

State Health Benefits Commission
Open Session Minutes
September 13, 2023

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 2023 annual meeting schedule was mailed to the Secretary of State on December 20, 2022, and Star Ledger and the Trenton Times on December 20, 2022. The annual meeting schedule was posted to the Division website on December 1, 2022.

The meeting of the State Health Benefits Commission of New Jersey was called to order on Wednesday, September 13, 2023 at 10:00 am at the Division of Pensions and Benefits in Trenton, NJ.

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.

Kelly Fields took Roll Call and established that a quorum was present.

Committee Members:

Danielle Schimmel
Philip Gennance
Allison Chris Myers
Dudley Burdge
Jennifer Higgins

Also Present:

Nicole Ludwig, State of New Jersey Division of Pensions and Benefits
Kelly Fields, State of New Jersey Division of Pensions and Benefits
Paul Sarti
Kevin Hyland
Eric Laufenberg
Margaret Kirchoff
Lance Miller
Jon Pipas
Joseph Tappe
Binsy Francis
Veronica Kirkham
Donna Ruotola, Horizon

Dudley Burdge made a motion to approve the March 8, 2023 meeting minutes. Philip Gennace seconded the motion; all voted in favor.

Danielle Schimmel made a motion to go into Closed Session to hear the Closed Session appeals that contain protected health information. Philip Gennace seconded. All voted in favor.

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

Case #2023091301: The member had rotator cuff surgery from a torn bicep surgery which was caused by their cerebral palsy. The member is limited in their left side, left arm, and both legs when it comes to moving around and had spent the past 52 years crawling. Prior to the surgery, the member contact BCBS, whom then informed the member that the surgery was necessary and rehab would be fully covered. The member then found out after surgery that the rehab was only covered for 2-3 weeks. The member also had to stay at a facility that had the proper skills and nursing, as they are quadriplegic.

Horizon stated that the member is covered under a CWA Unity Direct Plan. This appeal went to an outside consultant who reviewed it and agreed that the care was considered to be custodial rather than medically necessary. The member had been covered in a nursing facility for only 7 days. Horizon stated that the member does not have any new medical conditions and does not need 24 hour care.

Allison Chris Meyers made a motion to go into Executive Session. Philip Gennace seconded; all voted in favor.

Upon return from Executive Session, the member's mother stated that the member was told they would be covered prior to the operation. The member's mother also stated that the member's shoulder has completely healed and the member has returned to work.

Danielle Schimmel made a motion to deny the appeal. Philip Gennace seconded the motion; after a vote of 4 to 2, the appeal was denied based on the fact that the plan design does not cover custodial care.

Case #2023091302: The member stated that their wife had gone to a doctor and while at the doctor's office, the member was notified that their wife was no longer on their policy. A company named Diva did an audit and arbitrarily removed the member's wife from the policy due to the fact that the member did not provide the appropriate documents proving that they were still married. The member stated they never received anything in the mail asking for these documents. The member then sent the required documents and their wife was added back to the policy. The member now has outstanding bills for services that were rendered while their wife was not covered on the policy.

Danielle Schimmel made a motion to move to Executive Session to get advice from counsel. Philip Gennace seconded the motion; all voted in favor.

Upon return from Executive Session, Ms. Myers made a motion to grant the request of limited circumstances. Ms. Higgins seconded the motion; all voted in favor, approving the appeal to allow the member to be retro back to May 1, 2019.

Case #2023091303: Horizon presented this appeal during the member's absence. The member is covered under a CWA Unity Direct. The member had a wellness visit through Everside on August 6, 2022. The doctor the member had been seeing ended up moving. Therefore, the member found another doctor that was participating with their health insurance plan. The member then went for a full physical on December 22, 2022 at their new doctor, which was billed as a wellness visit. The

charge for this visit was denied due to the fact that the member's healthcare covers one annual wellness visit with preventive care being limited to one year. The member is appealing this denial.

Mr. Burdge made a motion to deny the appeal. Ms. Meyers seconded the motion; all voted in favor and the appeal had been denied.

Case #2023091304: Ms. Meyers had recused herself due to knowing the member. The member had been placed on a leave of absence from the Delaware River Basin Commission (DRBC). The member could have returned to DEP after being transferred to the DRBC. The member provided documentation stating that this should be considered an intergovernmental mobility assignment. The member had still been considered a DEP employee. The member was told their benefits would not be diminished due to the leave of absence. The member is requesting their benefits that are due.

Danielle Schimmel stated that codes, such as vacation leave, have the opportunity to be changed at a later date. Ms. Schimmel also stated that the division has an agreement between DEP and DRBC that talks about a termination, whereas the member states they were on a leave of absence. Ms. Schimmel stated that the division has a detailed copy that shows a code was initially entered as resigned and changed to a leave of absence at a later date.

Ms. Higgins made a motion to enter Executive Session; all voted in favor.

Upon return from Executive Session, Mr. Burdge made a motion to move this appeal to the office of administrative law for a hearing to bring in all the facts. Ms. Higgins seconded the motion; all voted in favor.

Case #2023091305: This is an OAL appeal regarding a crown denial for a five-year frequency. There has been no change in facts with this issue.

Danielle Schimmel stated that due to no new information, she will make a motion to deny the reconsideration of this appeal and deny their request for an OAL hearing and ask the secretary to draw up a final administration determination for the commission. Mr. Burdge seconded the motion; all voted in favor.

Phillip Gennace made a motion to return to Open Session for the rate renewal follow up question. Mr. Burdge seconded the motion; all voted in favor.

Rate Renewal:

Horizon, Aetna and Optum is present to answer necessary questions. Mr. Burdge had questions regarding the medical contact implementation and what the numbers were on the years Horizon did not meet the price guaranteed. Jon Pipas stated that this has not been completed and they will follow up with that information. Mr. Burdge also questioned Horizon why they use the measurements that they use. Horizon stated they would get back to the division with that answer.

Contract Updates:

Nikki Ludwig answered questions regarding commercial contracts RFP T2846, T3093, T2679, T2794, and T1070.

Danielle Schimmel made a motion to enter Executive Session. Ms. Higgins seconded the motion; all voted in favor.

Upon returning from Executive Session, Nikki Ludwig spoke on the delegation of purchasing authority to the department of DPP. Delegation has been requested for T3090 and T2679.

Philip Gennace made a motion to delegate T3090 and T2679. Allison Chris Myers seconded the motion; all voted in favor. Danielle Schimmel noted that Dudley Burdge had left during the previous Executive Session.

Ms. Higgins made a motion to adjourn. Philip Gennace seconded the motion. All voted in favor and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelly Fields".

Kelly Fields
Acting Secretary
State Health Benefits Commission