

**BURLINGTON COUNTY INSURANCE COMMISSION
OPEN MINUTES
MEETING – February 14, 2023
10:00 AM**

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
Dina Rocco, Esq.	Present
Erin Kelly, (Alternate)	Present

FUND PROFESSIONALS PRESENT:

Executive Director	PERMA Risk Management Services Joseph Hrubash
Claims Services	PMA Management Corp. Jennifer Signs
	Qual Lynx Chris Roselli Joe Lisciandri
	PERMA Risk Management Services Shai McLeod Jennifer Davis
Attorney	Cockerill, Craig & Moore, LLC Jeffrey Craig, Esq.
NJCE Underwriting Manager	Conner Strong & Buckelew Ed Cooney
Treasurer	Carolyn Havlick
Safety Director	J.A. Montgomery Consulting Glenn Prince
Employee Benefits	PERMA Risk Management Services Brandon Lodics Emily Koval
	Conner Strong & Buckelew Ian Dalton Diane Peterson
	Amerihealth Administrators Megan Penick Megan Natale
	Express Scripts, Inc. Hiteksha Patel

ALSO PRESENT:

Marlyn Pinckney, Burlington County
Bob Gemmell, Brown & Brown
Christina Violetti, Hardenbergh Insurance Group
Cathy Dodd, PERMA Risk Management Services

APPROVAL OF MINUTES: OPEN AND CLOSED MINUTES OF JANUARY 20, 2023

MOTION TO APPROVE THE OPEN AND CLOSED MINUTES OF JANUARY 20, 2023

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

CORRESPONDENCE: NONE

COMMITTEE REPORTS:

SAFETY COMMITTEE: Mr. Prince reported the Safety Committee last met on October 27 and was scheduled to meet again on February 16 at 10:00 am via zoom. Mr. Prince advised a variety of topics would be discussed including training opportunities through April. Mr. Prince said they would also discuss Safety Director Bulletins and the most commonly cited PEOSH citations for the fourth quarter of 2022. Mr. Prince reported the minutes and the agenda were distributed. Mr. Prince concluded his report unless there were any questions.

CLAIMS COMMITTEE: Ms. Davis reported the Claims Committee met last week and we would discuss the claims again during closed session. Ms. Davis concluded her report unless there were any questions.

EXECUTIVE DIRECTOR REPORT: Executive Director advised his report was included in the agenda and he had 4 action items.

TREASURER: Executive Director referred to a copy of Resolution 21-23, Designating Commission Treasurer. Executive Director reported the resolution designated Carolyn Havlick as Acting Treasurer due to Edward Troy's resignation. Executive Director also referred to Resolution 22-23, Designating Authorized Signatures for Commission Bank Accounts. Executive Director said this resolution added Ms. Havlick as a signer on the Commission Bank accounts and removed Mr. Troy. Executive Director noted the resolutions were reviewed by the Commission Attorney. Executive Director asked if anyone had any questions and suggested approving both resolutions at the same time.

MOTION TO ADOPT RESOLUTION 21-23, DESIGNATING COMMISSION TREASURER

MOTION TO ADOPT RESOLUTION 22-23, DESIGNATING AUTHORIZED SIGNATURES FOR COMMISSION BANK ACCOUNTS

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

NJCE 2023 RENEWAL OVERVIEW: Executive Director reported the NJCE Underwriting Manager and NJCE Executive Director presented a 2023 Renewal Overview Webinar on January 31st. Executive Director advised the NJCE Underwriting Manager detailed the challenges faced in marketing the program in a hard market and coverage changes to be aware of for 2023. Executive Director referred to a copy of the overview which was included in the agenda. Executive Director noted the recording would be posted to the NJCE website.

2023 PLAN OF RISK MANAGEMENT: Executive Director referred to the Plan of Risk Management which was included in the appendix section of the agenda. Executive Director explained the Plan was an overview of the Commission’s coverage, risks retained by the Commission, reserving philosophy, method of assessing member contributions, claims payment authority, etc. Executive Director noted the changes were highlighted in yellow. Executive Director asked if anyone had any questions. Chair Buono said she did have a question on the scheduled physicians listed on page 8 of the plan. Chair Buono advised she wanted to check to see if they were all still with the County. In response to Executive Director’s inquiry, Chair Buono said we could approve the plan subject to her confirming the physicians.

