

**MINUTES OF THE MEETING OF THE
NEW JERSEY INDIVIDUAL HEALTH COVERAGE PROGRAM BOARD
AT THE OFFICES OF THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE
TRENTON, NEW JERSEY
August 11, 2009**

Directors participating (in person): Darrel Farkus (United); Gale Simon (DOBI);

Directors participating (by phone): Sandi Kelly (Horizon); Christine Stearns; Tony Taliaferro (AmeriHealth); Mary Taylor (Aetna Health Inc.);

Others participating: Ellen DeRosa, Executive Director; Rosaria Lenox, Accountant; DAG Vicki Mangiaracina, DOLPS-DOL

I. Call to Order

E. DeRosa called the meeting to order at 10:00 A.M. She announced that notice of the meeting had been published in two newspapers of general circulation and posted at the Department of Banking and Insurance (“DOBI”), the DOBI website, and the Office of the Secretary of State in accordance with the Open Public Meetings Act. She stated that, because some members of the Board were participating by phone, votes would be by roll call. She took roll call. A quorum was present.

II. Executive Session

G. Simon offered a motion to enter Executive Session to discuss pending litigation and receive advice from counsel. C. Stearns seconded the motion. By roll call vote the Board unanimously voted to approve the motion. E. DeRosa said the Board would resume with the Agenda following Executive Session.

[Executive Session: 10:03 A.M. – 10:20 A.M.]

III. Discussion Following Executive Session

G. Simon stated that the Board reviewed and considered a request for a hearing from Protective Life Insurance Company (Protective). Such request was made in response to the Board’s Order, 09-IHC-01. She said that although the letter from Protective included a list of facts that Protective alleges to be disputed facts, G. Simon stated that none of the listed facts appear to be material facts and thus do not necessitate a hearing. She continued by stating that the single salient fact is that Protective has been unable to provide 11 months of premium data for the 1997/1998 loss audit as required by N.J.A.C. 11:20-2.9(c)1. That fact is undisputed.

G. Simon offered a motion to issue a final decision and order denying Protective’s request for a hearing, denying Protective’s request for reimbursement for the 1997/1998 calculation period and demanding re-payment of the 1997/1998 loss

reimbursement credits and payments, as offset by reconciliation credits, with interest. M. Taylor seconded the motion. By roll call vote the Board unanimously voted to approve the motion.

IV. Minutes

July 14, 2009 Open Session

M. Taylor made a motion to approve the open session minutes of the July 14, 2009 meeting, with amendments. S. Kelly seconded the motion. By roll call vote the Board unanimously voted to approve the motion.

V. Staff Report

Expense Report

R. Lenox presented the August Expense Report, with expenses totaling \$52,321.96.

S. Kelly made a motion to approve payment of the expenses for August 2009, which was seconded by T. Taliaferro. By roll call vote the Board unanimously voted to approve the motion.

Optional Benefit Rider Filing

E. DeRosa reported that AmeriHealth Insurance Company submitted an optional benefit rider.

T. Taliaferro recused himself from any discussion or action taken by the Board with respect to AmeriHealth because of the interest of his employer in the outcome of any such discussion or action.

E. DeRosa said AmeriHealth Insurance Company is a new carrier to the IHC market that will soon be offering individual health benefits plans. She explained that the rider that was submitted is an increasing rider that would amend PPO Plan A/50 to reduce a \$30, \$40 or \$50 PCP copay to \$25. She reported that AmeriHealth provided the certification required by N.J.A.C. 11:20-3.6. She recommended that the Board find the filing complete.

M. Taylor offered a motion to accept Staff's recommendation to find the AmeriHealth Insurance Company rider filing complete. S. Kelly seconded the motion. By roll call vote the Board unanimously voted to approve the motion.

[C. Stearns left the teleconference at 10:30 A.M.]

VI. Report of the Marketing Committee

D. Farkus reported that the Marketing Committee met and discussed possible means to disseminate information on the availability of individual coverage to persons who have been laid off and have no option to elect continuation or whose continuation has expired.

He said the Committee wanted to explore the possibility of getting links to the individual health coverage program information perhaps from the State home page and from the Department of Labor and Workforce Development page. He said Staff was researching what opportunities might be available and that the Committee hoped to have more information before the October meeting.

VII. Close of Meeting

G. Simon made a motion to adjourn the meeting. D. Farkus seconded the motion. By roll call vote the Board unanimously voted to approve the motion.

[The meeting adjourned at 10:40 A.M.]