

**BURLINGTON COUNTY INSURANCE COMMISSION
OPEN MINUTES
MEETING – May 9, 2022
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. Jennifer Signs |
| | Qual Lynx Kathy Kissane |
| | PERMA Risk Management Services Jennifer Conicella |
| Attorney | Craig Annin Baxter Law Jeffrey S. Craig, Esq. |
| NJCE Underwriting Manager | Conner Strong & Buckelew |
| Treasurer | Edward Troy |
| Safety Director | J.A. Montgomery Consulting Glenn Prince |
| Employee Benefits | PERMA Risk Management Services Brandon Lodics Emily Koval |
| | Conner Strong & Buckelew Diane Peterson |
| | Amerihealth Administrators Megan Penick |
| | Express Scripts, Inc. Charles Yuk |

ALSO PRESENT:

Tom Reilly, J.A. Montgomery
Bob Gemmell, Brown & Brown
Christina Violetti, Hardenbergh Insurance Group
Joe Henry, Hardenbergh Insurance Group
Cathy Dodd, PERMA Risk Management Services

APPROVAL OF MINUTES: OPEN AND CLOSED MINUTES OF MARCH 14, 2022

Chair Buono made a motion to approve the open minutes of March 14, 2022 and to table the closed minutes.

**MOTION TO APPROVE THE OPEN MINUTES OF MARCH 14, 2022 AND
TABLE THE CLOSED MINUTES**

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

CORRESPONDENCE: NONE

COMMITTEE REPORTS:

SAFETY COMMITTEE: Mr. Prince reported the Safety Committee last met on April 26 at 10:00 AM and discussed a variety of topics including training. Mr. Prince advised the next Safety Committee meeting was scheduled for July 21 at 10:00 AM. Mr. Prince said he would coordinate with Mr. Burke regarding the agenda and distributing the minutes from the last meeting. Mr. Prince concluded his report unless there were any questions.

CLAIMS COMMITTEE: Ms. Conicella reported the Claims Committee met last month on April 19th and discussed several claims which we would discuss further in closed session. Ms. Conicella concluded her report unless there were any questions.

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

CERTIFICATE OF INSURANCE REPORT: Executive Director referred to copy of the certificate of insurance issuance report from the NJCE listing the certificates issued during the month of March which was included in the agenda. Executive Director advised there were (5) five certificates issued during March. Executive Director asked if anyone had any questions on the report and requested a motion.

MOTION TO APPROVE THE CERTIFICATE OF INSURANCE REPORT

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

VETERINARIAN PROFESSIONAL LIABILITY POLICY: Executive Director reported a Veterinarian Professional Liability Policy was issued for the period of 3-16-22 to 3-16-23 for the Burlington County Animal Shelter through the Safehold Special Risk, Inc. Executive Director advised the limits of insurance were \$3,000,000 aggregate and \$1,000,000 each claim. Executive Director noted the annual premium was \$359.14. Executive Director said no action was needed

at this time. Executive Director reported the budget was amended, and the premium would be billed to the County on the last assessment billing.

NJ COUNTIES EXCESS JOINT INSURANCE FUND (NJCE): Executive Director reported the NJCE last met on April 28 and a summary report of the meeting was included in the agenda. Executive Director advised the Finance Subcommittee met and reviewed the RFP responses from the Actuary, Auditor, Payroll Auditor and Litigation Manager. Executive Director advised all the incumbents were re-appointed. Executive Director noted there was some discussion on the actuary as we received an alternative proposal, however we did not feel it was priced accordingly for job responsibilities. Executive Director advised the Cyber Task Force Committee met on Friday, March 11 and the Coverage Committee met on Thursday March 17 to discuss the status of manuscript policies and an exclusion for sewer backup claims. Executive Director said this exclusion did not pertain to Burlington County only utility authorities. In response to Chair Buono's inquiry, Executive Director said a representative from Monmouth County was appointed to the Finance Committee.

BCIC PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director reported the February Financial Fast Track was included in the agenda. Executive Director advised as of February 28, 2022 there was a surplus of \$4,154,421. Executive Director referred to line 10 of the report, "Investment in Joint Venture" and indicated \$1,372,173 of the surplus was the BCIC's share of the NJCE equity. Executive Director noted the cash amount was \$5,559,112.

