

FINAL
MINUTES OF THE OPEN SESSION OF THE MEETING OF THE
NEW JERSEY SMALL EMPLOYER HEALTH BENEFITS PROGRAM BOARD
HELD TELEPHONICALLY PURSUANT TO EXECUTIVE ORDER 103 (MURPHY)
October 19, 2022

Members participating: Robert Benkert (United); Alison Birzon (Cigna); Gary Cupo; Margaret Koller; Thomas Pownall (Aetna Health); Gale Simon (DOBI); Tony Taliaferro (AmeriHealth).

Others participating: Ellen DeRosa, Executive Director; Chanell McDevitt, Deputy Executive Director; Rosaria Lenox, Managing Financial Officer; Jeffrey Posta, Deputy Attorney General.

I. Call to Order

E. DeRosa called the meeting to order at 10:02 A.M. She announced that notice of the meeting was provided to three newspapers of general circulation and the State House Press Corps, and posted at the Department of Banking and Insurance (“DOBI”), on the DOBI website, and at the Office of the Secretary of State in accordance with the Open Public Meetings Act.

E. DeRosa noted that, pursuant to P.L. 2020, c. 2, as a result of the state of emergency and public health emergency declared by Governor Murphy on March 9, 2020 through Executive Order 103, as subsequently extended,¹ due to the COVID-19 pandemic, the SEH Board’s regularly scheduled meeting is being held entirely telephonically rather than at the Board’s offices in Trenton. She stated that, in accordance with P.L. 2020 c. 11, electronic notice of the meeting and the means by which the public could attend the meeting telephonically was posted on the Board’s website, and issued electronically to all known interested parties. E. DeRosa determined that a quorum was present, and that voting would be by roll call.

Members of the public were asked to identify themselves and are listed at the end of these minutes.

II. Public Comments

There were no public comments.

III. Minutes of September 21, 2022

M. Koller made a motion, seconded by T. Pownall, to approve the Open Session minutes of the meeting of September 21, 2022, without amendment. By roll call vote, the motion carried unanimously.

¹ Pursuant to N.J.S.A. 26:13-3(b), a Public Health Emergency lasts for 30 days unless extended, while States of Emergency declared in accordance with N.J.S.A. App A:9-33 et seq. remain in effect until declared ended by a subsequent executive order. The Public Health Emergency was continuously extended through multiple executive orders until E.O. 244 (Murphy), issued June 4, 2021, declared the Public Health Emergency ended. However, Governor Murphy has not yet ended the State of Emergency established by E.O. 103 (Murphy). Thus, the Board continues to meet remotely, and public access is limited to telephonic means. (Notably, E.O. 280, issued January 11, 2022, resulted in another Public Health Emergency due to COVID-19, which was extended by E.O. 288 on February 10, 2022, then lifted by E.O. 292 on March 4, 2022.)

T. Pownall made a motion, seconded by T. Taliaferro, to approve the Executive Session minutes of the meeting of September 21, 2022, without amendments. By roll call vote, the motion carried unanimously.

IV. Report of Staff -- FY2022 Program Audit; 2023 Meeting Dates

FY2022 Program Audit

R. Lenox stated that the Finance & Audit Committee met with the audit staff of WithumSmith+Brown to kick-off the audit of the SEH Program for the fiscal year ended June 30, 2022.

Meeting Dates for CY2023

E. DeRosa indicated that she had previously sent out suggested dates for scheduling monthly Board meetings in calendar year 2023, consistent with the Board's traditional third Wednesday of each month, and that she has received approval of the list of date from several Board members, but not all. She asked that Board members let her know whether the dates are acceptable as soon as possible so that she can make the required public notices.

V. Public Comments

There were no public comments.

VI. Executive Session

E. DeRosa requested that the Board move into Executive Session to discuss personnel matters. She indicated she believed the Board would have no need to take any action in a subsequent Open Session, other than to close the meeting.

G. Cupo made a motion, seconded by M. Koller, for the Board to enter into an Executive Session for the purpose of discussing personnel matters, with no expectation of further action upon return to Open Session. By roll call vote, the motion carried unanimously.

[The Open Session ended at 10:10 A.M.]

[The Open Session resumed at 10:29 A.M.]

VII. Close of Meeting

T. Taliaferro made a motion, seconded by G. Cupo, to adjourn the meeting. By roll call vote, the motion carried unanimously.

[The meeting adjourned at 10:30 A.M.]

Public known to be in attendance:

- Suzanne Fitzgerald, Savoy Associates