bureau

CARSON CITY – It isn't just fraud, but waste and abuse of Medicaid funds that state officials are taking aim at as the cost of the health insurance program for children, seniors and the disabled continues to climb.

Charles Duarte, administrator of the Nevada Division of Health Care Financing and Policy, which oversees the Medicaid program, said efforts to identify fraud, waste and abuse have been stepped up since 2005 when only two staff in his office were dedicated to these important tasks.

Now there are nine staff devoted to such reviews, and auditors can also be brought in when there is reason to believe an in-depth analysis is needed, he said.

Called the Surveillance and Utilization Review Section (SURS), the team is another line of defense against abuses of the Medicaid program along with the attorney general's Medicaid Fraud Control Unit and the investigations and recovery activities within the state Division of Welfare and Supportive Services.

"If you are looking at it as a pyramid it is really waste that is the big component, and then abuse and then fraud," Duarte said.

His staff closed 290 cases in fiscal year 2008, a number that reached 817 in fiscal year 2011.

"So the numbers of cases we have currently being reviewed and investigated has grown dramatically over the last five years," he said. "And as a result, we have been able to recover, on average, about \$2 million to \$3 million each year with regard to improper payments."

Medicaid is big business in Nevada and nationally.

Nevada's Medicaid budget for this 2012 fiscal year is \$1.6 billion, with just more than \$500 million coming from the state general fund. The federal government is paying 55 percent of the cost of the Nevada Medicaid program this year. Other local funds are also used to support the program.

The budget continues to grow as more Nevadans become eligible for services. In August 2009 there were just over 230,000 recipients. Two years later in August 2011 there were just over 300,000 recipients, an increase of 30 percent.

The federal government focused on Medicaid fraud in 2006 with a new law creating the Medicaid Integrity Program, identified as the "first comprehensive federal strategy" to prevent and reduce fraud, waste and abuse in the \$300 billion per year program.

Concerns over Medicaid fraud have caught the attention of state lawmakers as well.

Assemblyman Crescent Hardy, R-Mesquite, proposed legislation in the 2011 legislative session to study the effectiveness of current Medicaid fraud prevention efforts and identify ways to improve efforts to combat the problem.

A contractor, Hardy testified that he identified two Medicaid fraud cases in two years in his business. Assembly Bill 286, which had bipartisan support, did not win final approval, however.

“That’s what I wanted to look at and see how prevalent it was, and get the businesses involved to see if we could educate them in how to maybe identify this,” he said. “Because everybody that takes it illegally is taking it out of the mouths or the hands of those who really need it.”

Hardy said Duarte and other state officials need the tools to do their jobs.

“I really do believe we should be doing more to fight this thing, both at the state level and at the federal level,” he said.

Even without the review, state officials say Medicaid fraud is a priority.

Duarte’s staff spends much of its time analyzing data looking for “statistical outliers” or deviations in the normal parameters of billing activity, to identify potential areas of concern.

“And so we do a lot of the work up front for other branches of state government that may be involved either in prosecution or recipient-level fraud,” Duarte said. “So we’re the front line with regard to those types of reviews.”

There is also a deterrence effect from the reviews, he said.

“The word gets around,” Duarte said.

Some cases are resolved with education of a provider or group of providers, he said. But repeat offenders could be audited to recoup excess payments. If there is criminal intent, then the case is referred for potential prosecution, Duarte said.

There is also prospective review, such as checking the status of a provider seeking to do business with the Medicaid program in Nevada, he said. There have been cases where a business has been shut down for bad acts, but the same individuals establish a new company in an effort to continue to provide Medicaid services, Duarte said.

Fraud cases can involve a variety of activities, including providers who bill for services that are not even provided, he said.

In 2010 for example, the agency cut off all payments to Ujima Youth Services, which operated group homes at several locations in Reno, after an audit showed the company's records did not support the amount that was billed to Medicaid. The Secretary of State's Office shows there is no longer any active business entity by that name in Nevada.

"You want folks to have an appreciation that we appreciate their tax dollars and how (they are) being used," he said. "It's really an issue of stewardship on our part and on the part of the federal government."

Bridgeport fire completely contained

The 1,140-acre lightning-caused fire near Bridgeport was fully contained Thursday.

It started Sept. 25 near Buckeye Campground and Buckeye Hot Springs.

No structures were lost.

Smoke at times blew north, causing those in the Carson City-Reno area to be able to smell it and see it.

Nearly 300 firefighters worked the blaze, including a crew from the North Lake Tahoe Fire Protection District.

– *Lake Tahoe News staff report*

Placer County fighting to keep its water

By Gus Thomson, Auburn Journal

Placer County has plenty of water and that's creating increasing challenges to keep it, a Placer County Water Agency told the Board of Supervisors Tuesday.

The water agency is attempting to galvanize support for a regional effort to fight a new round of proposals for the Delta that Strategic Affairs Director Einar Maisch said pose serious risks to the water supplies, economy, environment and quality of life in the Sacramento region and Northern California.

Maisch showed a slide of a nearly dry reservoir at Folsom and posed the question whether that will be "our future?"

The water agency board recently adopted a resolution seeking regional collaboration on a solution and is seeking a similar resolution from the Board of Supervisors. The board heard Maisch's presentation Tuesday and asked staff to place the agency's resolution request on a future agenda.

