

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

**Gloucester County Library – Mullica Hill Branch
389 Wolfert Station Rd
Mullica Hill, New Jersey**

November 24, 2014 – 3:30 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 Gloucester County Library, 389 Wolfert Station Rd, Mullica Hill, New Jersey on Monday, November 24, 2014 at 3:30 PM, prevailing time. Chair Heydel, **Monroe**, presiding. The meeting was called to order at 3:30 PM.

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT

Notice of this meeting was given by: (1) sending sufficient notice herewith to *Today's Sunbeam*, of Salem; *Bridgeton Evening News*, of Bridgeton; and the *South Jersey Newspapers*, of Woodbury; (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:

Joe Schweigart, **East Greenwich Township**
Kevin Heydel, **Monroe Township**
Bill Slusser, **Oldmans Twp**
Mike Razze, **Pitman Borough**
Karen Sweeney, **Wenonah**
Bob Law, **Woodbury City** (*arrived 3:37pm*)

Also present were:

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

CLOSED SESSION PORTION OF MEETING

Chair Heydel 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 November 24, 2014 at 5:00 PM.

Motion by Mr. Slusser, seconded by Mr. Schwiegart, to move to Executive Closed Session. All in favor. Motion carried.

REOPEN PUBLIC PORTION OF THE MEETING

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

Motion by Mr. Schweigart, seconded by Mr. Law 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 twenty-four (24) claims. Of the claims reviewed, there sixteen (16) Workers' Compensation, three (3) General Liability and five (5) Property PARs recommended for approval of settlement or continuing defense.

Chair Heydel 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 were (2) two cases closed in the month of November, 2014:

Closed Cases	Result
<i>Mick vs, Township of Elk</i>	<i>Motion for Summary Judgement was filed and granted</i>
<i>Brown vs. Borough of Penns Grove</i>	<i>Fund Solicitor was able to negotiate a settlement for the payment to the Plaintiff in the amount of \$90,000.00; saving the Fund \$60,000.00</i>

MANAGED CARE REPORT

Lost Time v. Medical Only Cases

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

	<i>Oct</i>	<i>YTD</i>
<i>Lost Time</i>	0	14
<i>Medical Only</i>	18	190
<i>Report Only</i>	27	108
<i>Total Intakes(New Claims)</i>	45	312
<i>Report Only % of Total</i>	60.0%	34.6%
<i>Medical Only/Lost Time Ratio</i>	100:00	78:22
<i>Average Days to Report</i>	312.0	66.5

Transitional Duty Report

Ms. Beatty presented the Transitional Duty Report.

Transitional Duty Summary Report	YTD
<i>Transitional Duty Days Available</i>	3,056
<i>Transitional Duty Days Worked</i>	2,272
<i>% of Transitional Duty Days Worked</i>	74.3%
<i>Transitional Duty Days Not Accommodated</i>	784
<i>% of Transitional Duty Days Not Accommodated</i>	25.7%

Nurse Case Assignment Report:

Nurse Case Summary Report (Inclusive of 3 JIFs)	October
<i>Total Cases Assigned in month</i>	43
<i>Total Cases Closed in month</i>	45
<i>Total Active in month</i>	257

PPO Penetration Report:

Mr. Beatty presented the monthly PPO Penetration Report

PPO Penetration Rate	Oct	YTD
<i>Bill Count</i>	284	2,192
<i>Original Provider Charges</i>	\$260,582	\$2,104,167
<i>Re-priced Bill Amount</i>	\$124,231	\$928,411
<i>Savings</i>	\$136,296	\$1,175,756
<i>% of Savings</i>	52.3%	55.9%
<i>PPO Penetration Rate Bill Count Percentage</i>	89.1%	94.1%
<i>PPO Penetration Rate Provider Charge Percentage</i>	86.7%	95.3%
<i>EPO Penetration Rate Bill Count Percentage</i>	86.7%	85.1%
<i>EPO Penetration Rate Provider Charge Percentage</i>	84.5%	80.4%

Ms. Beatty asked if there were any questions. No comments or questions were entertained.

QUAL-LYNX REPORT

Lessons Learned from Losses – November

Ms. Tyler-Schohl reported on the *Lessons Learned from Losses* which was included in the agenda packet.

What is an Idiopathic Claim? – Ms. Tyler-Schohl reported that an idiopathic injury is defined as being a purely personal injury as opposed to an employment condition. A workers' compensation claim is one where the injury must arise both out of and in the course of employment. An idiopathic injury is an injury arising from something personal to the employee and not a common or shared workplace risk.

She noted that it is a very gray area of workers' compensation. Each case must be reviewed on an individual basis. In order to deny a claim, a thorough investigation is needed. All the events surrounding the potential idiopathic injury must be investigated in order to make a correct determination of compensability. Whether the claim should be accepted, part of it accepted or entirely denied as not arising out of or in the course of employment.

She reported that a recent case for another JIF handled by Qual-Lynx was decided in our favor when the judge denied compensability in that it was indeed an idiopathic injury and was not employment related. The claimant was walking down the stairs with a co-employee when his knee buckled. Claimant had a previous knee claim; however, the statute had run out for additional treatment. He then proceeded to file a new claim. Qual-Lynx and the insured completed a detailed investigation and reports. The claim was denied and claimant filed a Claim Petition. The decision from the judge stated that the insured had proven by a preponderance of credible evidence that the claimant's current knee condition was caused by the buckling and was not employment related. If the claim was compensable, it would have resulted in a claim in excess of \$250,000.

She noted that every potential idiopathic claim must be reviewed on a case by case basis. It requires an in depth investigation by both the insured and Qual-Lynx before the claim is denied. We then need to determine if our denial is strong enough to avoid subsequent filing of a Claim Petition or, if and when a Claim Petition is filed, we have sufficient investigation and documentation to successfully defend it.

Ms. Tyler-Schohl asked if there were any questions at this time. No questions were entertained.

PAR AUTHORITY

Mr. Forlenza stated that he, Mr. Miola, and Mr. DeWeese recently met with Qual-Lynx to discuss a proposed increase in their PAR Authority. Following the meeting, it is the group's recommendation that the Fund considering increasing the adjuster's authority for workers compensation claims from the current \$5,000 to \$10,000. He noted that Property would remain the same. PAR authority for liability claims would remain at \$5,000 except for legal and expense costs which would be increased \$10,000. Settlement authority for liability claims would remain at \$5,000. He stated that these changes would be incorporated into the 2015 Plan of Risk Management. The Committee agreed with the recommendation.

NEXT MEETING

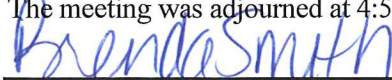
The next Executive Claims Meeting will be held on **Monday, December 22, 2014 at 2:30 PM** at the **Glassboro Municipal Building, Glassboro, New Jersey.**

MOTION TO ADJOURN

There being no further business, Chair Heydel entertained a motion to adjourn the November 24, 2014 meeting of the TRICO JIF Executive Claims Committee.

Motion by Mr. Law, seconded by Mr. Slusser, to adjourn the November 24, 2014 meeting of the TRICO JIF Executive Claims Review Committee. All in favor. Motion carried.

The meeting was adjourned at 4:50 PM.



Brenda Smith, Recording Secretary for



KEVIN HEYDEL, FUND CHAIR