

**GLOUCESTER, SALEM, CUMBERLAND COUNTIES
MUNICIPAL JOINT INSURANCE FUND**

**Deptford Municipal Building
1011 Cooper Street
Deptford, New Jersey**

December 21, 2015 – 1:30 PM

EXECUTIVE CLAIMS MEETING MINUTES

The Executive Claims Committee Meeting of the Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund (TRICO JIF) was held at the Deptford Municipal Building, 1011 Cooper Street, Deptford, New Jersey on Monday, December 21, 2015 at 1:30 PM, prevailing time. Chair Slusser, **Oldmans Twp**, presiding. The meeting was called to order at 1:40 PM.

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT

Notice of this meeting was given by: (1) sending sufficient notice herewith to *South Jersey News*, of Woodbury and the *Courier Post*, Cherry Hill, NJ; (2) filing advance written notice of this meeting with the Clerks/Administrators of all member municipalities of the TRICO Municipal Joint Insurance Fund, and (3) posting notice on the public bulletin boards of all member municipalities of the TRICO Municipal Joint Insurance Fund.

Those in attendance were:

Bill Slusser, Chair, **Oldmans Twp** (*arrived 1:50pm*)
Brad Campbell, **Shiloh Borough**
Ken Brown, **Carneys Point**
Doris Hall, **Logan** (*arrived 2:48pm*)
Mike Razzo, **Pitman** (*arrived 1:45pm*)
Bob Dickenson, **Vineland** (*arrived 1:53pm*)
Karen Sweeney, **Wenonah Borough**
Bill Bittner, **Westville Borough**
Bob Law, **Woodbury**

Also present were:

Paul J. Miola, CPCU, ARM, Executive Director, **AJGRMS**
David S. DeWeese, Esquire, **The DeWeese Law Firm, P.C.**
Tim Sheehan, **J.A. Montgomery**
Kathie Tyler-Schohl, **Qual-Lynx**
Karen Beatty, **QualCare**
Debby Schiffer, **Wellness Director**

CLOSED SESSION PORTION OF MEETING

Chair Slusser entertained a motion to move to Executive Session to review the *Payment Authorization Requests* that will be voted on in Open Session during the Executive Committee Meeting being held on December 21, 2015 at 4:00 PM.

Motion by Mr. Law, seconded by Ms. Sweeney, to move to Executive Closed Session. All in favor. Motion carried.

REOPEN PUBLIC PORTION OF THE MEETING

Chair Slusser entertained a motion to reopen the public portion of the meeting.

Motion by Mr. Law, seconded by Ms. Sweeney, to reopen the public portion of the meeting. All in favor. Motion carried.

RECOMMENDATION OF APPROVAL OF CLAIMS PAYMENTS

The Executive Claims Committee recommends approval of the PARs at the Executive Committee Meeting as presented in their entirety during the Closed Session portion of the *Executive Claims Meeting*.

The Committee reviewed eleven (11) claims. Of the claims reviewed, there four (4) Workers' Compensation, five (5) General Liability, One Auto Liability and one (1) Property PARs recommended for approval of settlement or continuing defense.

Chair Slusser asked if there were any questions at this time. No questions were entertained.

SOLICITOR'S REPORT FOR OPEN SESSION:

Closed Cases

Mr. DeWeese noted that there was one (1) case closed in the month of December, 2015:

<i>Dougan vs. Township of Carneys Point</i>	<i>A Stipulation of Dismissal with Prejudice was approved; case was settled for \$190,000.00.</i>
---	---

MANAGED CARE REPORT

Lost Time v. Medical Only Cases

Ms. Beatty presented the TRICO JIF *Lost Time v. Medical Only Cases (Intake Report)*.

	November	YTD
<i>Lost Time</i>	<i>3</i>	<i>26</i>
<i>Medical Only</i>	<i>10</i>	<i>179</i>
<i>Report Only</i>	<i>7</i>	<i>105</i>
<i>Total Intakes(New Claims)</i>	<i>20</i>	<i>310</i>
<i>Report Only % of Total</i>	<i>35.0%</i>	<i>33.9%</i>
<i>Medical Only/Lost Time Ratio</i>	<i>77:03</i>	<i>87:13</i>
<i>Average Days to Report</i>	<i>6.3</i>	<i>4.6</i>

Transitional Duty Report

Ms. Beatty presented the Transitional Duty Report.

