

New Jersey School Employees'
Health Benefits Commission
Open Session Minutes
September 25, 2023

Adequate notice of this meeting has been provided through the annual notice of the schedule of regular meetings of the Commission filed with and prominently posted in the offices of the Secretary of State. The 2023 annual meeting schedule was mailed to the Secretary of State on December 20, 2022, and Star Ledger and the Trenton Times on December 20, 2022. Updates regarding the telephonic meeting were sent to the Secretary of State on December 1, 2022.

The meeting of the State Health Benefits Commission of New Jersey was called to order on Monday, September 25, 2023 at 10:00 am. The meeting took place at the Division of Pensions and Benefits in Trenton.

The text of Resolution A (Closed Session) and Resolution B (Executive Session) were read in their entirety in the event that the Commission desires, at any point in the meeting, to approve a motion to go into Closed or Executive session.

Kelly Fields took Roll Call.

Board Members:

Sonia Rivera-Perez, Chair
Julie Giordano Plotkin
Denise Graff-Policastro
Sarah Favinger
Carl Tanksley
Michael Maillaro

Also Present:

Kelly Fields, Secretary, State of New Jersey Pensions and Benefits
Nicole Ludwig, State of New Jersey Division of Pensions and Benefits
Joyce Malerba, State of New Jersey Division of Pensions and Benefits
Theresa Williams
Paul Sarti
John Megariotis
Thomas Kotarsky
Kathy Solana

Absent:

Philip Gennace

Interim Chair

Sonia Rivera-Perez was nominated to Interim Chair. Board member Tanksley seconded. The commission voted in favor of the motion, and Sonia Rivera-Perez was named Interim Chair for the meeting.

Sonia Rivera-Perez made a motion to enter Executive Session and get advice from the attorney general before moving onto the next item on the agenda. Ms. Keating seconded the motion; all voted in favor.

Upon returning to Open Session, Sonia Rivera-Perez made a motion to approve the July 24, 2023 meeting minutes. Mr. Maillaro seconded the motion; all voted in favor.

Mr. Maillaro made a motion to enter Closed Session to hear member appeals. Ms. Graff Policastro seconded the motion; all voted in favor.

The following cases, due to HIPAA regulations, were heard in Closed Session:

Case #2023092501: The member had gone to an out-of-network doctor to have a disc replaced in their back and neck. Horizon had approved the procedure as it was medically necessary. Horizon agreed to pay 70% of the cost of service. The member ended up receiving a large bill which was not what was discussed with Horizon.

Horizon stated that the bill of \$131,000 was submitted to Horizon and paid based upon the member's New Jersey Direct 15 benefits. Horizon covered \$21,272 as the member reached their maximum out of pocket amount. Horizon also stated that the basis for the appeal is misinformation provided to the member, both verbally and in writing. Horizon made it clear that the member did try to obtain information over the phone as to what the allowance would be for the surgery. For the predetermination, the initial request from the provider did not list the charges. The letter sent out authorizing the services did not address any type of allowance.

Sonia Rivera-Perez stated she has copies of the transcript from a call that took place between the member and Horizon from August 2022. The transcripts were shared with the Board members.

Sonia Rivera-Perez made a motion to enter Executive Session to get clarifications on the issues stated. Before entering Executive Session, Sarah Favinger made a motion to grant the request for appeal. With a vote of 4-2, the motion was passed to grant the member's appeal. For clarification, the division will be covering 70% of the medical charges to both the surgeon and assistant surgeon.

Sonia Rivera-Perez made her motion again to enter Executive Session. All voted in favor.

Upon returning from Executive Session, Sonia Rivera Perez clarified what specifically the commission is approving. Ms. Graff Policastro stated that the motion granting appeal is that Horizon will pay the 70% of the main surgeon's charges and under the no-surprises law, the member is not responsible for the assistant surgeon's charge. The division has asked Horizon to contact the surgeon and state that the member should not be billed for the assistant surgeon.

Case #2023092502: The member was not present for this appeal. Sonia Rivera-Perez shared the details of it. The member's spouse was entitled to the IRMAA reimbursement for eight months of 2020 and 2021. The member submitted documents for the 2020 and 2021 reimbursement and received the correct amount for 2021 only. The 2020 reimbursement had been denied because the information for that year was submitted past the due date.

Ms. Graff Policastro made a motion to table this appeal until the next meeting to give the member the ability to arrive and answer questions. Sarah Favinger seconded the motion; all voted in favor.

Sonia Rivera-Perez made a motion to enter Executive Session for the contract update. Michael Maillaro seconded the motion; all voted in favor.

Upon entering Open Session, Carl Tanksley made a motion to delegate the procurement authority to the Division of Purchase and Property for Medicare Advantage and for the pharmacy benefit administrators. Ms. Giordano Plotkin seconded the motion; all voted in favor.

Sonia Rivera-Perez made a motion to adjourn. All voted in favor and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelly Fields".

Kelly Fields
Acting Secretary
School Employees' Health Benefits Commission