

New Jersey State Health Benefits Commission
Open Session Minutes
December 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, December 13, 2023 at 10:00 am at the Division of Pensions and Benefits 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.

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

Board Members:

Danielle Schimmel, Chair
Allison Chris Myers
Jennifer Higgins
Philip Gennace
Dudley Burdge
Kelly Fields, Secretary

Also Present:

Joyce Malerba, State of New Jersey Division of Pensions and Benefits
Donna Ruotola, Horizon Blue Cross Blue Shield of New Jersey
Alison Keating, Deputy Attorney General
Melanie Butler, Vice President of Client Solution
Nicole Ludwig, State of New Jersey Division of Pensions and Benefits
Joe Thomas, Clinical Pharmacy Expert, Truveris
Jake Powers, Clinical Pharmacy Expert, Truveris
Ricardo Ramos, Applicant
Kevin Lyons, Representative for Applicant, Ricard Ramos

Philip Gennace made a motion to approve the July 12, 2023 meeting minutes. Danielle Schimmel seconded the motion; all voted in favor.

Philip Gennace made a motion to approve the 2024 meeting schedule. Danielle Schimmel seconded the motion; all voted in favor.

Danielle Schimmel suggested staying in open session and starting with the workers compensation cases.

The following cases were heard in Open Session:

Case #2023121301: Danielle Schimmel made a motion to approve the workers compensation settlement as proposed in the memo dated October 31, 2023. Allison Chris Myers seconded the motion; all voted in favor.

Case #2023121302: Philip Gennace made a motion to approve the workers compensation recommendation. Danielle Schimmel seconded the motion; all voted in favor.

Re-Adoption of Regulations:

Kelly Fields stated that on July 31, 2023, the commission approved to readopt the existing regulations. Due to an oversight, the regulations were never submitted to the OAL. The SHBC proposes to adopt the expired rules at NJAC17-9:9 as new rules, as the rules expired September 30, 2023. Philip Gennace made a motion to readopt the rules as proposed. Nicole Ludwig seconded the motion; all voted in favor.

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

Case #2023121303: Kelly Fields discussed the member's appeal. The member is a retired member from Ancora Psychiatric Hospital. In 2023, Aetna confirmed the member did not complete the health assessment, therefore the member was not in compliance for the 2023 plan year. Due to not being in compliance, the member was responsible to pay \$25.27 per month out of pension checks for 2023. The annual wellness was completed. Due to both not being completed, the member is in compliance for 2024, but not 2023.

Danielle Schimmel made a motion to deny the request to waive the premium for 2023. Philip Gennace seconded the motion; all voted in favor.

Case #2023121304: Kelly Fields discussed the member's appeal. The member is retired from Southern State Correction Facility. The member and their spouse had been reimbursed for the Medicare Standard Premium in their retirement check. NJIC regulations state that an employee hired by the state on or after July 1, 1995 shall not be entitled to receive Medicare Part B reimbursement after retirement. The member was hired June 21, 1997. An audit was conducted and found that the member should not have been reimbursed due to their hire date. The member is not responsible to pay it back but as of May 1, 2023 the member will not be receiving the reimbursement. The member purchased 8 years of service after the date to purchase, therefore not changing their enrollment date.

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

Upon return from Executive Session, Danielle Schimmel made a motion to deny the appeal. Philip Gennace seconded the motion; all voted in favor.

Case #2023121305: The member is an 18-year veteran of Millville Police Department. The member developed a brain tumor and was diagnosed with stage four glioblastoma. The member was

prescribed the combination of chemotherapy and radiation; proton therapy. The therapy had been denied by the carrier on all levels and through independent medical review.

Horizon stated that these services are not considered medically necessary for treatment for this condition. The first level appeal also stated that it was not considered medically necessary. Horizon stated what is being appealed is 30 fractions of proton and 7 more is a boost dose for the proton.

Dudley Burdge asked the member approximately how long is the treatment expected to be. The member stated the first course of the treatment plan is 6 weeks of 30 treatments. There would then be a 4 week break. Once the break is over, the member would continue with chemotherapy, not proton.

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

Upon return to Closed Session, Dudley Burdge asked the member when the first date of treatment was. The member stated they just had their 30th session and are currently in their 4 week break.

Dudley Burdge made a motion to grant the appeal. Jennifer Higgins seconded the motion; after a vote, the motion did not pass. Mr. Myers made a motion to deny the appeal, but send it for an expedited hearing at OAL and get the conflicting medical opinion together. Philip Gennace seconded the motion; all voted in favor.

The Board members took a break at this time.

Upon return from break, Danielle Schimmel made a motion to return to Open Session. All voted in favor.

Truveris Trend Update:

Melanie Butler, Joe Thomas and Jake Powers presented financial insights related to therapeutic class, high cost drugs and weight loss.

Danielle Schimmel made a motion to enter Executive Session for the contract update. All voted in favor.

Upon return from Executive Session, Joyce Malerba followed up on questions Dudley Burdge had asked regarding the health transformation alliance, the AON mid-year five-year projection memo, and new staffing in policy and planning. Ms. Malerba stated that the division is still waiting for more information and an update will be provided as soon as it's finalized. The division also stated they do not need to share the AON mid-year five-year projection memo.

Dudley Burdge made a motion to adjourn. Mr. Myers seconded. All voted in favor and the meeting was adjourned.

Respectfully submitted,

Kelly Fields

Kelly Fields

Acting Secretary State Health Benefits Commission