MOTION TO APPROVE RESOLUTION 23-23, PLAN OF RISK MANAGEMENT SUBJECT TO CONFIRMATION OF THE PHYSICIANS

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

CERTIFICATE OF INSURANCE REPORT: Executive Director referred to a copy of the certificate of insurance issuance report from the NJCE listing the certificates issued during the month of January which was included in the agenda. Executive Director advised there were (3) three certificates issued during January. Executive Director asked if anyone had any questions on the report and requested a motion.

MOTION TO APPROVE THE CERTIFICATE OF INSURANCE REPORTS

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

RFQ FOR GENERAL LIABILITY DEFENSE COUNSEL: Executive Director reported the Fund Office issued an RFQ to expand the General Liability Defense Counsel. The responses were due on Friday, February 10th at 3:00. Executive Director advised it was his understanding there was one response received from the Weiner Law Group who was already appointed to the panel. Ms. Dodd noted she had sent an e-mail to the law firm the end of January advising they were appointed. Chair Buono said she would discuss the matter with Mr. Craig. Mr. Craig said with regard to the firm that was already appointed, he thought Ms. Dodd’s e-mail sufficed that we didn’t have to do anything, but we could talk more if we wanted to try to go back out again. In response to Mr. Craig’s inquiry, Ms. Dodd said the contracts were not issued yet and she would reach out to his office as she thought in the past his office sent out the contract. Mr. Craig

said he would speak off-line with Chair Buono and Ms. Rocco regarding re-issuing the RFQ. Chair Buono said they should talk separately. Mr. Craig said he would reach out to Chair Buono. Chair Buono this item was tabled.

NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND (NJCE): Executive Director reported the NJCE was scheduled to hold their Reorganization Meeting on Thursday, February 23, 2023, at 9:30 AM via zoom.

FINANCIAL FAST TRACKS: Executive Director reported the December Financial Fast Tracks were not available and would appear in the next agenda.

2023 EXCESS INSURANCE AND ANCILLARY COVERAGE POLICIES: Executive Director advised the NJCE renewal policies would again be available electronically through the Conner Strong & Buckelew Egnite Connect for authorized users. Executive Director noted the Limit Schematics would also be posted to the site. Executive Director said if anyone had any difficulty in accessing the website, they should contact the Fund Office.

2023 PROPERTY & CASUALTY ASSESSMENTS: Executive Director advised in accordance with the Commission's By Law's the Property & Casualty Assessment Bills would be e-mailed to the member entities. Executive Director noted the first installment was due on March 31, 2023 and future assessments will be due on May 15, 2023 and October 15, 2023.

2023 MEL, MRHIF & NJCE EDUCATIONAL SEMINAR: Executive Director reported the 12th Annual Seminar would be conducted virtually with 2 half-day sessions: Friday, April 21st and Friday April 28th from 9AM to 12PM. Executive Director advised the seminar qualified for Continuing Education Credits including CFO/CMFO, Public Works, Clerks, Insurance Producers and Purchasing Agents. Executive Director said there was no fee for employees, insurance producers as well as personnel who work for services companies associated with the Municipal Excess Liability Joint Insurance Fund (MELJIF), Municipal Reinsurance Health Insurance Fund (MRHIF) and New Jersey Counties Excess Joint Insurance Fund (NJCE JIF). Executive Director referred to a copy of a flyer which was included in the agenda for additional information on the seminar. Executive Director noted a link to register would be sent once it became available. If you have any questions or need assistance in registering, please contact Cathy Dodd, cdodd@permainc.com

Executive Director's Report Made Part of Minutes

Health Benefits Minutes

EXECUTIVE DIRECTOR'S REPORT

FINANCIAL PROCEDURES

Financial Fast Track – The December/Year End Financials for 2022 will be available at the meeting. Mr. Lodics reviewed the December financials noting that there was an error in the report that was originally distributed. He said that the dividend line was allocated incorrectly, although the actual dividend allocation was correct. This has been corrected and was available on the zoom and he apologized for the multiple versions of this report.

