

**BURLINGTON COUNTY INSURANCE COMMISSION
OPEN MINUTES
MEETING – January 10, 2022
TELEPHONIC MEETING
2:00 PM**

Chair Buono called the meeting to order and read the Open Public Meetings notice into record.

ROLL CALL OF COMMISSIONERS:

Ashley Buono, Esq.	Present
Eve A. Cullinan	Present
Damon Burke	Present
Dina Rocco, Esq. (Alternate)	Present

FUND PROFESSIONALS PRESENT:

Executive Director	PERMA Risk Management Services Joseph Hrubash
Claims Services	PMA Management Corp. Justin Wilkinson
	Qual Lynx Chris Roselli
	PERMA Risk Management Services Robin Walcoff Jennifer Conicella
Attorney	CraigAnninBaxter Law Jeffrey S. Craig, Esq.
NJCE Underwriting Manager	Conner Strong & Buckelew Ed Cooney
Treasurer	Edward Troy
Safety Director	J.A. Montgomery Consulting Glenn Prince
Employee Benefits	PERMA Risk Management Services Emily Koval
	Conner Strong & Buckelew Brandon Lodics Diane Peterson
	Amerihealth Administrators Megan Penick
	Express Scripts, Inc. Michael Stahl Kyle Colalillo

ALSO PRESENT:

Tom Reilly, J.A. Montgomery
Joseph Columbo, Conner Strong & Buckelew
Christina Violetti, Hardenbergh Insurance Group
Cathy Dodd, PERMA Risk Management Services

APPROVAL OF MINUTES: OPEN MINUTES AND CLOSED MINUTES OF DECEMBER 13, 2021

MOTION TO APPROVE OPEN & CLOSED MINUTES OF DECEMBER 13, 2021

Moved: Commissioner Cullinan
Second: Commissioner Burke
Vote: 3 Ayes, 0 Nays

CORRESPONDENCE: NONE

COMMITTEE REPORTS:

SAFETY COMMITTEE: Mr. Prince reported the Safety Committee was scheduled to meet again on January 20, 2022. Mr. Prince said at that meeting he would discuss training opportunities for 2022 and also talk about the 2022 Munich Re Grant. Mr. Prince concluded his report unless there were any questions.

CLAIMS COMMITTEE: Ms. Conicella referred to a copy of the 2022 Claims Committee Meeting Schedule which was included in the agenda. Ms. Conicella said the meetings would be held virtually at this time.

EXECUTIVE DIRECTOR REPORT: Executive Director advised his report was included in the agenda and there were four action items.

REORGANIZATION RESOLUTIONS: Executive Director reported the BCIC was required to reorganize at the January Board of Commissioners meeting as per the Commission By Laws. Executive Director referred to a list of the Reorganization Resolutions which are included in the agenda. Executive Director said with the Chair's permission he would review the resolutions and then ask for approval through a consent motion. Chair Buono agreed.

- Resolution 1-22 Certifying the Appointment of Chairperson and Vice Chairperson
- Resolution 2-22 Appointing a Commissioner to the NJCE for Fund Year 2022
- Resolution 3-22 Appointing Agent for Service of Process and Custodian of Records 2022
- Resolution 4-22 Designating Official Newspapers for the Commission
- Resolution 5-22 Designating Authorized Depositories for Fund Assets & Cash Management Plan
- Resolution 6-22 Designating Commission Treasurer
- Resolution 7-22 Designating Authorized Signatures for Commission Bank Accounts
- Resolution 8-22 Indemnify Burlington County Insurance Commission Officials/
Employees
- Resolution 9-22 Authorizing Commission Treasurer to Process Payments & Expenses

Executive Director asked if anyone had any questions and requested a motion to approve the resolutions.

**MOTION TO APPROVE REORGANIZATION RESOLUTIONS
NUMBER 1-22 THROUGH 9-22**

Moved: Chair Buono
Second: Commissioner Cullinan
Roll Call Vote: 3 Ayes, 0 Nays

2022 PROPERTY AND CASUALTY BUDGET: Executive Director advised at the December 13, 2021 meeting the 2022 Property and Casualty Budget was introduced. Executive Director said in accordance with the regulations, the budget was advertised in the Commission's official newspaper. Executive Director noted the Public Hearing for the budget was today and referred to a copy of the 2022 Property & Casualty Budget in the amount of \$7,760,248 which was included in the agenda. Executive Director reported there were no changes to the budget since introduction. Executive Director referred to a copy of the assessments by member entity which was also included in the agenda. Executive Director noted the assessment bills would be billed in 3 installments and payable on 3/15/22, 5/15/22 and 10/15/22.