NJCE PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director reported the February Financial Fast Track for the NJCE was included in the agenda. As of February 28, 2022 the NJCE had a surplus of \$14,323,660. Executive Director noted the total cash amount was \$12,413,800. Executive Director reported line 7 of the report "Dividend" presented the figure released by the NJCE of \$5,857,551. Executive Director asked if there were any questions on the Financial Fast Tracks.

2022 PROPERTY & CASUALTY ASSESSMENTS: Executive Director reported the Treasurer advised all of the member entities paid the March assessment payment. Executive Director noted the second assessment payment is due on May 15, 2022.

2022 MEETING SCHEDULE: Executive Director reported the Commission did not schedule a June meeting yet. Executive Director advised he was suggesting we meet on Monday, June 13, 2022 at 2:00 PM via Zoom. Executive Director noted the Board Room was not available on this day.

**MOTION TO SCHEDULE OF MEETING ON MONDAY, JUNE 13,
2022 AT 2:00 PM**

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

Executive Director's Report Made Part of Minutes

EXECUTIVE DIRECTOR'S REPORT -BENEFITS

FINANCIAL PROCEDURES

- **Financial Fast Track** – As of February 28, 2022

Mr. Lodics said that 2022 is performing very well for 2022, which more than 2.5 months of claims in surplus. The overall surplus is at \$8.6 million through March.

BENEFIT CHANGE RESOLUTIONS: At the previous meeting, the Benefits Consultant requested action to make changes to the County Plan Document/AmeriHealth claims adjudication system (defined in the resolution) and to accept the No Surprises Act Fees to AmeriHealth Administrators, effective July 1, 2022. The Committee made motions to approve these changes last month. Resolution 23-22 and 24-22 are included in the agenda for ratification and documentation. Mr. Lodics requested a motion as the changes were discussed and approved at the last meeting.

MOTION TO APPROVE RESOLUTION 23-22 TO REVISE THE AMERIHEALTH PLAN DOCUMENTS

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

MOTION TO APPROVE RESOLUTION 24-22 TO IMPLEMENT THE NO SURPRISES BILLING ACT CHANGES TO AMERIHEALTH ADMINISTRATORS

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

IBNR CERTIFICATION: Once a year, our Actuary performs a review and certification of the Commission's IBNR (Incurred But Not Reported) Reserve. His certification is included and the recommended amount is reflected in the February FFT. Mr. Lodics reviewed the definition of IBNR. He said that the IBNR we have been carrying is sufficient to his review.

PBM CONTRACT: Mr. Lodics said that last year, the Commission approved the PBM contract to go to Level Care. He said the contract is with the Commission attorney and has been approved at the MRHIF level, which is where the contract was initially negotiated.

Program Manager

Ms. Peterson reviewed the report.

Express Scripts

2022 Formulary Change - Express Scripts (ESI) reviews its National Preferred Formulary (NPF) twice a year, with changes in January and July. Attached is the list of July 1 changes. Participants who the changes will impact will receive communications directly from ESI with instructions appropriate to the participant and the medication change. The change will

| Test Kit Distribution: By Month | | | |
|--|---------------|-------------------|-------------------|
| <i>Month</i> | <i>Amount</i> | <i>Cost</i> | <i>Percentage</i> |
| January | 25 | \$260.73 | 7% |
| February | 114 | \$1,251.93 | 33% |
| March | 190 | \$2,235.76 | 59% |
| April | 2 | \$24.00 | 1% |
| Total | 331 | \$3,772.42 | 100% |

affect four (4) participants based on data as of March 31, 2022. For more information and specifics on these changes, please reference the materials labeled *ESI 2022 National Preferred Formulary* and *NPF Changes* found in your materials.

Diabetic Program - Beginning on January 1, 2022, Express Scripts implemented *SafeGuardRx Diabetes Care Vale*, a program primarily focused on the treatment and prevention of diabetes. Key benefits of this program include the following:

- Improved adherence through 90-day prescription fills through your existing pharmacy network.
- Increased member engagement through ESI’s digital solutions for type 1 and 2 diabetes, diabetes prevention, and diabetes
- Specialized support through ESI’s Diabetes Therapeutic Resource Center
- Plan saving through formulary management.

Connor Strong and Buckelew have requested more information on this program and will provide an update in the June Program Manager’s Report.

