

FINAL
MINUTES OF THE MEETING OF THE
NEW JERSEY INDIVIDUAL HEALTH COVERAGE PROGRAM BOARD
HELD TELEPHONICALLY PURSUANT TO EXECUTIVE ORDER 103 (MURPHY)
August 9, 2022

Directors participating: Sandi Kelly (Horizon), joined at 10:10; Robert Morrow (Oxford); Colleen Picklo; Thomas Pownall (Aetna); Gale Simon (DOBI); Tony Taliaferro (AmeriHealth).

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

I. Call to Order

E. DeRosa called the meeting of the IHC Board to order at 10:00 A.M. She announced that notice of the meeting had been 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, and published in three newspapers of general circulation, in accordance with the Open Public Meetings Act.

E. DeRosa noted that, pursuant to P.L. 2020, c. 2, as a result of the public health emergency and state of emergency declared by Governor Murphy on March 9, 2020 through Executive Order 103, subsequently extended,¹ due to the COVID-19 pandemic, this additional Board meeting which was in addition to the regularly scheduled meetings, was being held telephonically, and not 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 a quorum was present. She stated that voting would be by roll call.

Members of the public were asked to identify themselves; public attendees, if any, are identified at the end of these minutes.

II. Minutes – July 12, 2022

C. Picklo made a motion, seconded by T. Taliaferro, to approve the minutes of the meeting of July 12, 2022, without amendment. By roll call vote, the motion unanimously carried.

III. Report of Staff – Expense Report

R. Lenox presented the expense report, which totaled \$103,677.61. She noted the report included salaries for June and FY2022 fringe totaling \$96,889.89, and July salaries totaling \$6,787.72. She

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 (Murphy, January 11, 2022) resulted in another Public Health Emergency due to COVID-19, lifted by E.O. 292 on March 4, 2022.)

stated that the expense can be paid by transferring funds from the IHC Program's DOBI account to the SEH Program's DOBI account.

C. Picklo made a motion, seconded by G. Simon, to approve the expenses, and the transfer of \$103,677.61 from the IHC DOBI account to the SEH DOBI account for the payment of salaries and fringe. By roll call vote, the motion unanimously carried.

IV. Reinsurance Program 2Q activity

E. DeRosa reminded the Board that carriers submit reinsurance payment data quarterly, and reported that the total payment requests for the second quarter of PY2022 is \$95,264,830.31, which is more than \$15,000,000 greater than prior second quarter requests to date. She stated the total reinsurance request for 2022 so far is \$127,430,582.71 (the first quarter request having been \$32,165,752.40).

In response to questions, E. DeRosa reported New Jersey's federal 1332 Waiver pass-through funding for 2022 is \$322,987,495, and the total reinsurance claims are not yet 50% of that total. She noted the Reinsurance Program has multiple sources of funding, including the 1332 Waiver funds, Shared Responsibility Payment funds collected by Treasury from individuals, and the State's General Fund.

V. Policy Forms and HINT form

In response to questions regarding updates on the policy form changes and updates to the HINT form, E. DeRosa acknowledged she has not received approvals to propose the changes or release any information. Board members who are carrier representatives expressed deep concern about the timeframes for producing compliant forms. E. DeRosa assured Board members she would provide them with information as soon as possible, and that the Board could hold a special meeting if necessary to speed the rulemaking process.

V. Close of Meeting

S. Kelly made a motion, seconded by T. Pownall, to adjourn the meeting. By roll call vote, the motion unanimously carried.

[The meeting ended at 10:15 A.M.]

Identified Public Attendees: Robert Axelrod, Oscar Garden State Health Ins. Corp.²

² Oscar is a member of the Small Employer Health Benefits Program Board of Directors, as are several of the Directors on the IHC Board; however, there was not a quorum of the SEH Board present, and all discussions and actions at the meeting concerned the specific public business of the IHC Board.