The proposed resolution calls on any solution for the Delta

water supply to be based on “sound science” and one that doesn’t shift any negative economic, environmental or societal impacts to areas in the Sacramento region.

The regional water coalition would include the Sacramento Area Council of Governments, the Northern California Water Association and the Mountain Counties Water Resources Association.

Read the whole story

Resort at Squaw Creek operators face federal lawsuit

By KCRA-TV

A property management company in Lake Tahoe violated federal law when it improperly handled a sexual harassment claim of a Resort at Squaw Creek employee, according to a lawsuit filed by the U.S. Equal Employment Opportunity Commission.

The commission said that the resort operator retaliated against the employee who filed a sexual harassment complaint against a co-worker.

The lawsuit claims that Shira Garfinkel was sexually harassed by a co-worker while she worked as a server and bartender between 2005 and 2007 at the resort which is run by Destination Hotels & Resorts. The suit states that she underwent unwanted touching and sexual advances. The harassment eventually led to the break-in of Garfinkel’s home.

The EEOC's investigation determined that Resort at Squaw Valley failed to remedy the situation properly. The company took too long to implement steps to separate the two workers, and when it did, it violated federal law, the EEOC said.

Read the whole story

Hwy. 50 crews to work 12-hour shifts Friday, Saturday

With the weather forecast to change dramatically next week, Disney Construction crews are going to be spending more time on Highway 50 in South Lake Tahoe.

This means more delays.



Construction season in South Lake Tahoe.

Photo/LTN

On Sept. 30 and Oct. 1 from 7am-7pm the eastbound and center lanes will be closed from Lyons Avenue to Trout Creek Bridge.

Caltrans does not expect delays to be more than 10 minute delays while grinding and paving operations continue.

While many have complained that the work should have been at night, that wasn't always possible.

"Paving needs to occur during 55 degree weather and rising," Caltrans spokeswoman Deanna Shoopman told *Lake Tahoe News*.

– *Lake Tahoe News staff report*

Army specialist with ties to S. Tahoe dies in Afghanistan

By CBS

AMERICAN CANYON – U.S. Army Spc. Garrett A. Fant, 21, of American Canyon, was killed Monday by an improvised explosive device in Afghanistan's Helmand Province, the Department of Defense announced Thursday.

Fant, who attended South Tahoe High School, was on patrol in southern Afghanistan when the explosive device detonated.



Garrett Fant

He was assigned to the 4th Squadron, 4th Cavalry Regiment, 1st Heavy Brigade Combat team, 1st Infantry Division in Fort Riley, Kansas.

Staff Sgt. Nathaniel Smith, with the 1st Infantry Division's Public Affairs Office, said other soldiers were present when Fant was killed.

Read the whole story

Special account, not a tax increase to pay for Washoe County tax refund

By Susan Voyles, Reno Gazette-Journal

Washoe County commissioners will not tax vehicle owners more to pay court-ordered tax refunds for Incline Village homeowners – a decision that risks the county not having enough cash if it should be hit with a big lawsuit or some other calamity.

The commission agreed Tuesday night not to act on a proposed ordinance to raise the vehicle registration tax by 1 percentage point.

“There’s a sort of axiom that you don’t raise taxes during a recession,” Commissioner David Humke said. “This is a broad-based tax paid by everyone who owns a motor vehicle in Washoe County.

“It’s just an onerous tax.”

County Manager Katy Simon cautioned against taking \$7 million from the county’s risk management fund without a plan to repay the money.

“There is a risk of depleting those reserve funds and not replenishing them,” she said. “I know you are aware of that.”

The risk management fund pays for county liabilities, such as trip-and-fall accidents, lawsuits and medical expenses for retired public safety workers with heart and lung illnesses.

Read the whole story

League appeals federal court decision to allow Stateline project

Updated: Sept. 29 7:32am.

By Kathryn Reed

Back to court – that is where the Sierra Colina project is going because the League to Save Lake Tahoe is appealing last month’s ruling.

U.S. District Judge Robert Jones in Reno had ruled in the developer’s favor in August. The League on Sept. 28 took action to continue with its legal challenge regarding coverage of the proposed Stateline development.

“There are volumes of scientific research that indicates this type of exemption from coverage restrictions threatens the Lake’s water quality and clarity,” Carl Young, interim executive director of the League, said in a statement. “The project’s additional coverage will allow sediment and harmful pollutants to make their way through the watershed and enter Lake Tahoe, worsening the Lake’s clarity.”

So far, the League is in the minority with that way of thinking.

When Jones first heard testimony about the case this summer he all but called the suit frivolous.

Steve Kenninger and Gail Jaquish plan to turn the vacant 18 acres into 50 housing units. Environmental improvements have begun even with the project mired in a legal battle.

“Judge Jones found that Sierra Colina’s stormwater management system exceeds current regulatory requirements and will significantly reduce pollutant loads to Lake Tahoe compared to existing conditions,” Kenninger told *Lake Tahoe News*. “The certified EIS, which the League did not challenge, reached the same conclusion. The League’s positions are environmentally baseless and are harming the lake.”

Jaquish added, “Once again, the League promotes litigation obstructionism in Tahoe rather than environmental improvements and job creation for local workers.”

It will be up to the Ninth Circuit Court of Appeals to decide if the Tahoe Regional Planning Agency made the correct decision or not in approving the project, as well as if the District Court judge was correct or not in his ruling.