Over-the-Counter COVID-19 Tests Reporting - As previously reported in the February Program Manager’s Report, on January 10, 2022, the Biden administration released a final requirement that insurance companies and group health plans must cover eight (8) U.S. Food and Drug Administration (FDA) approved over-the-counter (OTC) COVID-19 tests per month, at no member cost. Participants enrolled in BCIC’s prescription plans through Express Scripts are eligible for this benefit. OTC tests can be purchased online or in-person at a pharmacy without a prescription. Tests will be covered under the Express Scripts (ESI) pharmacy plan at no cost at the point of sale.

ESI has also given members the option to obtain OTC tests via mail order. This option is now available to those registered through ESI’s member portal. The mail-order option allows participants to receive their kits through the mail in lieu of picking them up at a participating ESI pharmacy. The mail-order option will allow an eligible participant to receive no more than eight (8) kits every 30-days. This includes the number of kits a participant may have received from a participating pharmacy and/or reimbursement for kits purchased outside of a participating pharmacy. Please see the tables listed below for the current distribution, participation, and cost of the OTC testing program.

Ms. Peterson thanked Express Scripts for providing this report so quickly.

| Test Kit Distribution: By Vendor | | | |
|---|---------------|-------------------|-------------------|
| <i>Vendor</i> | <i>Amount</i> | <i>Cost</i> | <i>Percentage</i> |
| ACME | 16 | \$191.98 | 5% |
| CVS | 9 | \$93.96 | 3% |
| ESI | 192 | \$2,304.00 | 58% |
| FOREIGN ALLERGY SATL MOCOB | 16 | \$198.32 | 5% |
| GEORGIES OUTPATIENT PHARMACY | 14 | \$168.00 | 4% |
| HIGH STREET PHARMACY | 4 | \$32.43 | 1% |
| RITE AID | 78 | \$763.76 | 24% |
| WALGREENS | 2 | \$19.98 | 1% |
| Total | 331 | \$3,772.43 | 100% |

| Test Kit Distribution: Retail vs. Mail-Order | | | |
|---|---------------|-------------------|-------------------|
| <i>Type</i> | <i>Amount</i> | <i>Cost</i> | <i>Percentage</i> |
| Retail | 139 | \$1,468.43 | 42% |
| Mail-Order | 192 | \$2,304.00 | 58% |
| Total | 331 | \$3,772.43 | 100% |

| Test Kit Distribution: By Brand | | | |
|--|---------------|-------------------|-------------------|
| <i>Name</i> | <i>Amount</i> | <i>Cost</i> | <i>Percentage</i> |
| BINAXNOW | 24 | \$282.29 | 7% |
| FLOWFLEX | 235 | \$2,626.14 | 71% |
| IHEALTH | 72 | \$864.00 | 22% |
| Total | 331 | \$3,772.43 | 100% |

| Utilization Summary | |
|-------------------------------------|-------------------|
| Total Eligible Population | 1404 |
| Total Program Participants | 45 |
| Program Utilization | 3.21% |
| Total Kits Obtained | |
| | 331 |
| Average Kits Per Participant | 7 |
| Average Kits Per Member | 4 |
| Total Cost to the Commission | |
| | \$3,772.42 |
| Average Cost Per Participant | \$83.83 |
| Average Cost Per Member | \$0.37 |

AmeriHealth Administrators - AmeriHealth Performance Guarantees - To best service the Commission, Conner Strong and Bucklew have obtained the final metrics of AHA's 2021 Performance Guarantees. This report shows that of the five (5) performance guarantees, AHA

has met or surpassed four (4) of these metrics, while Average Speed to Answer was the only metric that did not meet the standard. This misstep can be attributed to higher than anticipated call volume and more significant than expected attrition. Due to this professional standard not being met, AmeriHealth Administrators will be crediting the Commission \$3,616.09 on their next invoice.

