

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

**Via Zoom Conferencing**

**April 26, 2021 – 3:30 PM**

***EXECUTIVE CLAIMS MEETING MINUTES***

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The Executive Claims Committee Meeting of the Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund (TRICO JIF) was held via Zoom Conferencing on April 26, 2021 at 3:30 PM, prevailing time. Chair Razze, Borough of Pitman, presiding

***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 Mullica Hill 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:

Mike Razze, *Fund Chair, Pitman Borough*  
Bob Diaz, *South Harrison Township*  
Sue Miller, *Clayton Borough*  
Carl Bagby, *Borough of Swedesboro*  
Kevin Clour, *Lower Alloways Creek*  
Mark Gravinese, *Harrison Township*

Also present were:

Paul A. Forlenza, MGA, Executive Director, *RPA – A Division of Gallagher*  
Paul Miola, CPCU, ARM, Deputy Executive Director, *RPA – A Division of Gallagher*  
Kris Kristie, Sr. Account Rep, *RPA – A Division of Gallagher*  
David DeWeese, Fund Solicitor, *The DeWeese Law Firm, P.C.*  
Rob Garish, Senior Risk Control Consultant, *J.A. Montgomery*  
Keith Hummel, Safety Director, *J.A. Montgomery*  
Chris Roselli, Account Manager, *Qual-Lynx*  
Karen Beatty, Client Services Manager *Qual-Care*  
Debby Schiffer, Wellness Director, *Targeting Wellness*

Those unable to attend:

Karen Sweeney, *Wenonah Borough*

***CLOSED SESSION PORTION OF MEETING***

Chair Razze 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 April 26, 2021 at 5:00 PM via Zoom conferencing.

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

***REOPEN PUBLIC PORTION OF THE MEETING***

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

Motion by Ms. Miller seconded by Mr. Clour 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 eight (8) claims. Of the claims reviewed, there were four (4) Workers' Compensation, three (3) General Liability, and one (1) Property PARs recommended for approval of settlement or continuing defense.

Also reviewed was one (1) claims that had previously been approved by Vineland:

001222238

There were two (2) claim(s) reviewed for abandonment of subrogation attempt:

2020182405

MLT-2020181668

Chair Razze 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 since the last meeting:

*Vineland Ice & Storage, LLC v. City of Vineland*

Mr. DeWeese asked if there were any questions. No questions were entertained.

***Daniels Law Bulletin***

Mr. DeWeese referenced a memo that had been emailed to the membership earlier in the day. Mr. DeWeese explained that a new law that was adopted in response to the tragic murder of Federal Judge Salas's son and the shooting of her Husband. The purpose of the Law was to forbid the disclosure, by municipalities and others, of the addresses and other personal information of Judges and their family members. The Law, which amends N.J.S.A. 56:8-166(2), provides for a civil remedy for the wrongful disclosure of the addresses and personal information of Judges and their family members. In addition, the law includes Police Officers (active and retired), Prosecutors and their respective family members. The Legislature did not amend the New Jersey Tort Claims Act, and therefore, the defenses and immunities available to Public Entities under the Tort Claims Act may not be applicable to the defense of claims of wrongful disclosure of this information. However, it is Mr. DeWeese's opinion that municipalities will be able to argue that the civil penalties established in the Law are the exclusive remedy for a violation of the Law.

Daniel's Law added a new section to N.J.S.A. 56:8-166.2. This section provides that any active, formerly active, or retired judicial officer, as defined by section 1 of...[the OPRA law]... or prosecutor, whose home address or unpublished home telephone number is disclosed on the Internet, or otherwise made available, by any person, business or association, or whose immediate family member's name, home address, or unpublished home telephone number is disclosed on the Internet,

or otherwise made available, by any person, business or association, which in the case of a family member's name or home address may be used, alone or in conjunction with any other information, to identify the person as the family member of a judicial officer or prosecutor, may request that person, business or association that disclosed, re-disclosed, or otherwise made available that information refrain from that action and remove the information from the Internet or where otherwise made available. After a period of 18 months, that new section will also apply to any law enforcement officer.