**MOTION TO OPEN THE PUBLIC HEARING ON THE 2022 PROEPRTY &
CASUALTY BUDGET**

Moved: Chair Buono
Second: Commissioner Cullinan
Vote: 3 Ayes, 0 Nays

Executive Director asked if there was any discussion or questions on the budget.

**MOTION TO CLOSE THE PUBLIC HEARING ON THE 2022 PROEPRTY &
CASUALTY BUDGET**

Moved: Chair Buono
Second: Commissioner Cullinan
Vote: 3 Ayes, 0 Nays

Executive Director referred to Resolution 10-22 Adopting the Property & Casualty Budget for the Burlington County Insurance Commission and Certifying Member Assessments which was included in the agenda and requested a motion or approval

**MOTION TO APPROVE RESOLUTION 10-22 ADOPTING THE PROPERTY &
CASUALTY BUDGET FOR THE BURLINGTON COUNTY INSURANCE
COMMISSION FOR THE YEAR 2022 IN THE AMUONT OF \$7,760,248 AND CERTIFY
THE 2022 ASSESSMENTS**

Moved: Chair Buono
Second: Commissioner Cullinan
Roll Call Vote: 3 Ayes, 0 Nays

2022 MEETING DATES: Executive Director reported at our last meeting we discussed the meeting dates for January, February and March. Executive Director advised at the March meeting we would discuss the dates for the remainder of the year once we knew the availability of the Board Room. Executive Director said at that time we would update the Annual Meeting Notice. Executive Director referred to a copy of Resolution 11-22, 2022 Regular Meeting Schedule and

the incomplete 2022 Annual Meeting Notice which was included in the agenda. Executive Director requested a motion to approve Resolution 11-22, 2022 Regular Meeting Schedule.

MOTION TO APPROVE RESOLUTION 11-22, 2022 REGULAR MEETING SCHEDULE

Moved: Chair Buono
Second: Commissioner Burke
Vote: 3 Ayes, 0 Nays

NJ COUNTIES EXCESS JOINT INSURANCE FUND (NJCE): Executive Director reported the NJCE met on December 16, 2021 and adopted the 2022 Budget. Executive Director said the NJCE was scheduled to meet again on Thursday, February 24, 2022 at 9:30 AM via Zoom.

Moved: Chair Buono
Second: Commissioner Cullinan
Vote: 3 Ayes, 0 Nays

CERTIFICATE OF INSURANCE ISSUANCE REPORTS: Executive Director advised the December Certificate of Insurance Report was not available and would appear in the next agenda.

ON LINE DRIVING TRAINING COURSES: Executive Director reported Commissioner Burke requested an additional 250 usages of the online National Safety Council Defensive Driver Course offered through SafeServe.com. Executive Director advised the cost for 250 usages was \$5,737.50. Executive Director asked the Commissioners to consider approving this as a Commission expense as we have done in the past. Executive Director noted the last time we ordered was in August 2020.

MOTION TO APPROVE THE ONLINE DEFENSIVE DRIVER TRAINING COURSE FOR 250 USAGES FOR A COST OF \$5,737.50

Moved: Commissioner Cullinan
Second: Commissioner Burke
Roll Call Vote: 3 Ayes, 0 Nays

BCIC PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director reported the October Financial Fast Track was included in the agenda. Executive Director advised as of October 31, 2021 there was a surplus of \$3,751,505. Executive Director referred to line 10 of the report, "Investment in Joint Venture" and indicated \$1,247,555 of the surplus was the BCIC's share of the NJCE equity. Executive Director noted the cash amount was \$6,889,732.

NJCE PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director reported the October Financial Fast Track for the NJCE was included in the agenda. As of October 31, 2021 the NJCE had a surplus of \$13,399,623. Executive Director noted the total cash amount was 31,702,239. Executive Director reported line 7 of the report "Dividend" presented the figure released by the NJCE of \$5,107,551. Executive Director asked if there were any questions on the Financial Fast Tracks.

