

State Health Benefits Commission

Meeting Minutes

May 24, 2019

Acting Secretary Nicole Ludwig began the meeting by stating: Adequate notice of this meeting was not provided. This special meeting is necessary to approve a final agency determination before an initial decision, which is contrary to this Commission's determination, becomes final. A delay in the holding of this meeting would harm the public's interest by preventing the intentions of this Commission from taking effect. This meeting will be limited to discussions of and acting with respect to the final agency determination. Notice of this meeting was provided to the Star-Ledger, the Secretary of State and the Trenton times on May 24th at 8:30 a.m. via e-mail. The need for this meeting could not have reasonably been foreseen at a time when adequate notice could have been provided, but such notice was provided because of administrative oversight. In order for this to be accepted, I do need to have a motion to accept the adjustment to the Sunshine Act.

Commissioner Davis made a motion to adopt the adjustment to the Sunshine Act. Commissioner Webster Cobb Seconded the motion; all voted in favor.

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.

Roll Call

Commissioners:

Danielle Schimmel, Interim Chairperson, Designated by Susanne Culliton; representing State Treasurer Elizabeth Maher Muoio

Holly Gaenzle, representing Commissioner of the Department of Banking and Insurance Marlene Caride

Dudley Burdge, Representative for Local Government Employees

Debra Davis, Representative for State Government Employees

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

Also Present:

Andrew Lawson, New Jersey Division of Pensions and Benefits

Nicole Ludwig, New Jersey Division of Pensions and Benefits

Christopher Meyer, Deputy Attorney General

Beth Mitchell, Assistant Attorney General

Acting Secretary advised that Chairperson Culliton could not attend the meeting; however a designation letter has been received naming Danielle Schimmel as her appointee for today's meeting.

Commissioner Burdge made a motion to go into Closed Session, Commissioner Davis seconded the motion; all voted in favor.

The following case, due to HIPAA regulations, was heard in Closed Session:

Case #05241901: AAG Mitchell stated the FAD will be adjusted to remove the total amount, rather Horizon will be calculating the total amount paid. AAG also explained that the FAD clearly states the decision is not intended to become a precedent, but rather that the Commission relied on their equitable powers to come to this conclusion. Commissioner Schimmel stated that the language used seems accurate and conclusive; to which Commissioner Davis agreed.

Commissioner Davis made a motion to approve the FAD. Commissioner Gaenzle seconded the motion; the motion passed 4:1. (Commissioner Schimmel voted Aye, Commissioner Gaenzle voted Aye; Commissioner Webster Cobb voted Aye; Commissioner Davis voted Aye; Commissioner Burdge voted Nay).

Commissioner Burdge made a motion to return to Open Session. Commissioner Davis seconded the motion; all voted in favor.

Adjournment:

There being no further business, Commissioner Burdge made a motion to adjourn. Commissioner Gaenzle seconded the motion; all voted in favor. The meeting adjourned at 11:32am.

Sincerely,



Nicole Ludwig
Acting Secretary State Health Benefit Commission