

School Employees' Health Benefits Commission

Meeting Minutes

July 24, 2019 10am

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, March 27, 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

**Dan Goldman**, NJEA

**Julie Giordano Plotkin**, NJEA

**Michael Maillaro**, AFL-CIO representative (appearing telephonically)

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

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

**Also Present:**

**Beth Mitchell**, Assistant Attorney

**Christopher Meyer**, Deputy Attorney General

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

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

### Interim Chair

Commissioner Goldman made a motion to elect Thomas Gallagher as the Interim Chair. Commissioner Giordano Plotkin seconded the motion; all voted in favor.

Commissioner Giordano Plotkin made a motion to go into Executive Session to see advice from the Deputy Attorney General, Commissioner Goldman seconded the motion; all voted in favor.

**Case 07241901:** Commissioner Gallagher made a motion to authorize the DAG to negotiate a settlement proposal in this case, based upon the discussions in Executive Session. Commissioner Plotkin seconded the motion; all voted in favor.

### MINUTES

Commissioner Giordano Plotkin made a motion to approve the meeting minutes from the March 27, 2019 SEHBC meeting. Commissioner Gallagher seconded the motion; all voted in favor.

Commissioner Giordano Plotkin made a motion to go into Closed Session to hear members' appeals. Commissioner Maillaro seconded the motion; all voted in favor.

### CLOSED SESSION APPEALS

**Case #0724102:** The member presented the appeal for a personal care assistant for services rendered in 2016. Mrs. Ruotola of Horizon explained that Personal Care assistance are excluded in the coverage. She also added that the facility is out-of-network, and all claims have been paid accordingly.

Commissioner Goldman made a motion to deny the appeal based on the terms of the plan. Commissioner Giordano Plotkin seconded the motion; all voted in favor.

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

**Case # 07241903** DAG Meyer advised that an interlocutory is before the Commission to ask to reverse the ALJ's decision so that we may fully litigate the case and present expert testimony on both sides. Ryan Mulin from the Killian firm presented on behalf of the member.

Commissioner Goldman made a motion to overrule the interlocutory, and to authorize discussions with our DAG in regards to a settlement proposal so that you can proceed as directed by the Commission. Commissioner Maillaro seconded the motion; all voted in favor.

**Case # 07241904, 07241905 & 07241906:** Case 07241904 is a Workers' Compensation case from the May 2019 Commission Meeting. Mrs. Donna Ruotola (Horizon) explained how settlement proposal are calculated.

Commissioner Goldman made a motion to approve the three Workers' Compensation cases in a block. Commissioner Giordano Plotkin seconded the motion; all voted in favor.

Commissioner Gallagher made a motion to go into Closed Session. Commissioner Goldman seconded the motion; all voted in favor.

**Case # 07241907:** This is a settlement proposal, presented by DAG Chung. Commissioner Goldman asked, since this settlement crosses both SEHBP as well as the SHBP, did the SHBP discuss and pass a motion on the settlement. DAG Chung confirmed the SHBP passed a motion to invest more involvement by Horizon.

Commissioner Gallagher made a motion to adopt the same recommendation the SHBC did in regards to the case. Commissioner Rivera-Perez seconded the motion; all voted in favor.

Commissioner Giordano Plotkin made a motion to return to open session. Commissioner Maillaro seconded the motion; all voted in favor.

Having no further items to discuss, Commissioner Kelleher made a motion to adjourn. Commissioner Giordano Plotkin seconded the motion; all voted in favor.

The meeting adjourned at 11:48am

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicole Ludwig". The signature is written in a cursive, flowing style.

Nicole Ludwig

Acting Secretary, School Employees' Health Benefits Commission