Mr. DeWeese recommended that when responding to OPRA requests, carefully review any and all documents that are being released to make certain that the information that is prohibited by Daniel's Law is not contained in those documents or is disclosed. If there is any information on the documents that are to be released which would violate Daniel's Law, that information should be redacted. Finally, it is recommended that you confer with your Municipal Solicitor regarding Daniel's Law and prior to releasing any documents in response to an OPRA request. Mr. DeWeese noted if anyone had any questions, please do not hesitate to reach out to him.

**MANAGED CARE REPORT**

**Lost Time v. Medical Only Cases**

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

	<b>March</b>	<b>YTD</b>
<i>Lost Time</i>	4	22
<i>Medical Only</i>	22	70
<i>Report Only</i>	20	57
<i># of New Claims Reported</i>	49	153
<i>Medical Only/Lost Time Ratio</i>	85:15	76:14
<i>Average Days to Report</i>	6.1	4.9

Ms. Beatty presented a report that depicts the number of cases related to COVID-19 from January 2021 to present by town and month. The highlights of this report are as follows:

Total Cases in the TRICOJIF:	47
Indemnity:	8
Medical Only:	25
Report Only:	14

**Transitional Duty Report**

Ms. Beatty presented the Transitional Duty Report.

<b>Transitional Duty Summary Report</b>	<b>YTD</b>
<i>Transitional Duty Days Available</i>	1,521
<i>Transitional Duty Days Worked</i>	931
<i>% of Transitional Duty Days Worked</i>	61%
<i>Transitional Duty Days Not Accommodated</i>	590
<i>% of Transitional Duty Days Not Accommodated</i>	39%
<i>\$ Saved by Accommodating</i>	\$69,044
<i>\$ Lost by NOT Accommodating</i>	\$68,070

***PPO Penetration Report:***

Ms. Beatty presented the PPO Penetration Report

<b>PPO Penetration Rate</b>	<b>March</b>
<i>Bill Count</i>	326
<i>Original Provider Charges</i>	\$1,087,829
<i>Re-priced Bill Amount</i>	\$526,007
<i>Savings</i>	\$561,822
<i>% of Savings</i>	52%
<i>PPO Penetration Rate Bill Count Percentage</i>	94%
<i>PPO Penetration Rate Provider Charge Percentage</i>	89%
<i>EPO Penetration Rate Bill Count Percentage</i>	96%
<i>EPO Penetration Rate Provider Charge Percentage</i>	96%

***QUAL-LYNX REPORT***

***Adjuster File Counts***

At the end of March, Tammy Langsdorf's Workers' Compensation Unit had 790 lost time files (including COVID-108 lost time files). This is an average of 158 lost time files per adjuster (based upon 5 adjusters). The total count of files in this unit is 1,299 which includes both lost time and medical only files. This is a decrease of **102** files from the end of February. The total number of COVID-19 claims in the unit including both lost time and medical only files is 256 which is down from 365 the previous month. This is a decrease of 109 COVID-19 claims from the end of February.

In Sue Mooney's Liability Unit, the liability adjusters' total file count is currently at 828 files. This is an increase of 8 files from the end of February. This is an average of 199 files per adjuster (based on 4 adjusters and removing Sue Mooney's pending of 33 files).

Joe Lisciadri's Property Unit has a total file count at 1,191, which is an average of 298 files per adjuster (based upon 4 adjusters). The unit's overall pending increased by 14 files since the end of February. Joe's unit remains fully staffed.

Qual-Lynx will continue to monitor the staff pending files and any staffing issues and keep you apprised of any circumstances that may affect these numbers.

Mr. Roselli asked if there were any other questions. No questions were entertained.

***COVID-19 QUAL-LYNX CONTRACT PROVISIONS***

Mr. Forlenza reminded the Committee of their discussions last month regarding additional compensation due and owing to Qual Lynx as a result of the influx of COVID claims. Mr. Forlenza reminded the Committee that the deciding factor in the amount of additional compensation due to Qual Lynx is based upon how the COVID claims are interpreted under the excess WC policy; one occurrence, thus all COVID claims are considered part of the same occurrence with multiple claimants, or as individual claims.

Mr. Forlenza reminded the committee that at the last MEL Executive Director's meeting it was clear that no matter how the excess WC insurer, Safety National, decides in regards to their interpretation of the COVID claims, the MEL is considering this one occurrence with multiple claims.

