

FINAL
MINUTES OF THE MEETING OF THE
NEW JERSEY INDIVIDUAL HEALTH COVERAGE PROGRAM BOARD
AT THE OFFICES OF THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE
TRENTON, NEW JERSEY
June 23, 2016

Directors participating: Sandi Kelly (Horizon); Lisa Levine (United/Oxford); Tom Pownall (Aetna); Brendan Peppard (DOBI); Tony Taliaferro (AmeriHealth)

Others participating: Ellen DeRosa, Executive Director; Chanell McDevitt, Deputy Executive Director; Eleanor Heck, Deputy Attorney General

I. Call to Order

E. DeRosa called the meeting of the IHC Board to order at 9:08 A.M. E. DeRosa announced that notice of the meeting had been published in three newspapers of general circulation and posted at the Department of Banking and Insurance (“DOBI”), on the DOBI website, at the Office of the Secretary of State, and submitted to the State House Press Corps, in accordance with the Open Public Meetings Act. A quorum was present. She stated that voting would be by roll call because some directors were participating by phone.

II. Proposal to Amend the IHC Program Rules and Policy Forms

S. Kelly stated that this meeting is intended solely to discuss amendments to the IHC program rules and policy forms. E. DeRosa reported that Board members had previously received a draft of changes discussed at the June 14 meeting, and that a revised draft was provided to Board members more recently. She noted that no comments were submitted to her in the intervening days, and asked if there were any issues to discuss. S. Kelly suggested rewording the section in the policy form addressing termination of dependent coverage (as proposed, at midnight on the date when eligibility for coverage ends, or on the last day of the month in which a dependent child turns age 26) for clarity and succinctness. E. Heck noted she emailed some comments just prior to the meeting that she stated were non-substantive in nature, and did not warrant discussion in the meeting.

B. Peppard made a motion, seconded by T. Pownall, to propose the amendments to N.J.A.C. 11:20 and its Appendix as drafted, with the changes discussed, and such non-substantive changes as may be determined appropriate by staff. By roll call vote, the motion carried.

The Board discussed the process for proposal and adoption. E. DeRosa explained that there are several approvals that must be obtained prior to sending the proposal to the Office of Administrative Law (OAL), but that when the proposal is filed with the OAL, the comment period is triggered under the Board’s expedited rulemaking process. She noted that the Small Employer Health Benefit Program Board originally intended to offer a 60-day comment period, but may reduce it to 45 days because the proposal has not yet been submitted to OAL. She suggested that 45 days might be more appropriate for the IHC Board, in part because of differences in the open enrollment periods for the individual and small group markets (individual

open enrollment for 2017 begins November 1, while open enrollment for small group begins November 15, 2016), and in part because it is unlikely that the IHC Board's proposal will be submitted to OAL earlier than the SEH proposal. She explained that using expedited rulemaking, but allowing for a 45-day comment period would eliminate the 6 week lag that results in complying with OAL deadlines and publication schedules, but still allow time for a public hearing and comment period to run past the publication date of the proposal in the *New Jersey Register*. E. DeRosa acknowledged that, if submission of the proposal was delayed, it might be necessary to offer less than a 45-day comment period.

III. Close of meeting

B. Peppard made a motion, seconded by S. Kelly, to adjourn the meeting. By roll call vote, the motion carried.

[The meeting ended at 9:26 A.M.]