

School Employees' Health Benefits Commission
Meeting Minutes
November 14, 2018; 10:00 AM

Adequate notice of this meeting was 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 annual meeting notice was mailed to the Secretary of State, Star Ledger and the Trenton Times on December 20, 2017.

The meeting of the School Employees' Health Benefits Commission of New Jersey was called to order on Wednesday, November 14, 2018 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

Dan Goldman, NJEA

Julie Giordano Plotkin, NJEA

Cynthia Jahn, N.J. School Boards Association (appearing telephonically left at 11:41 am)

Michael Maillaro, AFL-CIO representative

Also Present:

Danielle Schimmel, Deputy Attorney General

Mark Cipriano, New Jersey Division of Pensions and Benefits
Nicole Ludwig, New Jersey Division of Pensions and Benefits

Commissioner Kelleher made a motion to appoint Commissioner Gallagher as interim chair, Commissioner Goldman seconded the motion, all voted in favor.

2019 Meeting Dates for Approval

Commissioner Goldman made a motion to approve the 2019 SEHBC meeting dates, Commissioner Maillaro seconded the motion; all voted in favor.

Carrier Sensitivity Training

All carriers, Horizon, Aetna and OptumRX presented on the sensitivity training they provided to their staff. The Commission requested copies of each of the carriers Nondiscrimination disclaimer.

Discussion regarding Surcharge Rates

Mr. Cipriano explained that the Commission has a memo setting Surcharge Rates for locations that do not participate in the SEHBP. Commissioner Kelleher made a motion to approve the Surcharge Rates, Commissioner Giordano Plotkin seconded the motion, all voted in favor.

Settlement Proposals:

Commissioner Maillaro made a motion to approve Cases #11141801, #11141802, #11141803, and #11141804 en-bloc. Commissioner Goldman seconded the motion, all voted in favor.

Commissioner Kelleher made a motion to go into closed session to hear the commission appeals

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

Closed Session Appeals:

Case #11141805 (member present): The member appeals Horizon's denial for chiropractic services in excess of 30 visits per year and from OptumRc's denial of coverage for a prescription drug due to a quantity limit.

Donna Ruotola, Horizon, explained that the plan covers 30 chiropractic visits per calendar year. The member had 36 chiropractic visits in 2016, 6 visits were not covered. In 2017 there were 78 chiropractic visits, 48 were not covered, and in 2018 60 visits to date were reported, 30 were not covered. The total amount of claims that were not covered were 84 visits since 2016 which total \$4,200.00. Horizon confirmed the chiropractor is in-network. Commissioner Kelleher questioned if the in-network discounts still apply after the member has exceeded the 30 visits. Horizon stated the doctors are not required to accept the discounted rate, however the chiropractor the member saw was accepting the discounted rates.

Commissioner Kelleher asked the member if chiropractic care was the only form of treatment that would work. The member confirmed the doctors recommend chiropractic care due to the fragile state of the member's bones.

Commissioner Kelleher made a motion to go into Executive Session to seek advice from the Deputy Attorney General, Commissioner Maillaro seconded the motion, all voted in favor.

Upon return from Executive Session, Commissioner Kelleher asked the member's permission to consider the OptumRx appeal prior to Commission voting on the chiropractic appeal. The member agreed.

Commissioner Jahn left the meeting. Horizon representatives exited the Commission meeting and OptumRx representatives entered the meeting.

Scott Drager, OptumRx explained that OptumRx denied coverage based on a quantity limit of medication. The quantity limit was removed. Therefore, the member can process the prescription as requested. It was filled as requested only a couple of days prior to the meeting. Steven White, OptumRx, indicated that the name brand medication has a long term out of stock issue with the manufacturer. The member stated that there is a specific generic version that does not have adverse side effects for the member. However, the member would need to contact local pharmacies to determine if they have the specific generic.

Chairperson Gallagher stated that since the medication is now a covered benefit, the need for an appeal is no longer required, therefore the member's appeal is considered closed. Given the long term out of stock issue with the name brand, Commissioner Kelleher made a motion to approve an early refill on the medication if the member can find a pharmacy with the name brand drug in stock. Commissioner Plotkin seconded the motion, all voted in favor.

OptumRx representatives exited the meeting and Horizon representatives returned.

Commissioner Kelleher made a motion to deny the appeal for chiropractic services in excess of 30 visits per year because the plan design only permits coverage of 30 visits per calendar year. Commissioner Goldman seconded the motion, all voted in favor.

Commissioner Plotkin made a motion to return to Open Session, Commissioner Gallagher seconded the motion, all voted in favor.

Adjournment:

Commissioner Plotkin made a motion to adjourn, Chairperson Gallagher seconded the motion, all voted in favor. The meeting adjourned at 12:10pm.

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