

State Health Benefits Commission
Open Session Minutes
May 10, 2023

Adequate notice of this meeting has been provided through the annual notice of the schedule of regular meetings of the Commission filed with and prominently posted in the offices of the Secretary of State. The 2023 annual meeting schedule was mailed to the Secretary of State on December 20, 2022, and Star Ledger and the Trenton Times on December 20, 2022. The annual meeting schedule was posted to the division website on December 1, 2022.

The meeting of the State Health Benefits Commission of New Jersey was called to order on Wednesday, May 10, 2023 at 10:00 am.

The text of Resolution A (Closed Session) and Resolution B (Executive Session) were read in their entirety in the event that the Commission desires, at any point in the meeting, to approve a motion to go into Closed or Executive session.

Kelly Fields took Roll Call.

Board Members:

Danielle Schimmel
Philip Gennace
Dudley Burdge
Allison Chris Myers
Jennifer Higgins
Alison Keating
Kelly Fields, Secretary

Also Present:

Kate Miller
Nicole Ludwig, State of New Jersey Division of Pensions and Benefits
Sherry Rodgers
John Baughman
Edward Fala
Adam Demarzo
Ian Carucci

Board member Burdge made a motion to pass the meeting minutes from the January 11th board meeting. Philip Gennace seconded the motion; all voted in favor.

Board member Burdge made a motion to go into Closed Session to hear the Closed Session appeals that contain protected health information. Danielle Schimmel seconded. All voted in favor.

The following cases, due to HIPAA regulations, were heard in Closed Session:

Case #2023051001: This is a Chapter 330 appeal that was originally tabled from the January 11th, 2023 meeting to allow the member time to receive the collective bargaining contract from the Village of Ridgewood for 1998 to 1999. The member did not qualify for Retired health benefits per

the local contract. The Division requested the collective bargaining contract to see whether Ridgewood provided benefits in retirement or not to determine if the member was eligible for Chapter 330. The Village of Ridgewood did not participate with the Division until March 2001 and certified that the member was not eligible. After receiving the contract, it has been noted that the member was eligible for Chapter 330.

Board member Burdge made a motion to approve the appeal, as the member is eligible. All voted in favor.

Case #2023051002: A dependent child of the member has mitochondrial and has not been approved for the medication needed. Optum stated that the family is requesting approval for a compound formulation of Idebenone in combination with several vitamins. Idebenone is non-FDA approved, therefore is excluded from Optum's formulary. Kate Miller stated that there are no FDA approved treatments for the member's condition, as well as the fact that Idebenone is not available in North America.

Kate Miller made a motion to go into Executive Session. Board member Burdge seconded the motion; all voted in favor.

Upon return from Closed Session, the member stated that the drug needed is time sensitive, the best results are within the first 12 months of diagnosis and the dependent child is at the 9 month mark.

Danielle Schimmel made a motion to deny the request for coverage due to the main ingredients non-FDA approval and it being a plan requirement. Board member Gennace seconded the motion. After a mixed vote, the Division voted to allow the member to be covered for the non-FDA approved drug for the use of mitochondria only.

The Division took a 5-minute break.

Case #2023051003: The member has appealed for a crown claim from June 10th of 2022, which was denied for the 5-year replacement rule. It was clinically necessary but the member was 7 months shy of the 5-year mark so the member had been considered ineligible for coverage. Board member Gennace questioned if exceptions have been made for this type of situation in the past. Mr. Carucci stated that exceptions have been made in the past but for situations where it is within a month or so, not six to seven months.

A motion had been made to deny the appeal because it was not within the 5-year rule. Ms. Myers seconded the motion; all voted in favor and the appeal was denied.

Case #2023051004: The member is seeking approval for PediaSure Peptide 1.0. The member is being treated for deceleration of weight due to dietary restriction from food allergies and dependence on breast feeding. The product is a toddler/child pediatric formula and being used as a nutritional supplement use. Nutritional supplement drinks are excluded from the member's plan.

Board member Gennace made a motion to deny the appeal. Ms. Higgins seconded the motion; all voted in favor and the appeal was denied.

Case #2023051005: This appeal was originally denied in March. The member stated that they did not have enough time to prepare and are requesting an extension. Board member Schimmel stated that this appeal can be tabled and added to the next meeting schedule in September. The member no longer resides at the address on file. Kelly Fields had sent the member the letter and documentations needed for this meeting to the correct address.

Board member Schimmel made a motion to grant the member an extension for the September meeting. Mr. Gennace seconded the motion, all voted in favor. Danielle Schimmel stated that the Division will make sure Optical Disk updates the address to reflect the correct information.

Case #2023051006: This is an FAD request. Board member Gennace made a motion to adopt a final decision. All voted in favor.

Case #2023051007: This is an FAD request pending approval. Board member Gennace made a motion to agree to a final administrative decision. All voted in favor.

Board member Schimmel made a motion to return to Open Session; all voted in favor.

The following cases were heard in Open Session:

Case #2023051008: This is in reference to a complication case provided by Horizon. Danielle Schimmel stated if a discussion was needed then the Division would need to go into Executive Session.

Board member Gennace made a motion to adopt a recommendation. All voted in favor.

Case #2023051009: This is also in reference to a complication case provided by Horizon. Board member Gennace made a motion to adopt a recommendation. All voted in favor.

Case #2023051010: This too is in reference to a complication case provided by Horizon. Board member Gennace made a motion to adopt a recommendation. Mr. Burdge seconded the motion; all voted in favor.

Board member Schimmel made a motion to enter Executive Session to discuss contracting. Mr. Gennace seconded the motion; all voted in favor.

Chairperson Schimmel made a motion to adjourn. Commissioner Giordano Plotkin seconded. All voted in favor and the meeting was adjourned at 2:03 pm.

Respectfully submitted,



Kelly Fields
Acting Secretary
State Health Benefits Commission