

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

Members participating: Herbert Ames; Alison Birzon (Cigna); Jess Bowker (Oscar Garden State); Gary Cupo; Margaret Koller; Taylor Kopelan (Horizon); Robert Morrow (United); Thomas Pownall (Aetna Health); Adam Young (AmeriHealth).

Others participating: Ellen DeRosa, Executive Director; Jeffrey Posta, Deputy Attorney General, Seong-min Eom (DOBI) and Fred Brinkman (DOBI).

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,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

No members of the public offered comments.

III. Minutes – February 15, 2023

G. Cupo made a motion, seconded by T. Pownall, to approve the Open Session minutes of the meeting of February 15, 2023 without amendments. By roll call vote, the motion carried.

IV. Loss Ratio Report

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.)

The Department's Chief Actuary, Seong-min Eom, and actuary Fred Brinkman, discussed the SEH loss ratio reports for calendar year 2021. S. Eom noted the detailed validation process F. Brinkman undertook to ensure accuracy and consistency of the data with other reports. F. Brinkman reported that total claims for 2021 were \$1,951,245,219 and premiums were \$2,207,143,556, yielding an 88.4% loss ratio. AmeriHealth HMO was required to pay a New Jersey refund and Oxford Health Insurance Company was required to pay both a New Jersey refund and a Federal refund. The report included updated information for 2020 which resulted in additional refunds being paid to small employers covered under AmeriHealth Insurance Company and AmeriHealth HMO plans.

V. Underwriting Guidelines

E. DeRosa referred to Advisory Bulletin 10-SEH-04 and the associated underwriting guidelines posted on the Board's website. She said that a broker inquiry led her to question if the position the Board took in 2010 continues to be the position the Board believes most appropriate. She noted changes such as the Affordable Care Act and the availability of new types of plans that were not available in 2010 had not been considered. Board members agreed to review the Bulletin and the posted guidelines so the Board can continue the discussion during an upcoming meeting.

VI. Public Comments

S. Fitzgerald commented that current underwriting guidelines would be very helpful.

VII. Close of Meeting

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

[The meeting adjourned at 10:33 A.M.]

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