CLAIMS TRACKING REPORTS: Executive Director reported the claims tracking reports as October 31, 2021 were included in the agenda. Executive Director reviewed the reports with the Commission.

ACTIVE ASSAILANT COVERAGE: Executive Director advised at the last meeting Ed Cooney, NJCE Underwriting Manager, spoke about Active Assailant Coverage. Executive Director reported a quote was provided to the Board of Social Services for this coverage, however the building was owned by Burlington County. Executive Director said at the last meeting the Chair suggested we obtain a quote for the member entities. Executive Director referred to a copy of the quote that was included in the agenda. Executive Director advised the premiums would be in addition to the budget we just approved.

Executive Director said we could act on this today or we could wait until February. Executive Director asked Ms. Violetti if there was any timing constraint on the coverage. Ms. Violetti said any member that currently had this coverage the policy was effective January 1st. Executive Director asked the Commissioners to provide any feedback if they wanted to purchase this coverage.

XL Option 1: \$5M Per Occurrence/\$5M Annual Aggregate			
Entity	TIV	% of TIV	\$ Share of Premium
Burlington County	\$ 361,310,387	17%	\$ 13,618.00
Burlington County Bridge Commission	\$ 21,921,900	1%	\$ 826.00
Rown College At Burlington County	\$ 372,725,879	18%	\$ 14,048.00

Executive Director reported the quote was based on a number of entities purchasing the coverage. Executive Director explained if all of the entities did not purchase the coverage, the quote could change slightly.

Executive Director's Report Made Part of Minutes

EXECUTIVE DIRECTOR'S REPORT

FINANCIAL PROCEDURES

- **Financial Fast Track** – The Financial Fast Track through October 2021 was distributed to the Commissioners.

Mr. Lodics reviewed the financials through November 30 which was distributed this afternoon. The Commission is showing an \$8 million surplus. In September, there were 2020 rebates which are reflected in the financials. We are still waiting for the 2021 rebates.

2022 RISK MANAGEMENT PLAN: Mr. Lodics said that the Risk Management Plan is in review with the carriers, Stop Loss Company, and SPD compliance. We will have it sent to the County prior to the next meeting for final approval.

PROGRAM MANAGER'S REPORT

Ms. Peterson said that the Program Manger's report is all information and is included in the agenda. Additional information from Amerihealth administrators will be included at the next meeting.

AmeriHealth Administrators: *Enhanced Utilization Management Performance Guarantees*

As reported in the December 2021 Program Manager report, effective in 2022, AmeriHealth Administrators will be implementing Enhanced Utilization Management (UM) Solutions, designed to lower overall healthcare costs for clients while ensuring appropriate access to care, including diagnostic services. This program will comprise world-class vendors seeking to provide clinical expertise, medical review processes, and evidence-based research specific to critical areas of precertification review. The program focuses on, but is not limited to, the following subjects:

- Cardiology
- Musculoskeletal
- Sleep apnea
- Genetic testing
- Advanced imaging
- Radiation oncology

AmeriHealth predicts that those who take advantage of the Enhanced UM solutions will receive a return on investment equal to or greater than 2:1, backed by performance guarantees. This program comes at \$1.13 per enrolled member per month, which would be included in the County’s claims invoices.

AmeriHealth has informed CSB that based on 12-months of data and three additional months of run out; there were 482 members who utilized services that would have been managed under the new Enhanced UM program. The estimated savings for services is \$106k, and with the program cost of 36k taken into consideration, the projected possible net savings to the County would be \$70k. It is important to note that the fee is per enrolled member per month (PMPM). Since this is a per member cap fee, AmeriHealth will bill through one of the weekly claims invoices and not through the administrative (PEPM) bill invoice.

COVID-19 Extension - The COVID provisions put in place in 2020, and initially extended until March 31, 2021, have been expanded upon. AHA provided the below summary of the requirements for a self-insured group in handling benefit changes during this pandemic. BCIC is compliant with the Federal mandates.