Mr. Lodics said this month was higher than prior months, but even though there was a \$1 million dividend, the Fund still made a little over \$1 million. The Fund's budget was above claims realized. The overall surplus is very strong. In response to Ms. Cullinan, Mr. Lodics said the claims were over \$3 million this month which were high but not concerning.

Benefits Consultant Report

Mr. Dalton reviewed the following items of the Benefits Consultant Report:

Legislative Update

Update on National Emergency and Public Health Emergency

On January 30th, 2023, the White House released a statement saying that the COVID-19 national emergency (NE) and public health emergency (PHE) declared by the Trump Administration in 2020 will be extended to May 11, and then both emergencies will end on that date.

As Program Managers, Conner Strong and Buckelew have inquired with AmeriHealth Administrators about how this declaration could impact the Commission's coverage. Once CSB concludes its investigation with AmeriHealth, the findings shall be reported to the Commission.

Conner Strong and Buckelew

Summary of Client Activity

December 2022 Client Activity Report Highlights:

1. In December 2022, a total of Seven (7) inquiries were made from BCIC to the Member Advocacy Center. Of the seven inquiries, questions from retirees were the most common (3), followed by general benefit/plan inquiries (2).
2. The most common call source from the Commission was from employees (3).
3. On average, 86% of all inquiries were addressed and closed on the same day of outreach. All other inquiries were addressed and closed within 1-5 days of outreach.

2022 Annual Client Activity Report Highlights

1. In 2022, the Member Advocacy Center received forty-eight (48) inquiries from BCIC members and retirees. Of the forty-eight (48) inquiries, general benefits/plan design was the most common (22), followed by inquiries from retirees (6). Inquires related to eligibility and claim processing tied for the third most common subjects, with each topic having five (5) inquiries, respectively.
2. The most common call source related to the Commission was from employees (26).
3. On average, 60% of inquiries were resolved on the same day of outreach, 21% took 1-5 days to address, 2% took 5-10 days to resolve, and 17% took beyond 10-days to find a resolution.

For the complete Client Activity report, please refer to the provided handout labeled "*Client Activity Report: December 2022.*", which is included in the Agenda.

Update on Appeal Letters Received in 2022

As reported in the January 2023 Program Manager's report, Conner Strong & Buckelew maintains a log of appeal letters addressed to the Commission. These letters are sent on behalf of members and providers and greatly vary in topic, but most commonly pertain to benefit applications, medical necessity, and payment to providers. Generally, the letter is first received

by the County, who then forwards the appeal to Conner Strong. Conner Strong reviews, logs, and provides the appeal letter to AmeriHealth Administrators. As the Claims Fiduciary, AmeriHealth reviews the appeal, makes a determination on the appeal, and advises the member/provider of the decision. Once this is complete, AmeriHealth notifies Conner Strong of the decision.

Since the last update given to the Commission, there has been a determination from AmeriHealth Administrators on the last pending appeal. Please see the table below for context.

Date Received:	Date of Service:	Appealing Party:	Billed Amount:	Topic:	Timeline:	Status:
/25/2022	2/23/2022	New Jersey Breast Plastic & Reconstructive Surgery	\$78,000	Charge for Reconstructive surgery	<p>10/25/2022: CSB received appeal letter from Burlington County</p> <p>10/25/2022: CSB account team provided appeal letter to AHA</p> <p>1/05/2023: CSB continued to follow up on the status of the appeals.</p> <p>1/18/2023: AmeriHealth Admin advised that the appeal was upheld on 8/17/2022 and provided the determination letter to the appropriate parties.</p>	Closed

Specialized Audits

AIM PBM Audit Timeline

As discussed in the January 2023 Program Manager’s report, AIM will conduct a review of the electronic pharmacy claims data provided by the PBM. To reiterate, the intent of a PBM audit is to verify the accuracy of the prescription drug program setup and administration with the PBM. This is done via an in-depth review of member prescription drug claim transactions during the audit period to confirm that pharmacy benefit claims are adjudicated in accordance with the contractual performance guarantees.

Please refer to the table below for the PBM audit timeline.

