

School Employees' Health Benefits Commission

Meeting Minutes

January 24, 2019

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 2019 annual meeting schedule was mailed to the Secretary of State, Star Ledger and the Trenton Times on December 20, 2018.

The meeting of the School Employees' Health Benefits Commission of New Jersey was called to order on Wednesday, January 24, 2019 at 10:00 AM. The meeting was held at the Division of Pensions and Benefits, 50 West State Street in Trenton.

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:**

**Sonia Rivera-Perez**, representing State Treasurer Elizabeth Maher Muoio

**Thomas Gallagher**, representing Commissioner Marlene Caride of the Dept. of Banking and Insurance

**Kevin Kelleher**, NJEA (appearing telephonically)

**Dan Goldman**, NJEA (appearing telephonically)

**Julie Giordano Plotkin**, NJEA

**Cynthia Jahn**, N.J. School Boards Association (appearing telephonically)

**Michael Maillaro**, AFL-CIO representative

**Also Present:**

**Danielle Schimel**, Deputy Attorney General

**Mark Cipriano**, New Jersey Division of Pensions and Benefits

**Nicole Ludwig**, New Jersey Division of Pensions and Benefits

Commissioner Rivera-Perez made a motion to appoint Commissioner Gallagher as Interim Chair; Commissioner Maillaro seconded the motion and all voted in favor.

Commissioner Kelleher asked for a copy of a claims experience report, which is provided to the participating Local Boards of Education. This report provides the employer with a high-level overview of the claims experience for their location, and is used to help the employer determine if they will continue to participate with the SEHBP.

Horizon representative Chris Lowery provide a high-level overview of the Claims Experience Reports; explaining that if a location requires additional information it could be provided.

Next was an update by Aetna regarding the Retired Wellness program, particularly around the challenges retirees have encountered in enrolling in the program. Aetna representative Kim Ward explained there was a technical issue that is being corrected. The target date to have all systems up and running is February 1, 2019.

### **Meeting Minutes**

Commissioner Maillaro made a motion to approve the meeting minutes from the November 14, 2018 SEHBC meeting. Commissioner Rivera-Perez seconded the motion and all voted in favor.

Commissioner Maillaro made a motion to approve the meeting minutes from the September 26, 2018 SEHBC meeting. Commissioner Rivera-Perez seconded the motion. The meeting minutes were approved (7:1 Interim Chairperson Gallagher Abstained, as he was not present at the meeting).

Commissioner Plotkin made a motion to go into Closed Session to hear the Commission appeals. Commissioner Rivera-Perez seconded the motion and all voted in favor.

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

### **Closed Session Appeals:**

**Case # 01241901:** The member presented an appeal regarding the IRO denial of Intrastromal Corneal Ring Segment. The member presented an argument regarding the medical need for the Corneal Ring Segment Surgery, stating it was of medical necessity. The member stated that there were several surgeries performed to correct vision including a Lasik surgery in 2000, as well as Cataract surgery in 2009. The member stated the Corneal Ring Segment was a direct result of the Cataract Surgery performed in 2009.

Horizon representatives Donna Ruotola, and Doctor John Napoli stated that the claims were denied on the grounds of medical necessity. Horizon stated the Intrastromal Corneal Ring Segment surgery was a corrective surgery as a result of the Lasik surgery performed in 2000. According to Dr. Napoli, Lasik surgery is considered cosmetic surgery. Therefore, the plan does not cover services for cosmetic surgery, or reconstructive surgeries that are a direct result of a cosmetic surgery unless directly related to an accident, injury, or to correct a congenital defect.

Interim Chairperson Gallagher made a motion to go into Executive Session to seek counsel from the Deputy Attorney General. Commissioner Maillaro seconded the motion, all voted in favor.

Upon return from Executive Session, Commissioner Sonia Rivera Perez made a motion to deny the claim, since medical necessity was not proven. The surgery was potentially the result of the Lasik Surgery which is identified as a cosmetic surgery. Interim Chair Gallagher seconded the motion, the motion passed 5:2 (Commissioners Giordano Plotkin and Maillaro voted nay).

**Settlement Proposals:**

**Case # 01241902:** Commissioner Maillaro made a motion to deny the Settlement Proposal. Commissioner Rivera-Perez seconded the motion; all voted in favor.

**Case # 01241902:** Interim Chairperson Gallagher made a motion to authorize Equian to settle the matter as presented. Commissioner Giordano Plotkin seconded the motion; all voted in favor.

**Case # 01241903:** Interim Chairperson Gallagher made a motion to authorize Equian to settle the matter as presented. Commissioner Giordano Plotkin seconded the motion; all voted in favor.

**Adjournment:**

Commissioner Jahn made a motion to adjourn; Interim Chairperson Gallagher seconded the motion; all voted in favor. Meeting adjourned at 11:30am.

Respectfully Submitted,

A handwritten signature in black ink that reads "Nicole Ludwig". The signature is written in a cursive, flowing style.

Nicole Ludwig  
Acting Secretary, School Employees' Health Benefits Commission