

## Legislation Details (With Text)

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Date	Ver.	Action By	Action	Result
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**City Council**

**MEETING DATE:** 8/24/2016

**TITLE:**  
**Requests for Letters of Support**

**FROM:**  
Charlie McClendon, City Manager

**RECOMMENDATION:**  
This item is provided for information, discussion and direction only.

**BACKGROUND:**

Councilmember Kaplan requested that staff send a letter of support for passage of the Beneficiary Enrollment Notification and Eligibility Simplification (BENES) Act (H.R. 5772). Additionally, Code Enforcement staff requested a letter urging Governor Brown to sign the Code Enforcement Officer Standards Act (AB 2228). Prior to issuing the letters staff is seeking direction from the full Council.

**DISCUSSION:**

The Beneficiary Enrollment Notification and Eligibility Simplification (BENES) Act (H.R. 5772) relates to the Medicare enrollment process. Supporters of the Act report that the basic rules underpinning the Part B enrollment system were developed more than fifty years ago, when Medicare was first established. As such, the BENES Act offers long-overdue solutions to modernize and simplify Part B enrollment. Through bipartisan, low-cost reforms, the BENES Act shields people with Medicare from steep premium penalties, fills needless gaps in coverage, and expands avenues for relief among

those who mistakenly delay or decline Part B.

While many individuals are automatically enrolled in Medicare because they are receiving Social Security benefits, an increasing share of newly eligible beneficiaries must actively enroll in the benefit. Knowing whether and when to enroll in Part B requires that a person understand when to sign up during time-limited windows, how their current insurance will work with Medicare, and what penalties may result if enrollment is inappropriately delayed. The consequences of missteps can be significant and often lead to a lifetime of higher Part B premiums.

In 2014, 750,000 people with Medicare were paying a Part B Late Enrollment Penalty (LEP) and the average LEP amounted to nearly a 30 percent increase in a beneficiary's monthly premium. In addition to this considerable penalty, many retirees and people with disabilities face significant out-of-pocket health care costs, gaps in coverage, and barriers to care continuity resulting solely from honest enrollment mistakes.

The BENES Act significantly alleviates these challenges. **H.R. 5772** fills long-standing gaps in notice and education for those approaching Medicare eligibility, aligns and simplifies Part B enrollment periods, and updates and expands existing mechanisms for those seeking reprieve. Taken together, these changes will help prevent costly enrollment slipups among the 10,000 people becoming Medicare eligible each day.

The Code Enforcement Officer Standards Act (AB 2228) has now been approved by both the State Assembly and Senate, and is on its way to the Governor for his signature. The California Association of Code Enforcement Officers (CACEO), in partnership with the League of California Cities, authored this Bill, and had a consistent presence at the capitol to promote and defend it at all the State hearings, publish and disseminate information, and mitigate opposition.

This bill would require the Board of Directors of the California Association of Code Enforcement Officers (CACEO) to develop and maintain standards for the designation of Certified Code Enforcement Officers or CCEOs. The bill would require the board to designate minimum training, qualifications, and experience requirements for applicants to qualify for the CCEO designation.

The bill would also require the board to qualify cities, counties, cities and counties, and accredited educational institutions as Certified Code Enforcement Officer Education Program Providers, and would require all students, participants, or employees who successfully pass the minimum education and certification requirements to be granted CCEO status in an equivalent manner as applicants who attain certification through CACEO's testing or education processes.

The bill would also require the board to set annual fees in amounts that are reasonably related and necessary to cover the costs of administering these provisions, to maintain a register of applications for certification, and to adopt procedures for discipline, revocation, and sanctions against applicants, registrants, and certificants.

According to CACEO Code Enforcement Officers (CEOs) fulfill a special and important government function, and should be distinguished from other public sector employees. Public agencies and CEOs

will benefit by having an official State professional development and credentialing program that allows CEOs to show their skills and accomplishments, while enabling agencies to easily qualify candidates for CEO positions. This system helps build trust and confidence, and advances the profession by strengthening the current CACEO education and certification program. Establishing a Certified Code Enforcement Officer title within the California Health and Safety Code will set an officially recognized standard that will clearly distinguish CEOs as experts both in practice and in the courtroom. The increased demand for CEOs to seek this certification will naturally fuel education providers to develop more and more course offerings, and this synergy will help California Certified Code Enforcement Officers (CCEOs) clearly stand out as the nation's best and most qualified code enforcement professionals.

If Council supports sending either or both of these letters of support, staff will get them prepared and sent to the appropriate people and agencies. Sample letters are attached.

**FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Sample letters