Burlington County Insurance Commission – PBM Audit Timeline	
Date	Task
1/30/23	ESI notified of the PBM audit
Week of 2/6/23	Data Request and Audit Scope letter to be sent to ESI
Week of 2/13/23	ESI provides confidentiality agreement
Week of 2/20/23	Required signatures obtained for CA and returned to ESI
Approximately 4 to 6 weeks	Data is to be sent by ESI once the confidentiality agreement is signed by all parties
Approximately 3 to 4 weeks	The audit is to be conducted
4/24/23	Draft report to ESI – must allow two (2) weeks for ESI to respond to the draft report
5/8/23	ESI response to draft report due
Week of 5/15/23	AIM to update the draft report to final
Week of 5/31/23	Share the final report with PERMA
6/7/23	Final report available for BCIC meeting

Vital Statistics Report

2022 Vital Statistics Presentation

In an effort to assist the Commission in the evaluation of their medical and prescription plan performances, Conner Strong and Bucklew produces a Vital Statics Report. This report is created by compiling comprehensive data on the past year’s medical and prescription plans. The data is then compared against previous plan years to contextualize how the Commission is currently performing. This report covers a wide arrange of topics, with some examples being enrollment, loss ratios, and top providers. Please refer to the Agenda for CSB’s analysis of BCIC’s 2022 Vital Statistics.

Amerihealth Administrators - Ms. Penick reviewed the claim and high claimant reports included in the agenda. In response to Executive Director, Ms. Penick said she will remove the terminated members in future reports for better comparison.

Level Care through Express Scripts – Ms. Patel reviewed the report included in the agenda. She clarified the claim per member for Ms. Buono, in comparison to last year.

TREASURER REPORT: Ms. Havlick reported she had the bills list but honestly, she didn’t review, however she did compare them to other bills lists and the checks all seemed reasonable.

MOTION TO APPROVE RESOLUTION 24-23, FEBRUARY P&C BILLS LIST AND RESOLUTION 25-23, JANUARY HEALTH BILLS LIST

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

ATTORNEY: Mr. Craig advised he did not have a formal report other than to welcome Ms. Havlick. Mr. Craig said as discussed earlier he wanted to the contracts for the defense and workers' compensation panel to be prepared as soon as possible.

CLAIMS ADMINISTRATOR: Ms. Signs advised PMA's monthly reports were included in the appendix section of the agenda. Ms. Signs referred to the WC Claims by Quarter Report for January 2023 valued as of 2/1/23. Ms. Signs reviewed the claims compared to last year claims. Ms. Signs referred to the Year-to-Date Containment Savings Report, which was included in the agenda for the period of 1/1/22 to 1/1/23 and advised PMA processed 1844 bills in the amount of \$2,840,470. Ms. Signs said the final amount paid was \$816,759 with savings of 71.25%. Ms. Signs noted the penetration rate was just under 87.67%. Ms. Signs 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. Ms. Signs concluded her report unless there were any questions.

NJCE SAFETY DIRECTOR: Mr. Prince advised the January through February All Risk Control Activity Report was included in the agenda. Mr. Prince reported all of the training opportunities through April 30 were also included in the agenda. Mr. Prince encouraged all departments to review the variety of training opportunities that were available and take full advantage. Mr. Prince referred to a copy of a letter included in the agenda regarding the 2023 Munich Safety Grant. Mr. Prince advised any questions could be directed to him and said he would speak with Madame Chair to give her some examples of what was done in the past to secure Grant funding for the County. Mr. Prince noted last year we spent the entire \$50,000 for the program. Lastly, Mr. Prince said he had a meeting with the Library today at 2:00 to review the situation to see if we could make some appropriate recommendations for compliance. In response to Executive Director's inquiry, Mr. Prince advised he was asked to check on a lighting condition. Mr. Prince concluded his report unless there were any questions.

OLD BUSINESS: None

NEW BUSINESS: None

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 read Resolution 26-23 Resolution for Closed Session and requested a Motion for Executive Session (in accordance with the Open Public Meetings Act, N.J.S.A. 10:4012) to discuss payment authority requests.

MOTION TO APPROVE RESOLUTION 26-23 FOR CLOSED SESSION

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

MOTION TO APPROVE THE PARS DISCUSSED IN CLOSED SESSION

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

MOTION TO ADJOURN:

Moved:
Second:
Vote:

Chair Buono
Commissioner Cullinan
3 Ayes, 0 Nays

MEETING ADJOURNED 10:57 AM

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