

**MINUTES OF THE MEETING OF THE  
NEW JERSEY SMALL EMPLOYER HEALTH BENEFITS PROGRAM BOARD  
HELD TELEPHONICALLY PURSUANT TO EXECUTIVE ORDER 103 (MURPHY)  
February 15, 2023**

**Members participating:** Herbert Ames; Robert Benkert (United); Alison Birzon (Cigna); Jess Bowker (Oscar Garden State); Gary Cupo; Margaret Koller; Jason Premus (Horizon); Lindsey Wolfe (Aetna Health); Adam Young (AmeriHealth).

**Others participating:** Ellen DeRosa, Executive Director; Jeffrey Posta, Deputy Attorney General.

**I. Call to Order**

E. DeRosa called the meeting to order at 10:00 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,<sup>1</sup> 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**

No members of the public offered comments.

**III. Minutes – January 18, 2023**

**G. Cupo made a motion, seconded by M. Koller, to approve the Open Session minutes of the meeting of January 18, 2023 without amendments. By roll call vote, the motion carried.**

**IV. Executive Director Report**

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<sup>1</sup> 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.)

### *Expense Report*

E. DeRosa said two audit invoices totaling \$5,404.20 were received and that it appears that with the payment of these invoices, all audit costs for the FY22 audit will be paid. To pay the invoices, she asked that the Board authorize the transfer of \$5,404.20 from the Board's money market account at Wells Fargo to the checking account at Wells Fargo.

**G. Cupo made a motion, seconded by M. Koller, to pay the audit invoices and to authorize the transfer of \$5,404.20 from the Board's money market account at Wells Fargo to the checking account at Wells Fargo. By roll call vote, the motion carried unanimously.**

Although unrelated to the SEH expense report for February, E. DeRosa shared a challenge she has encountered with expenses. E. DeRosa reminded the Board that funds for shared expenses such as salary are paid to the Department from the SEH Board funds held at the Department. Each month, the Individual Health Coverage Program Board (IHC Board) reimburses the SEH Board for half of the expenses. Following the directions provided by Rosaria Lenox prior to her retirement, E. DeRosa reported that she requested various screens from the fiscal unit at the Department and determined that salary charges unrelated to the IHC Board or the SEH Board had been taken from the SEH funds for three pay periods. E. DeRosa said she is working with the Department's Chief Financial Officer to correct the error.

### *New Legislation*

E. DeRosa noted that Assembly Bill No. 3523 was signed February 2, 2023 and will be effective June 1, 2023. This law revises the standards for colorectal cancer screening to use United States Preventive Services Task Force standards and requires no cost sharing, whether the screening results are positive or negative.

E. DeRosa said that SEH plans issued or renewed on or after June 1, 2023 would be subject to the new law. Until the standard plan text is updated, the Compliance with Law provision will ensure compliance.

### **V. Other**

R. Benkert announced he will be retiring as of March 9, 2023. E. DeRosa congratulated him on his retirement and thanked him for his service.

### **VI. Close of Meeting**

**M. Koller made a motion, seconded by G. Cupo, to adjourn the meeting. By roll call vote, the motion carried unanimously.**

*[The meeting adjourned at 10:25 A.M.]*

Public known to be in attendance:  
Suzanne Fitzgerald, Savoy Associates