

New Jersey State Health Benefits Commission
Open Session Minutes
January 10, 2024

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 2024 annual meeting schedule was mailed to the Secretary of State on December 29, 2023, and Star Ledger and the Trenton Times on December 29, 2023. The annual meeting schedule was posted to the Division website on December 29, 2023.

The meeting of the State Health Benefits Commission of New Jersey was called to order on Wednesday, January 10, 2024 at the Division of Pensions and Benefits in Trenton, NJ.

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 and established that a quorum was present.

Committee Members:

Danielle Schimmel
Philip Gennance
Allison Chris Myers
Dudley Burdge
Jennifer Higgins

Also Present:

Kelly Fields, Acting Secretary, State of New Jersey Division of Pensions and Benefits
Paul Sarti, State of New Jersey Division of Pensions and Benefits
Joyce Malerba, State of New Jersey Division of Pensions and Benefits
Theresa Williams, State of New Jersey Division of Pensions and Benefits
Eric Laufenberg
Linda and John Taylor
Kate Miller, Optum RX
Donna Ruotola, Horizon

Allison Chris Myers made a motion to approve the July 31, 2023 meeting minutes. Dudley Burdge seconded the motion; all voted in favor.

Danielle Schimmel made a motion to go into Closed Session to hear the Closed Session appeals that contain protected health information. All voted in favor.

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

Case #2024011001: The member stated they had contacted the insurance company multiple times to make sure their rotator cuff surgery, as well as full time care after the surgery, was going to be covered. The member would like a reimbursement for the 12 week stay in rehab.

Horizon stated the member was never told the rehab would be covered. The member was told this had to be handled through Utilization Management. This type of care is considered custodial and the member's type of coverage does not cover custodial care.

Dudley Burdge made a motion to accept the request to send this case for an OAL hearing. Jennifer Higgins seconded the motion; all voted in favor.

Case #2024011002: The member was not present for this appeal, Optum presented to the Committee members. The member and their dependent son are requesting separate approvals of compound vitamin preparation also known as mito cocktail. This is usually prescribed to patients with mitochondrial disease. The mito cocktail contains vitamin products that are not FDA approved, therefore it is excluded from coverage. The member's dependent son has been diagnosed with a mitochondrial disease called MERRF Myoclonic epilepsy. After genetic testing, it was found that the member also possesses the genetic mutation.

Danielle Schimmel made a motion to enter Executive Session. Dudley Burdge seconded the motion; all voted in favor.

Upon return to Closed Session, Dudley Burdge made a motion to deny the appeal. Danielle Schimmel seconded the motion; all voted in favor and Dudley Burdge abstained.

Dudley Burdge made a motion to return to Open Session for appellate determinations. Philip Gennace seconded the motion; all voted in favor.

Case #2024011003: This is the Appellate Division determination from the Appellate Supreme Court. The member was a retired member of the SCRS. The member was incorrectly told that they would be entitled to retiree health benefits. After received benefits for a few years, it was determined the member was statutorily ineligible. Therefore, the benefits were prospectively stopped. The issue on appeal was whether or not the commission was equitably stopped from enforcing chapter 78 prospectively. Ms. Myers stated that this body is to be aware of going forward that there is no ability to rewrite statutes.

Long-Term Disability Health Benefits Discussion:

Joyce Malerba discussed long-term disability for tier four and five pension members. The members were originally granted long-term disability via Prudential; they were offered health benefits as if they were retired under a disability. Recently, the Division was made aware that the long-term disabilities under tier four and five are not viewed as retired members, therefore they are not eligible for the retired coverage. Those members will remain in that status until there is a more extensive review of interpretation of the long-term disability tier four and five. Going forward, long-term disability members will not be offered the free coverage and will be required to pay the full cost.

HRA Update:

Joyce Malerba presented the HRA update. Gloucester and Bernard Township are the only approved for HRAs at this time. The Division has an HRA subgroup committee meeting scheduled to try to come up with parameters set around this from the PDCs going forward.

Mid-Year Report Update:

Joyce Malerba stated that AON is prepared to present the mid-year report to the commission in March.

Danielle Schimmel made a motion to return to Executive Session to discuss contracting issues. Philip Gennace seconded; all voted in favor.

Upon return to Open Session, Allison Chris Myers made a motion to adjourn. Dudley Burdge seconded. All voted in favor and the meeting was adjourned.

Respectfully submitted,



Kelly Fields
Acting Secretary
State Health Benefits Commission