Benefit:	Description:	Coverage:
COVID-19 Testing (Diagnostic, Antibody)	Testing when performed by an in-network provider is covered at no member cost-share	Federal Mandate: <i>Currently in effect until the end of Public Health Emergency</i>
COVID-19 Telemedicine visits	Telemedicine visits with an in-network Primary care Doctor, Specialist, or Behavioral Health provider are covered at no member cost-share for COVID-19 diagnosis visits only.	Federal Mandate: <i>Currently in place until the end of Public Health Emergency</i>
Prior Authorizations	Temporarily suspends prior authorization requirements for acute inpatient admissions for COVID diagnosis.	AHA Policy <i>In place until June 30, 2021</i>
Non-COVID Telemedicine visits	Non-COVID Specialist and Behavioral Health visits with participating providers are covered at the plan’s regular cost-share	AHA Policy <i>In place until June 30, 2021</i>
Telemedicine - MDLive	MDLive telemedicine visits are waived for all visits	AHA Policy <i>Currently in place until the end of Public Health Emergency</i>
Waive Inpatient Cost-share	Waives member cost-share for in-network, inpatient acute care treatment and stay associated with COVID-19 diagnosis	BCIC elected to adopt <i>In place until June 30, 2021</i>

Solution for “No Surprise Billing” - In late December, the Conner Strong and AmeriHealth teams conferenced regarding the AmeriHealth solution to comply with the Federal Mandate on “no surprise billing.” AmeriHealth will research the additional operational questions posed by CSB. The “no surprise billing” act of 2022 protects the insured from out-of-network provider billings when the participant did not have a choice in provider (I.e.,> anesthesiologist services for procedures performed by in-network providers and at in-network facilities or true-life emergencies in an out-of-network emergency room). The plan opts in or out of the AmeriHealth solution; however, the County plan already provides the protection this federal Act requires. The AmeriHealth solution develops a QPA (qualified payment amount); however, this does not prevent the provider from disputing the payment amount. The QPA is the median contract rate of the plan adjusted for CPI in urban markets. The Act provides rules regarding negotiations and Independent Dispute Resolution.

Benefit Express - Dependent Audit Final Findings

As approved by the County, CSB, in conjunction with Benefit Express, had undertaken and completed an audit for all dependents under the County’s Medical and Prescription coverage. The audit findings were

shared with the County on 11/15, with the Benefit Express data reflecting all employees of the County accounted for.

CSB had requested final statistics on the audit, with the findings presented below:

	Successful Dependent Verifications	Unsuccessful/Incomplete Submissions	Unverified Dependents	Total Dependents
Dependent Verification*	572	0	0	572
<i>*Dependent Verification as of 11/15/2021 BE Audit Report.</i>				

Please note, per Benefit Express’ guidance, only two dependents were voluntarily removed during the dependent audit. Any dependents that CSB were advised will no longer be an active dependent or will have their coverage terminated with the County will remain in the Benefit Express system but will be labeled as “Marked for Removal” and their Verification Status set as “Inactive Spouse / Child Dependent.” This labeling ensures that their benefit coverage will no longer be active and will grant the County the ability to reinstate their coverage in the future should their status change.

AMERIHEALTH ADMINISTRATORS: Ms. Penick reviewed the AHA report. She reviewed the high claimants which included the diagnosis and status of employment.

EXPRESS SCRIPTS: Mr. Stahl reviewed the ESI report included in the agenda.

Mr. Troy said that there are two FDA antiviral drugs for COVID which is paid by the government at this time during the emergency order. He asked what the cost impact will be when the government no longer fronts the cost. Mr. Stahl said that both drugs are being added to the ESI formulary. He said that the cost is currently the cost is paid 100%, except some taxes, but is not sure of when or how this will impact the Fund in the future.

Ms. Peterson said that in addition to what ESI has provided, the protocols in place in the prior authorization of these drugs is that the person must be positive for COVID and provided the drug in a certain amount of time and a prescription. Also, she said the treatment is once every 180 days. There will be limitations.

Mr. Troy said that from the prescription billing, 42% are mail order to our members. 21% are retail and 34% is specialty drugs that are only 6 prescriptions. He wanted the Commissioners to know the specialty impact. He said an audit of the PBM would be important and a market performance audit at the end user level. He said the County spends \$7 million a year so the financials are important. He said he will work with the benefits consultants. Ms. Buono asked for more information on how the audit is performed, financial impact and benefits. Mr. Troy will come back next month with this information.

Benefits Executive Director's Report Made Part of Minutes

TREASURER REPORT: Mr. Troy reported he did not have a Bills List for the Benefits Division and Ms. Dodd confirmed that was correct. Mr. Troy advised he reviewed Resolution 12-22 and recommended payment.

