

**Operations Committee
Minutes – APPROVED
January 23, 2023 – 1:00 p.m.
Town of Ithaca/Aurora Conference Room**

Present: Laura Granger, Chair; Lisa Holmes; Sunday Earle*; Rita McCarthy*; Schelley Michell-Nunn; Judith (Judy) Drake; Mark Emerson *arrived 1:12p.m.*,
Excused: Ed Fairbrother
Absent: Lou Anne King; Janine Bond
Staff/Guests: Elin Dowd, Executive Director; Teri Apalovich, Finance Manager; Kylie Rodrigues, Benefits Specialist; Lynne Sheldon, Clerk of the Board; Greg Potter, Tompkins County Information Technology *arrived 1:03p.m.*; Brandon Holt, Excellus BCBS; Brian Weinstein, Labor-IPFFA; Steve Locey, Paul Pelton, Rob Spenard, Locey & Cahill

* = Via Zoom remote due to extraordinary circumstances

Call to Order

Ms. Granger, Chair, called the meeting to order at 1:01p.m.

Changes to the Agenda

There were no changes to the agenda

Approval of October 24, 2022, Minutes

Ms. McCarthy abstained from the approval of the minutes as she was not a current committee member at the October 24, 2022, meeting. There was one correction noted on the minutes. Ms. Bond was erroneously entered as excused; however, she did attend the meeting, and arrived at 1:19pm.

It was MOVED by Ms. Drake, seconded by Ms. Michell-Nunn, and unanimously adopted by voice vote by members present, to approve the minutes of October 24, 2022, as submitted with one attendance correction. MINUTES APPROVED.

Executive Director Report

Ms. Dowd announced the Department of Financial Services (DFS) audit of the Consortium is still ongoing. During this audit, the DFS will be calling on the past chair, the Consortium's CFO, the Executive Director, and the Tompkins County IT Department for interviews. The Consortium will be conducting the annual audit simultaneously with Insero & CO. CPAs, closing the 2022 financial year, and finalizing the annual DFS annual statements.

Mr. Potter arrived 1:03pm

Ms. Dowd announced the "Maintain Don't Gain" campaign was extremely successful. All the prizes won by participating individuals have been delivered. She added that the Consortium's Facebook page has become popular with members and Ms. Rodrigues continues to add wellness resources several times a week. The Joint Committee has also approved the yearly wellness topics calendar.

Ms. Dowd explained that the Consortium already has a large new member interest for 2024. She said the consortium may not even have to do marketing for new members this year.

Ms. Dowd stated the Consortium rolled out the Medicare Advantage fully insured option with Aetna and only two municipalities asked for additional information. The Consortium currently has two plans to offer, however, there are currently no municipalities offering this option for 2023. She noted a suggestion from one municipality would be as the Consortium gets closer to open enrollment to offer a Medicare 101 for benefit clerks or individuals who are interested. This event is being planned for the end of the summer to fall.

Ms. Dowd said that the Executive Committee will receive an update next week regarding the premium equivalent rate audit. The Consortium held an analysis approximately four years ago and since the rates go up every year, an audit is planned to make sure the Consortium is pricing plans appropriately and if there are any kind changes necessary to the dynamics within plan selection, dropping plans, and individuals moving from one plan to another.

Ms. Dowd expressed that there has been some concern and questions regarding the vocabulary used by the Consortium regarding plan elimination. She said that regarding elimination, the Consortium always speaks to a municipality when suggesting a plan be eliminated, especially if no individuals are in a plan, if a plan will not be offered again, or gets priced out of the market. She said the Consortium will now use plan consolidation versus plan elimination where consolidation makes sense.

Mr. Emerson arrived 1:12pm

Ms. Rodrigues confirmed the Blue4U will have hosting sites at both Tompkins and Seneca County's. Planning for sites will include blood draws, and blood pressure testing will take place mainly in March, however, one is scheduled for the end of February and one in April.

