

State Health Benefits Commission

Open Session Minutes

January 8, 2020

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 2020 annual meeting schedule was mailed to the Secretary of State, Star Ledger and the Trenton Times on December 26, 2019.

The meeting of the School Employees' Health Benefits Commission of New Jersey was called to order on Wednesday, January 8, 2020 at 10 am. The meeting was held at the Division of Pensions and Benefits, 50 West State Street 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.

Acting Secretary Nicole Ludwig took Roll Call and established that a quorum was present.

Commissioners:

Susanne Culliton, representing State Treasurer Elizabeth Maher Muoio

Gail Simon, representing Commissioner of the Department of Banking and Insurance Marlene Caride

Dudley Burdge, Representative for Local Government Employees

Deirdre Webster Cobb, CEO, Civil Service Commission (appearing telephonically)

Debra Davis, Representative for State Government Employees

Also Present:

Cristopher Meyer, Deputy Attorney General

Christin Deacon, Division of Pensions and Benefits

Andrew Lawson, Division of Pensions and Benefits

Nicole Ludwig, Division of Pensions and Benefits

Meeting Minutes

Chairperson Culliton made a motion to approve the June 11, 2019 Open and Executive session meeting minutes. Commissioners Deirdre Webster-Cobb and Debra Davis (both) seconded; all voted in favor with the exception of Commissioner Simon, who abstained as she was not present for the May 16, 2019 meeting.

Chairperson Culliton made a motion to enter into Closed Session to hear the appeals. Commissioner Davis seconded; all voted in favor. At this time the meeting entered into Closed Session.

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

Case # 108202001: The member and their attorney presented the case, stating the member retired on October 1, 2019. The member stated they left employment in December 2014, and carried COBRA from January 1, 2015 through July 1, 2016. The member worked part time from 2005 through 2019. The member stated they were covered under private insurance from 2016 through 2019.

Chairperson Culliton made a motion to go into executive session to seek advice from the Deputy Attorney General. Commissioner Davis seconded the motion; all voted in favor.

Upon return from executive session, Chairperson Culliton made a motion to deny the appeal based the rules and regulations of the State Health Benefits Program (SHBP) explicitly state that there cannot be a gap in health benefits coverage between active coverage and retired coverage. Commissioner Davis seconded the motion; all voted in favor.

Case #108202002: The member presented the appeal, citing Union Representative Kevin Lyons was present. The member stated they retired on February 1, 2019 from Wayne Police Department. The member had 25 years of service, and retired after 10 of service with Wayne Police Department. Wayne PD does not offer retiree coverage for members with less than 20 years of service at their location. Chairperson Culliton asked if the location had adopted Chapter 330 resolution, Mr. Lyons stated they had not. The member stated that Wayne PD had attempted to adopt the resolution, and were advised they could not as they did not pass the resolution in 1997, when it was required.

Commissioner Burdge made a motion go into executive session to seek advice from the Deputy Attorney General. Commissioner Davis seconded the motion; all voted in favor.

Upon return to closed session Chairperson Culliton made motion to deny this appeal. Commissioner Deirdre Webster-Cobb seconded; all voted in favor.

Upon return from Executive Session Commissioner Webster-Cobb made a motion to approve the members appeal for retiree coverage under Chapter 330. Commissioners Burdge seconded the motion; all voted in favor.

Case # 108202003 Acting Secretary Nicole Ludwig explained the request for a hearing for an Office of Administrative Law hearing is from a member who was denied at the December 25, 2020 Commission meeting. Having no findings of fact in the issue, Chairperson Culliton directed the board secretary to prepare a final board administrative determination. Commissioner Webster Cobb seconded the motion; all voted in favor.

Case #108202004: Chairperson Culliton made a motion to authorize Equian to settle the matter as presented. Commissioner Davis seconded the motion; all voted in favor.

SHBC Resolution 2020-1: Assistant Director Christin Deacon reviewed Resolution 2019-7 which was passed by the SHBP PDC in July 2019. She explained that before the Commission is SHBC Resolution 2020-1 which would allow more local employers to opt into the plan as a result of their collective bargaining agreements which are at the local level. Mrs. Deacon read from the resolution:

Now be it Resolved That the State Health Benefits Commission directs the Division of Pensions and Benefits, as soon as practically possible, to create all current retiree plans with and without prescription benefits available to employers on a location by location basis.

Commissioner Burdge made a motion to approve SHBC Resolution 2020-1. Commissioner Davis seconded the motion; all voted in favor.

Case #108202005: Acting Secretary Nicole Ludwig provided an update on the appeal which was tabled in July. Mrs. Ludwig stated the family has stated the Mail Order medication is working with just a few hiccups, but overall they are satisfied with the service. Mrs. Ludwig stated a letter will be sent to the family advising them that their Commission appeal is closed, since OptumRx was able to provide the service they requested.

Chairperson Culliton made a motion to adjourn. Commissioner Davis seconded. All voted in favor and the meeting was adjourned at 1:00 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Nicole Ludwig". The signature is written in a cursive, flowing style.

Nicole Ludwig
Acting Secretary
State Health Benefits Commission