With that said, Mr. Forlenza explained how the Qual-Lynx contract currently reads for situations where there is “one occurrence” with multiple claimants. Pursuant to the contract, he is making a recommendation that the Fund make a payment to Qual-Lynx that incorporates all of the documented hourly charges for COVID claims through the end of 2020. He noted that this payment would be made out of the 2020 loss funding dollars as the hourly fee is an allocated file expense as noted in the contract. Qual Lynx provided detailed documentation by the tenth of the hour for 2020 COVID claims. In total, 356 hours at \$65 per hour are documented for a total cost of \$23,153. Mr. Forlenza noted he has discussed with Mr. DeWeese how payment should be made, and Mr. DeWeese is of the opinion that a Resolution authorizing the payment and documenting the reason for the payment should be approved by the Fund. Mr. Forlenza referenced a draft Resolution included in the agenda and stated it would be presented at the Executive Committee Meeting later this evening for approval. He also noted the resolution authorizes the continuing billing of the hourly rate for 2021. He noted that the payments will be included in monthly check register as presented by Mr. Tontarski for approval at the monthly meetings.

Mr. Forlenza asked if there were any questions. No questions were entertained.

#### ***CLAIMS COORDINATOR ROUNDTABLE SURVEY RESPONSES***

Mr. Roselli stated the Claims Coordinator Roundtables were held virtually in March and each was open to the members of the ACM, BURLCO & TRICO JIF. He referenced the survey included in the agenda packet and reported the survey results consisted of 48 responses, which were very good, and the members seemed to prefer the virtual aspect of the Roundtable rather than meeting in person, so this will be taken into consideration going forward.

Mr. Roselli noted the main topics covered were COVID, OPRA, Road Map overview, and CAT claims. He stated that the attempt this year was to offer subjects of interest to the members and then move into more basic information regarding claim management that was beneficial to coordinators new to their position and allowed longer term coordinators to drop off the call.

#### ***DEFENSE PANEL RFQ AUTHORIZATION***

Mr. Forlenza stated that every three (3) years the Fund undertakes an RFQ process to select the members of the Workers Compensation and Liability Defense Panel. He noted at the April Executive Committee meeting, his office we will be seeking authorization for the Executive Director’s office to work with the Fund Solicitor to prepare, advertise and receive the Request for Qualifications for the Workers Compensation and Liability Defense Panel that would be effective January 1, 2022.

#### ***JIF Preferred Repair Shop Program Adoption***

Mr. Miola reminded the Committee that the Executive Committee approved the *JIF Preferred Repair Shop Program* at its March Meeting. On or about March 29<sup>th</sup>, he mailed the JIF Preferred Repair Shop Agreements to all repairs shops used by the members for review and signature. So far thirteen (13) have been returned and one shop is no longer operating.

Mr. Miola noted there was some confusion by the shops in regards to the terms used in the *Program*; however, once it was explained to them, it seems there was a better understanding of the *Program*, and we should be receiving the other Agreements shortly. In the meanwhile, Mr. Petteti will be calling those repair shops and following up with them.

Mr. Roselli referenced the 2019/2020 Qual-Lynx Annual Report that had been emailed to the Committee earlier today and thanked Mr. Forlenza, Mr. Miola, Ms. Mooney, Ms. Langsdorf, and Ms. Beatty for their assistance working on this report.

Mr. Roselli noted the Report is self-explanatory and noted due to the time, he would give a thorough report at the Executive Committee Meeting this evening.

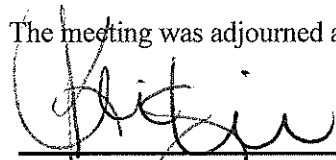
***NEXT MEETING***

The next Executive Claims Meeting will be held on **Monday, May 24, 2021 at 3:30 PM** via Zoom Conferencing.

***MOTION TO ADJOURN***

Chair Razze asked for a motion adjourned the Executive Claims meeting. Motion by Ms. Miller seconded by Mr. Clour to adjourn the meeting.

The meeting was adjourned at 4:37 PM.



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*Kris Kristie, Recording Secretary for*



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*Sue Miller, Acting Fund Secretary*