Please see below for additional details on AmeriHealth’s performance guarantees.

| Performance Terms | | 2021 Results | | | | |
|----------------------------|------------------|--------------|--------|--------|-------|-------|
| Performance Measure | Standard | Q1 | Q2 | Q3 | Q4 | YTD |
| Claims Financial Accuracy | 98% | 100.0% | 100.0% | 100.0% | 99.0% | 99.8% |
| Claims Processing Accuracy | 96% | 100.0% | 100.0% | 100.0% | 98.9% | 99.7% |
| Claim TAT | 10 Calendar Days | 6.4 | 7.2 | 6.5 | 5.4 | 6.4 |
| Average Speed to Answer | 30 Seconds | 89.8 | 41.7 | 27.1 | 18.6 | 45.2 |
| Abandonment Rate | 5% | 5.9% | 2.6% | 1.6% | 1.0% | 2.9% |

MDLive and Utilization Reporting

In an ongoing effort to best serve its members and combat the public health emergency, AmeriHealth’s telemedicine service, MDLIVE, continues to be offered to BCIC’s members at a \$0 copay. Conner Strong has verified that MDLive will remain at a \$0 copay regardless of the National Public Health Emergency status, which is scheduled to end on July 15, 2022.

Conner Strong has requested the metrics of MDLive’s utilization by BCIC members. These findings will be displayed and elaborated on in the June Program Manager’s Report.

BCIC Plan Document - Status Update

As mentioned in the March Program Manager’s Report, Conner Strong and Buckelew have been actively working on revising different aspects of the BCIC Plan Document and had advised that these revisions would be reported in the May report. However, after consulting with CMS, it was determined that further efforts need to be undertaken to reach compliance.

The resolution for these revisions will be presented in the June Program Manager’s Report.

Year End 2021 Utilization Review

Presentation - A 2021 claim utilization presentation has been included with the agenda and will be reviewed at the meeting. Ms. Peterson said this presentation was reviewed with the County already and allowed for questions or additional review.

AMERIHEALTH ADMINSTRATORS – Ms. Penick reviewed the Amerihealth reports for March included in the agenda.

EXPRESS SCRIPTS – Mr. Yuk reviewed the March claims report which was included in the agenda. HE said that the generic fill rate is very strong. He said the Per employee Per month is only up 2.1%, which is much less than other Funds he represents. Overall, he feels the trend is very positive for this Commission.

Benefits Executive Director's Report Made Part of Minutes

TREASURER REPORT: Mr. Troy reported he reviewed the bills lists which were included in the agenda. Mr. Troy advised he approved the bills list and recommended payment.

MOTION TO APPROVE RESOLUTION 25-22, APRIL P&C BILLS LIST, RESOLUTION 26-22 APRIL HEALTH BILLS LIST, RESOLUTION 27-22 MAY P&C BILLS LIST, 28-22 MAY HEALTH BILLS LIST

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

ATTORNEY: Mr. Craig advised his report was verbal today and reported and he was working with Mr. Lodics and Ms. Koval on the form sponsor agreement for pharmacy benefits for the pharmacy benefit management agreement, the Level Coalition. Mr. Craig reported we agreed to this last November and we just have to make sure the language is correct. Mr. Craig said since the MRHIF attorney already reviewed he did not think there would be to many changes. Mr. Craig advised if the Commissioners wanted to review, he would be happy to forward it individually.

Mr. Craig reported his firm expanded and there was a name change so he would do a resolution for the next meeting to change the name on the contract. Mr. Craig noted he would send Mr. Troy a new W9 form. Mr. Craig concluded his report unless there were any questions.

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 valued as of 4/1/22. Ms. Signs reviewed the 2022 claim counts compared to 2021 for each of the member entities. Ms. Signs apologized and advised the Medical Savings Report was not available this month as they were having data issues and a report would be included in the next agenda. \$51,800. 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 March - April 2022 All Risk Control Activity Report was included in the agenda. agenda. Mr. Prince referred to a copy of Expo schedule

that they were hosting around the state at various locations. Mr. Prince explained the expo covered a variety of topics for employees in one day. Mr. Prince noted the expo was an in-person training session and not virtual. Mr. Prince said as the report reflected they were presenting forklift training operations in person and would continue to provide a variety of in person training opportunities in the coming months. Mr. Prince concluded his report unless there were any questions.

OLD BUSINESS: None

NEW BUSINESS: None

PUBLIC COMMENT: Executive Director 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: Executive Director read Resolution 29-22, 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 THE PARS, SARS AND PROPERTY CLAIMS AS DISCUSSED IN CLOSED SESSION

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

MOTION TO ADJOURN:

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

MEETING ADJOURNED 2:45 PM

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