

**MINUTES OF THE MEETING OF THE
NEW JERSEY SMALL EMPLOYER HEALTH BENEFITS PROGRAM BOARD
HELD TELEPHONICALLY PURSUANT TO EXECUTIVE ORDER 103 (MURPHY)
November 22, 2024 (AMENDED)***

Members Present:

Kelly Fernandez
Phil Gennace
Staci Grant
Kathy Hempstead (joined at 10:30)
Bob Morrow
Margaret Koller
Taylor Kopelan
Adam Young

Others:

Jeffrey Posta (DAG)
Jessica Lugo (DAG)
Eleanor Heck (DAG)
Ava Rimal (DOBI)
Meredith Harmison (DOBI)

I. Call to Order

M. Koller called the meeting to order at 10:02 A.M.

II. Public Comments

A. Pierre Jacques asked when the enrollment data for the small group market will be uploaded to the Department's website.

P. Gennace responded that they will be posted to the Department's website soon.

A. Pierre Jacques asked when the medical loss ratio report will be posted to the Department's website.

P. Gennace indicated that the medical loss ratio report is still being reviewed and will be posted as soon as the review is finalized.

A. Pierre Jacques asked when SB3480 will be implemented into plan designs for plan year 2025.

* As amended, these Minutes accurately reflect the capacity in which attendees participated in the meeting (i.e., as a Board member or as a member of the general public).

P. Gennace said that the Department has taken steps to implement SB3480 through a bulletin regarding formularies, but the Department will continue to finalize the implementation by 2025.

III. Review of Meeting Minutes

B. Morrow made a motion to approve the Meeting Minutes from October 16, 2024, with no suggested edits. This motion was seconded by A. Young. All present members voted to approve. The motion carried.

IV. Update & Discussion of Draft Policy Forms

P. Gennace explained that the new policy form changes were largely the same as the policy forms described in other meetings, but with some new technical updates. The changes also clarified cost sharing cap for epinephrine for all products listed. Language was added to clarify that high deductible health plans had to implement the lowest cost sharing permitted under the law.

P. Gennace stated that a newly issued Department Bulletin explains that the co-pay caps for insulin and inhalers applies to all insulin and inhaler products offered. In addition, the hearing aid provision aligns with the Department's 2009 Bulletin that they are not durable medical equipment.

P. Gennace stated that the Department proposed a vote to approve the policy forms.

S. Grant asked P. Gennace to clarify the lowest cost sharing high deductible plans. Would it be the lowest cost sharing according to the plan or according to the law?

P. Gennace responded stating that high deductible plans must implement the lowest cost sharing permitted according to the plan's policy, which is reflective of the legal requirements related to cost sharing for high deductible plans.

K. Jarosz pointed out that the certificate and policy forms are inconsistent.

A. Young indicated that his experts have not reviewed the updated policy forms and asked whether the carriers' concerns with the forms can be brought up during the comment period.

P. Gennace indicated that these policy forms have been circulating since 2023 and if a vote is not done today, the policy forms will not be passed before the beginning of the year. P. Gennace explained that carriers can make comments explaining their concerns during the comment period.

P. Gennace made a motion to pass the notice of proposal for the revised policy forms. A. Young seconded. K. Fernandez, S. Grant, B. Morrow, K. Hempstead, and M. Koller voted to approve the notice of proposal for the revised policy forms. T. Kopelan voted not to approve the notice of proposal for the revised policy forms.

V. Close of Meeting

M. Koller made a motion to adjourn the meeting. A. Young seconded the motion. All voting members present voted yes. The motion was carried.

[The meeting adjourned at 10:46 A.M.]

Public known to be in attendance:

Chuck Cerniglia (UnitedHealthcare)

Kelly Ferreira (Horizon)

Armonie Pierre Jacques (NJ Health Care Quality Institute)

Kristen Jarosz (Horizon)

Dana Kelly (Horizon)

Sandra Araujo Russo (Horizon)

Theresa Sullivan (Horizon)