Resolution: Approval of Contract to Enter into An Agreement with Lifetime Benefit Solutions to Prepare Documents

Ms. Dowd explained that our plans must be updated whenever there is a government related mandate, usually a New York State mandate. Since the Consortium is under Article 47, the plan document needs to be written a certain way, with specific information including any voluntary updates when the Consortium changes a benefit, or how the Consortium pays for a benefit. The Consortium would like to reinforce the process with some additional resources to look at the documents before they go to the DFS and prepare amendments quickly to take that busy work away from the Consortium and the Consortium's consultants. A proposal to streamline the process came from Lifetime Benefits Solution which would cost a budget addition of approximately \$5,500 to start in 2023 and approval would go to the Audit and Finance Committee as part of the Consortium's budget amendment process.

Ms. McCarthy questioned if the resolution should have wording to include "based on an amended budget", Ms. Dowd concurred. Ms. Earle had questions regarding the relationship between Excellus and Lifetime Benefits Solution and how many hours this may take. Mr. Holt explained that Lifetime Healthcare Companies is the parent company that owns Excellus as well as Lifetime Benefit Solutions. Ms. Dowd said that Locey & Cahill has said this process takes many, many hours.

Ms. Drake asked to clarify that Locey & Cahill has already completed 2021 documents of which DFS is reviewing currently, and this resolution would commence any plans post January 1, 2023, Ms. Dowd concurred.

**RESOLUTION NO. XXX- 2023– APPROVAL OF CONTRACT TO ENTER INTO AN
AGREEMENT WITH LIFETIME BENEFIT SOLUTIONS TO
PREPARE DOCUMENTS**

MOVED by Ms. McCarthy, seconded by Ms. Drake. The resolution was unanimously adopted by voice vote of members present, and visibly seen members via remote locations due to extraordinary circumstances to approve the following resolution.

WHEREAS, as an Article 47 municipal health insurance organization we are required to maintain and update any approved benefit changes to our Summary Plan Description (SPD) which allows our Participants to share required plan information to their employees and direct our Third-Party Benefit Plan Administrators on proper claims adjudication according to our Plan Documents and

WHEREAS, maintaining and amending Plan Documents is an ongoing responsibility requiring a specific expertise and keen sense of NYS Insurance Law expertise and

WHEREAS, Lifetime Benefit Solutions offers services specific to creating and maintaining Health Plan(s) Summary Plan Descriptions. Lifetime Benefit Solutions services combines experience, personalized service, and integrated computer capabilities to deliver these key elements efficiently and cost effectively and

WHEREAS, Lifetime Benefit Solutions can help our organization remain in compliance and prepare the Plan Document (PD) and/or SPD/Benefit Booklet for our medical Plans. The PD/SPD/Benefit Booklet will address specific requirements including cost-sharing provisions, specific benefits provided under each Health Plan, and

WHEREAS, the Audit and Finance Committee and Board of Directors have had detailed discussions and have approved the Consortium's 2023 budget and premium rates, and

WHEREAS, the Audit and Finance Committee and the Executive Committee have policies in place to amend the approved budget when appropriate, and

RESOLVED, that the Operations Committee recommends that the Executive Committee approves the addition of a contract with Lifetime Benefit Solutions to commence services on Plan Document and SPD creation for all GTCMHIC plans and

FURTHER RESOLVED, to instruct the Executive Director to execute a contract with Lifetime Benefit Solutions to Commence preparing documents for all GTMHIC Health Plans.

IT Risk Assessment 2022 & 2023

Mr. Potter attended to provide an update and explained one of the areas of support that Tompkins County Information Technology provides for the Consortium is the participation of development of the annual risk assessment that needs to be approved by DFS yearly. He referred to a Risk Assessment [format document](#) that was provided to the committee and noted the information hasn't changed significantly from the previous years. He noted that the DFS has completed most of the IT portion of the audit, however DFS has been specifically focusing on cyber security and eliminating additional risk. Once the Consortium receives feedback from DFS, the Consortium team will reach out to let IT know what they need to focus on.

Mr. Potter also spoke of some significant accomplishments this past year that have been applied for the Consortium. These accomplishments include:

1. Multi-factor authentication both for email and virtual private network access has been implemented. The Consortium was the first to shift to that technology.
2. Project with NYS to roll out a Joint Operation Center based out of Brooklyn of Edge Management Software and services known as Crowd Strike centralized to the State. This is feeding information from the County or larger cities in the State into an operating system. They would collect all information across the State so they can better address cyber security practices.
3. Tompkins County IT has hired a company called CyberDefense Institute which creates customized security practices to meet regulations and risk assessments to focus security resources in the right areas.