MOTION TO APPROVE RESOLUTION 12-22, JANUARY P&C BILLS LIST

Moved: Commissioner Burke
Second: Chair Buono
Roll Call Vote: 3 Ayes, 0 Nays

ATTORNEY: Mr. Craig advised his report was verbal and first he said he would be happy to meet with the Chair and Mr. Troy offline to discuss the questions he just raised. Mr. Craig said with regard to Resolution 11-22 which was just passed that once the meeting dates were finalized for the year the resolution be updated to be in compliance with the Open Public Meeting Act. Lastly, Mr. Craig wanted to confirm the contracts went out to the workers compensation and liability defense firms. Ms. Dodd said the contracts were e-mailed to the firms last Thursday and Friday. Mr. Craig concluded his report unless there were any questions.

CLAIMS ADMINISTRATOR: Mr. Wilkinson advised PMA's monthly reports were included in the appendix section of the agenda. Mr. Wilkinson referred to the WC Claims by Quarter Report valued as of 12/1/21. Mr. Wilkinson reviewed the 2021 claim counts compared to 2020 for the member entities. Mr. Wilkinson advised the claim counts were trending higher but pointed out that there were less claims in 2020 due to the pandemic. Mr. Wilkinson said he did review the claim counts for 2019 and we were up slightly from that year. Mr. Wilkinson referred to the Year to Date Containment Savings Report, which was included in the agenda for the period of 1/1/21 to 12/1/21 and advised PMA processed 1,130 bills in the amount of \$1,309,944. Mr. Wilkinson said there was a savings applied of \$649,265 and the final paid charges were for \$650,679. Mr. Wilkinson noted that was an approximate savings of 50%. Mr. Wilkinson advised the PPO rate was 94.42%. Mr. Wilkinson reported he attended a meeting with his Managed Care Department in the morning and they were making some changes internally. Mr. Wilkinson advised they were re-evaluating their network and would be making some changes during the next few months which should boost the savings. Mr. Wilkinson also reviewed the WC Claims Frequency and Severity by Location and Top 5 Causes Group by Claims Frequency reports which were included in the agenda. Mr. Wilkinson noted the Miscellaneous Causes were COVID-19 cases only and all other miscellaneous causes were removed.

Executive Director said he was pleased to see the claim count for the Animal Shelter decreased and commented the Risk Control folks and County Management worked hard in that area. In response to Executive Director's inquiry, Mr. Wilkinson said COVID claims were contributing to the overall increase this year. Executive Director asked Mr. Wilkinson to update the Claim Count Report going forward to reflect the two new schools were not members until July of 2021. Executive Director also said he was looking into the claim count for the Burlington County Institute of Technology as he thought the count was low. Commissioner Burke asked Mr. Wilkinson to send him a copy of the new providers when any changes were made to the network.

NJCE SAFETY DIRECTOR: Mr. Prince advised the December – January 2022 All Risk Control Activity Report was included in the agenda. Mr. Prince reported three Safety Director Bulletins were distributed and were listed in the agenda. Mr. Prince said all of the training scheduled through February 28th was included in the agenda along with the instructions for registering on the NJCE website. Mr. Prince concluded his report unless there were any questions.

OLD BUSINESS: None

NEW BUSINESS: Chair Buono spoke about verbal reports and asked that they are written reports so they have adequate time to review what they are discussing. Chair Buono said she understands that some times that is not possible, however would like the time to digest the report. Executive Director noted that the agenda is sent out seven days prior to the meeting so all written reports should go to Ms. Dodd prior to the release date of the agenda.

PUBLIC COMMENT: Chair Buono asked if there was anyone from the public that wanted to make a comment. There was no one from the public in attendance.

CLOSED SESSION: Chair Buono asked if there was a need for closed session. Ms. Dodd advised there were no PARS to present.

Chair Buono said the next meeting was scheduled for Monday, February 14, 2022. After a very brief discussion it was agreed the meeting would be virtually.

MOTION TO ADJOURN:

Moved:	Commissioner Burke
Second:	Commissioner Cullinan
Vote:	3 Ayes, 0 Nays

MEETING ADJOURNED 3:01 PM

Minutes prepared by:
Cathy Dodd, Assisting Secretary
Emily Koval, Benefits