

**MINUTES OF THE MEETING OF THE
NEW JERSEY SMALL EMPLOYER HEALTH BENEFITS PROGRAM BOARD
HELD TELEPHONICALLY
August 19, 2026**

Members Present:

Margaret Koller
Michael Fahncke
Adam Young
Kelly Fernandez
Katherine Hempstead
Taylor Kopelan

Others:

Jeffrey Posta (DAG)
Jessica Lugo (DAG)
John Rossakis (DOBI)
Rayanna Haile (DOBI)

I. Call to Order

M. Koller called the meeting to order at 10:02 A.M. She announced that notice of the meeting had been posted at the Department of Banking and Insurance (the “Department”), on the Department’s website, at the Office of the Secretary of State, submitted to the State House Press Corps, and published in two newspapers of general circulation in accordance with the Open Public Meetings Act.

M. Koller stated that 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.

M. Koller determined a quorum was present. She stated that voting would be by roll call.

Members of the public in attendance were asked to identify themselves. Public attendees are identified at the end of these minutes.

II. Administrative Items for Review & Approval

Meeting Minutes

A. Young made a motion to approve the Meeting Minutes from June 17, 2026. The motion was seconded by K. Fernandez. All voting members present approved the motion. The motion carried.

Invoices for Payment

A. Young made a motion to approve payment of the invoice for legal services from the New Jersey Department of Law and Public Safety, Division of Law, in the amount of \$3,467, for the fourth quarter of fiscal year 2026. The motion was seconded by M. Koller. All voting members present approved the motion. The motion carried.

III. Discussion

Policy Forms Update

M. Fahncke summarized feedback received by the Board regarding annual draft amendments to the Small Employer Health Benefits Program standard plan documents ("Policy Forms"). He noted that the feedback received included concern about applying the extended, 90-day coverage window for newborn children mandated by P.L.2025, c.194 to adopted and foster children, as well as revising the enrollment period specified in the definition of "Special Enrollment Period." M. Fahncke advised that the forms would be revised to remove those changes.

M. Fahncke also summarized feedback pertaining to the draft coverage provision for HIV Prophylaxis mandated by P.L.2025, c.196, requesting that, in lieu of including a list of covered treatments and coverage limitations pertaining to therapeutically equivalent treatments in the forms, the forms should instead direct policyholders to refer to the carrier's preferred drug list, which will allow carriers to make regular adjustments to the covered treatments and restrictions during the policy year. He confirmed the draft Policy Forms would be revised to make this change.

A. Young noted that these changes were also proposed by the Individual Health Coverage Program, emphasizing the benefit of aligning the Policy Forms among the two programs. M. Fahncke and M. Koller agreed that, to the extent possible, the Policy Forms should be aligned.

K. Hempstead asked whether there was any rule dictating which formulary tier HIV prophylaxis treatments must be covered under. A. Young stated that the language of the legislation required tier 1 coverage for at least one therapeutically equivalent treatment approved by the federal Food and Drug Administration. A. Young further noted that the mandated coverage for HIV prophylaxis was already required by the Affordable Care Act; and that the new mandate merely adds that the coverage is specific to treatments authorized by a pharmacist without an individual prescription, as authorized under P.L.2025, c.196.

K. Hempstead asked whether the Department had received any feedback from HIV advocacy groups. M. Fahncke indicated that no input had been received by the Department from private interest groups.

M. Fahncke summarized the next steps for the proposal and adoption of amendments to the Policy forms. He stated that he anticipates that the amendments could be formally proposed by the Board at its September meeting, initiating the Board's expedited rulemaking process. Following the formal proposal, a comment period, and a public hearing for interested parties to provide input, the Board will vote to adopt the proposed amendments. M. Fahncke indicated that the November meeting was the target date for formal adoption by the Board.

Agenda for September Annual Meeting

M. Koller polled the Board regarding their continued interest in appearing in-person for the annual meeting scheduled for September 16, 2026. The Board voiced a general preference for the annual meeting to be held via videoconference instead; M. Fahncke advised the Department would issue an updated meeting notice with the videoconference access information. M. Koller stated that she planned to poll Board members via email regarding topics for discussion at the September meeting and whether any member would like to present at the meeting.

M. Koller posed the question of whether it would be preferable for all meetings going forward to be held via videoconference software, as opposed to teleconference meetings. The Board engaged in some discussion and determined that the issue would be reexamined at the upcoming annual meeting on September 16, 2026.

IV. Public Comments

The Board discussed a question asked by Joan Fusco concerning coverage for newborn children.

V. Close of Meeting

M. Fahncke made a motion to adjourn the meeting. A. Young seconded the motion. All voting members present approved the motion. The motion carried.

[The meeting adjourned at 10:41 A.M.]

Members of the public known to be in attendance:

Dana Kelly (Horizon)

Kelly Ferreira (Horizon)

Theresa Sullivan (Horizon)

Joan Fusco