Transitional Duty Summary Report	YTD
<i>Transitional Duty Days Available</i>	3,206
<i>Transitional Duty Days Worked</i>	1,983
<i>% of Transitional Duty Days Worked</i>	61.9%
<i>Transitional Duty Days Not Accommodated</i>	1,223
<i>% of Transitional Duty Days Not Accommodated</i>	38.1%

PPO Penetration Report:

Ms. Beatty presented the monthly PPO Penetration Report

PPO Penetration Rate	November
<i>Bill Count</i>	186
<i>Original Provider Charges</i>	\$129,232
<i>Re-priced Bill Amount</i>	\$57,199
<i>Savings</i>	\$72,033
<i>% of Savings</i>	55.7%
<i>PPO Penetration Rate Bill Count Percentage</i>	95.2%
<i>PPO Penetration Rate Provider Charge Percentage</i>	93.7%
<i>EPO Penetration Rate Bill Count Percentage</i>	84.6%
<i>EPO Penetration Rate Provider Charge Percentage</i>	85.1%

QUAL-LYNX REPORT

Lessons Learned from Losses – December

Ms. Tyler-Schohl reported on the *Lessons Learned from Losses for December* which was included in the agenda packet. She stated that she would be moving to different responsibilities in Qual-Lynx beginning in January and introduced Chris Roselli as the new Account Manager for the Fund.

She stated that this month the focus was MEL POL/EPL Corner. She noted that the MEL discontinued writing Public Officials and Employment Practices Liability coverages at the end of 2010. Qual-Lynx continues to handle those claims which were made prior to the beginning of 2011. They started with 404 open claims and are now down to 23 open claims from 13 local JIFs. She noted that no claims were resolved from the TRICO JIF and that currently there is only one open MEL POL claim. She noted that they are finding that this year, the courts have actually granted summary judgments on EPL claims and affirmed on appeal, something of which was relatively unheard of 5 years ago. She noted that one successful EPL claim resolved this year involved a police officer who claimed retaliation and harassment after alleged whistleblowing. Summary Judgment was granted and the New Jersey Appellate Division affirmed the dismissal. The case was successfully defended to the very end, however, it cost just under \$100,000 to defend.

She noted that the MEL has had many lawsuits filed against its members by disabled plaintiffs who allege various municipalities not making their facilities handicapped-accessible. In one claim, the plaintiff's demand was unreasonable in what they wanted in terms of remediation plus fees and the case went to trial. As a result of negotiations, the remedial relief was resolved but the fee application went to the Appellate Division who agreed earlier this year with the lower court's fee award. Instead of the plaintiff's attorney's demand of \$300,000, he received \$63,920. She noted that the case stresses the importance that municipal properties are handicap-accessible but we also did see the court's reasonableness regarding the fee application.

Adjuster File Counts

Ms. Tyler-Schohl reported that the Adjuster File Count report for the month of November, 2015 was included in the agenda packet.

Review Defense Panel RFQ Responses

The Committee reviewed all the RFQ responses, all of which were sent to the members prior to the meeting. The Committee completed scoresheets on all the responses that were received. After careful consideration, the Committee recommended to keep all the existing members of the Defense Panel. Mr. DeWeese concurred, stating that the volume of cases is not extreme and he has received very good feedback on their performance..

NEXT MEETING

The next Executive Claims Meeting will be held on **Monday, January 25, 2016 at 3:30 PM** at the **Gloucester County Library, Mullica Hill, New Jersey.**

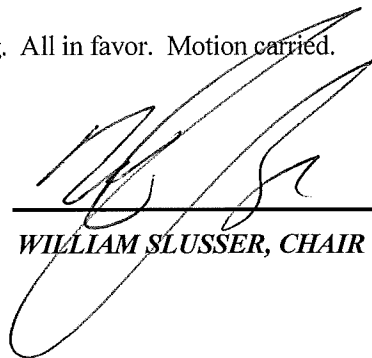
MOTION TO ADJOURN

Chair Slusser adjourned the Executive Claims meeting. All in favor. Motion carried.

The meeting was adjourned at 3:45 PM.



Brenda Smith, Recording Secretary for



WILLIAM SLUSSER, CHAIR