

FINAL
MINUTES OF THE MEETING OF THE
NEW JERSEY INDIVIDUAL HEALTH COVERAGE PROGRAM BOARD
HELD TELEPHONICALLY PURSUANT TO EXECUTIVE ORDER 103 (MURPHY)
November 29, 2022

Directors participating: Sandi Kelly (Horizon); Robert Morrow (Oxford); Colleen Picklo; Thomas Pownall (Aetna); Gale Simon (DOBI); Tony Taliaferro (AmeriHealth).

Others participating: Ellen DeRosa, Executive Director; Chanell McDevitt, Deputy Executive Director; Rosaria Lenox, Managing Financial Officer; Eleanor Heck, Deputy Attorney General.

I. Call to Order

E. DeRosa called the special meeting of the IHC Board to order at 10:00 A.M. She announced that notice of the meeting had been posted at the Department of Banking and Insurance (“DOBI”), on the DOBI website, and distributed to the Board’s interested parties list.

E. DeRosa noted that, pursuant to P.L. 2020, c. 2, as a result of the public health emergency and state of emergency declared by Governor Murphy on March 9, 2020 through Executive Order 103, subsequently extended,¹ due to the COVID-19 pandemic, this meeting, was being held telephonically, and not at the Board’s offices in Trenton. She stated that, in accordance with P.L. 2020 c. 11, electronic notice of the meeting and the means by which the public could attend the meeting telephonically was posted on the Board’s website and issued electronically to all known interested parties. E. DeRosa determined a quorum was present. She stated that voting would be by roll call.

Members of the public were asked to identify themselves; public attendees, if any, are identified at the end of these minutes.

II. Minutes – November 15, 2022, Open & Closed Session

C. Picklo made a motion, seconded by T. Pownall, to approve the minutes of the Open Session of the meeting of November 15, 2022, without amendments. By roll call vote, the motion unanimously carried.

T. Taliaferro made a motion, seconded by C. Picklo, to approve the minutes of the Executive Session of the meeting of November 15, 2022, without amendments. By roll call vote, the motion unanimously carried.

¹ Pursuant to N.J.S.A. 26:13-3(b), a Public Health Emergency lasts for 30 days unless extended, while States of Emergency declared in accordance with N.J.S.A. App A:9-33 et seq. remain in effect until declared ended by a subsequent executive order. The Public Health Emergency was continuously extended through multiple executive orders until E.O. 244 (Murphy), issued June 4, 2021, declared the Public Health Emergency ended. However, Governor Murphy has not yet ended the State of Emergency established by E.O. 103 (Murphy). Thus, the Board continues to meet remotely, and public access is limited to telephonic means. (Notably, E.O. 280 (Murphy, January 11, 2022) resulted in another Public Health Emergency due to COVID-19, lifted by E.O. 292 on March 4, 2022.)

III. Standard Plan Amendments

E. DeRosa identified each of the draft amendments to the standard plans, indicating that some of the draft amendments are necessitated by law, some are to accommodate Get Covered New Jersey functions, some are clarifications, and several are carrier-suggested benefit enhancements. Board members shared some comments and suggestions.

Amendments are proposed to:

- Reduce the volume of sample schedule pages
- Remove the age 15 limit for hearing aids
- Add optional coverage for doula services
- Re-name of pregnancy benefit to use the term maternity
- Revise the annual open enrollment period definition to remove reference to riders
- Add a new coverage type to accommodate children only coverage
- Add a triggering event to address moves to a different county within New Jersey
- Add provisions to address requirements of the Consolidated Appropriations Act
- Add optional coverage for virtual primary care
- Specify coverage for abortion services and remove the optional exclusion for such services
- Add optional coverage for gene therapy
- Add optional coverage for walk-in clinics
- Amend the coordination of benefits provision to remove Medicare
- Add a new section addressing the interaction of Medicare and an individual health benefits plan.

The Board then discussed procedures and timelines for the proposal. E. DeRosa explained that using the Board's expedited rulemaking authority would require a minimum 20-day comment period as well as a public hearing, and that it is possible the Board could be in a position to vote to adopt the standard plan amendments by the end of the calendar year. It was acknowledged that dates for the comment period and public hearing would not be known until it was certain the filing was approved to be submitted to the Office of Administrative Law. It was further acknowledged that an additional special meeting would need to be scheduled before the end of the year if the Board wants to take final action on the proposal by then.

T. Taliaferro made a motion, seconded by G. Simon, to propose the draft changes presented to and discussed by the Board during the meeting, with minor grammatical changes, and to use N.J.S.A. 17B:26A-16.1 for purposes of taking action to amend the standard plans. By roll call vote, the motion carried unanimously.

There was additional discussion regarding the HINT Form (enrollment form). G. Simon stated she believed amendments to the form would be released via bulletin within a week.

IV. Additional Meeting regarding Standard Plans Amendments

The Board agreed to provide notice of an additional meeting to be held by teleconference on December 29, 2022 at 10:00 A.M. E. DeRosa stated she would delay providing notice of the meeting until she was certain of the date for submission of the proposal.

V. Close of Meeting

S. Kelly made a motion, seconded by C. Picklo, to adjourn the meeting. By roll call vote, the motion unanimously carried.

[The meeting ended at 11:15 A.M.]

Identified Public Attendees:

- Robert Axelrod, Oscar Garden State Health Ins. Corp.²
- John Tomicki, League of American Families
- Marie Tasy, NJ Right to Life

² Oscar is a member of the Small Employer Health Benefits Program Board of Directors, as are several of the Directors on the IHC Board; however, there was not a quorum of the SEH Board present, and all discussions and actions at the meeting concerned the specific public business of the IHC Board.