

**FINAL  
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  
November 10, 2009**

**Directors present by telephone:** Darrel Farkus (United); Sandi Kelly (Horizon); Christine Stearns; Tony Taliaferro (AmeriHealth); Mary Taylor (Aetna Health Inc.); Lisa Yourman.

**Directors present in Trenton:** Gale Simon (DOBI)

**Others participating:** Ellen DeRosa, Executive Director; Chanell McDevitt, Deputy Executive Director; DAG Vicki Mangiaracina.

**I. Call to Order**

E. DeRosa called the meeting to order at 10:03 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. A quorum was present. She noted that, because most of the directors were participating by phone, votes would be taken by roll call.

**II. Minutes – October 13, 2009 Open Session**

**G. Simon made a motion to approve the open session minutes of the October 13, 2009 meeting, with amendments. S. Kelly seconded the motion. Through a roll call vote, the motion was approved, with C. Stearns and L. Yourman abstaining.**

**III. Staff Report**

*Expense Report*

R. Lenox presented the November Expense Report, with expenses totaling \$38,471.65. She noted that the expenses being paid included a continuing education course, salary and fringe costs shared with the SEH Board, and professional services of Withum, Smith+Brown related to audits of carriers seeking reimbursements for losses.

**M. Taylor made a motion to approve payment of the expenses for November 2009, which was seconded by T. Taliaferro. The motion was approved by a unanimous roll call vote.**

*Transfer of Funds*

R. Lenox presented the IHC Board with a recommendation that it authorize the transfer of \$150,000 to the Board’s Wachovia checking account from the administrative funds

held for the Board by the Department of Banking and Insurance (DOBI). She explained that the transfer of the money would assure that operating expenses would be covered.

**M. Taylor made a motion to approve the transfer of money from the IHC Board's administrative funds held by DOBI to the IHC Board's Wachovia checking account to assure payment of operating expenses. S. Kelly seconded the motion, which was approved through a unanimous roll call vote.**

#### **IV. Report of the Legal Committee**

E. DeRosa reported that the Legal Committee had reviewed the draft Request for Proposal (RFP) for consulting services regarding reimbursement of out-of-network health care services in the individual market, and had suggested both technical and substantive changes. She stated the Legal Committee had suggested that the Technical Advisory Committee (TAC) review the revised RFP before the IHC Board consider voting on it. E. DeRosa noted that Board members had received the same version of the draft that Legal saw, not any post-Legal revisions. She stated that staff believed some of the suggestions from Legal should be considered by TAC before the Board saw another version of the RFP, and so Legal's suggested revisions had not been forwarded to the Board for consideration yet.

#### **V. Executive Session**

**G. Simon made a motion to move the meeting into Executive Session for the purpose of discussing litigation and receiving advice from counsel. D. Farkus seconded the motion, which was approved by unanimous roll call vote.**

E. DeRosa noted that she did not expect the IHC Board to have any further business to discuss when it returned to Open Session.

*[Executive Session from 10:15 until 10:35 A.M.]*

#### **VIII. Close of Meeting**

**D. Farkus made a motion to adjourn the meeting. M. Taylor seconded the motion, which was approved by a unanimous roll call vote.**

*[The meeting adjourned at 10:36 A.M.]*