Mr. Potter also discussed bigger concerns about how to track individuals that access health care, particularly those services and data that are managed by external companies like Excellus and ProAct. He stressed most of the work the Consortium does is with third party companies and organizations that the County does not manage. There is a need to involve a more specialized review of health care and coordinated efforts to do so to comply with the audit process.

Ms. Dowd added that the Consortium has already spoken to one organization that was recommended by Tompkins County and hopes to come up with proposals for the next meeting.

Mr. Potter also indicated another focus area is the IT policy. As Tompkins County shifts and makes their policies much more specific to security with new requirements, it is going to be a lot more expensive and complicated. Tompkins County will have to balance that with Consortium policies as well, because what they put into those policies also needs to apply to the Consortium as an organization.

Mr. Potter spoke of the Consortium discussion about relocation. Currently, there is a fiber optics connection to the Town of Ithaca building, which allows them to extend the county's network in a very supportable manner. If the Consortium decides to relocate to another location, Tompkins County IT will have to revisit how they would provide service to that location. He mentioned there are some locations right now that aren't attached to our network. So that's a possibility to use a VPN connection back into them that is now done by some.

Resolution: Adoption of Cyber Security Audit and Review of Business Continuity Plan

RESOLUTION NO. XXX-2023 - ADOPTION OF CYBER SECURITY AUDIT AND REVIEW OF BUSINESS CONTINUITY PLAN

MOVED by Ms. Holmes, seconded by Ms. Drake. The resolution was unanimously adopted by voice vote of members present, and visibly seen members via remote locations due to extraordinary circumstances to approve the following resolution.

WHEREAS, the Board of Directors adopted a Cyber Security Policy and Business Continuity Plan to adhere with NYS Department of Financial Services rules and Regulations requiring Article 47 Municipal Cooperative Health Benefits to comply with Part 500 of Title 23 of the Official Compilation of Codes, Rules, and Regulations (NYCRR) of the State of New York, and Insurance

Circular Letter No. 7 (2021), and

WHEREAS, the Executive Committee has delegated responsibility for accepting the Audit to the Operations Committee, now therefore be it

RESOLVED, That the Operations Committee authorizes the Executive Director and the Tompkins County Department of Information Technology Services, through its contract with the Consortium, to continue to assess the Cyber Security Program and Business Continuity Plan, including its Policy and Procedures and to report any substantive changes to the Operations Committee, and

RESOLVED, further, That the Operations Committee directs the Executive Director to file a Certificate of Compliance with the New York State Department of Financial Services by February 15, 2023 and an updated Business Continuity Plan annually.

Executive Session

Mr. Holt excused himself from the Executive Session and did not rejoin the remainder of the meeting.

It was MOVED by Ms. Drake, seconded by Ms. Earle, and unanimously adopted by voice vote by members present via in-person and via Zoom, to enter executive session at 1:37 p.m. to discuss contract reviews and RX Rebates.

It was MOVED by Ms. Earle, seconded by Ms. Drake, and unanimously adopted by voice vote by members present via in-person and via Zoom, to return to open session at 2:22 p.m.

Future Discussion Topic

Ms. Michell-Nunn spoke about the City of Ithaca conducting an evaluation called the Municipal Equity Index Criteria. This considers best practices when servicing the LGBTQ Community. One question each year is gender affirming languages in the Health Consortium insurance plan. She noted that the information received by Mr. Locey and Ms. Dowd is not enough and is not accepted by this agency. Ms. Michell-Nunn is wondering where the language is in the health plan, and she noticed that the documents sent with the full agenda packet did not cover conversion therapy. Ms. Dowd mentioned that the plan document that was in the packet was just examples, not the Consortium's plan. Ms. Michell-Nunn's question is if we don't have the language in the Consortium's plan, how can we get the language added. Ms. Dowd responded that this discussion will be added to the next meeting's future discussion topics.

Next Meeting Agenda Items

LGBTQ Language

Adjournment

The meeting was adjourned at 2:25p.m.

The next meeting will be held April 24, 2023

Respectfully submitted by Lynne Sheldon, Clerk of the Board