

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

November 27, 2023 – 3:30 PM

Via Zoom Conferencing
EXECUTIVE CLAIMS MEETING MINUTES

The Executive Claims Committee Meeting of the Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund (TRICO JIF) was held via Zoom Conferencing on November 27, 2023 at 3:30 PM, prevailing time. Karen Sweeney, Chair, Wenonah Township, 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:

Karen Sweeney, *Chair*, **Wenonah Borough**
Bob Diaz, *Secretary*, **South Harrison Township**
Doug Hogate, **Elsinboro Township**
Marjorie Sperry, **Quinton Township**
Jeff Celebre, **City of Vineland**
Colette Bachich, **Washington Township**
Ken Brown, **Carneys Point**

Also present were:

Paul A. Forlenza, MGA, Executive Director, *RPA – A Division of Gallagher*
Kris Kristie, Sr. Account Rep, *RPA – A Division of Gallagher*
David DeWeese, *The DeWeese Law Firm, P.C.*
Keith Hummel, Safety Director, *J.A. Montgomery*
Rob Garish, Asst. Director of Public Sector, *J.A. Montgomery*
Chris Roselli, Account Manager, *Qual-Lynx*
Dominic Spaventa, Liability Supervisor, *Qual-Lynx*
Karen Beatty, Client Services Manager, *Qual-Care*
Chris Winter, CPM, Law Enforcement Risk Management Consultant
Debby Schiffer, Wellness Director, *Targeting Wellness*
Stephanie McCaffrey, *East Greenwich – Present only for the East Greenwich PAR*
Marla DeMarcantonio, *East Greenwich Solicitor - Present only for the East Greenwich PAR*

Those unable to attend:

Kamini Patel, MBA, CIC, CPCU, AIDA®, Program Director, *RPA – A Division of Gallagher*

EXECUTIVE SESSION PORTION OF MEETING

Ms. Sweeney 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 27, 2023 at 5:00 PM.

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

REOPEN PUBLIC PORTION OF THE MEETING

Ms. Sweeney entertained a motion to reopen the public portion of the meeting.

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

SOLICITOR REPORT – 2023 ANNUAL DEFENCE PANEL REPORT

Mr. DeWeese referenced the TRICOJIF 2023 Annual Defense Panel Report included in the agenda packet, which outlines various areas of interest to the membership including Qual-Lynx training seminars conducted with the Qual-Lynx Adjusters on the Tort Claims Act. He went on to highlight the positive performance of both the General Liability Defense Panel and the Worker's Compensation Defense Panel in handling cases for the JIF, noting we have received outstanding representation from both Panels. Mr. DeWeese noted that the Fund Commissioner have reported that communication with both the General Liability Defense Panel and the Workers Compensation Defense Panel has been outstanding as well.

In regards to the Assigned Defense Panel members, he reported they have been adhering to the Litigation Management Guidelines as set forth by the JIF. Any deviation from the Guidelines must receive prior authorization from Mr. DeWeese before acting or delegating any tasks outside of the scope. In addition, Mr. DeWeese is reviewing all billing and work product of each Assigned Defense Counsel member and finds it to be satisfactory as directed by the Guidelines. Mr. DeWeese mentioned that the report also notes proposed revisions to the Litigation Management Guidelines are currently being drafted. The current Guidelines were adopted in 2017, and he is expecting to complete the revisions by end December 2023.

Lastly, Mr. DeWeese referenced a page of the report that include the Fee's for all Defense Panel members as depicted by the most current RFQ issued.

Mr. DeWeese encouraged members to take some time to read the attached report and reach out to his office with any questions or concerns.

EXECUTIVE DIRECTOR'S MONITORING REPORTS;

Supervisor Investigation Report: Forlenza referenced the reports included in the agenda noting that three (3) out of nineteen (19) incidents reported did not have a Supervisor's Investigation Reports completed. Vineland had Supervisor's Investigation Reports completed on all six (6) of their incidents. Mr. Forlenza noted this is very good.

Mr. Forlenza stated that the report is sent to J.A. Montgomery, who in turn uses it as a coaching tool when they visit with the member town. Mr. Forlenza reiterated the importance of completing the Accident Investigation Reports.

Mr. Forlenza reviewed the following quarterly reports valued as of September 30, 2023 with the Committee. Mr. Forlenza reminded the Committee that the agenda only includes the summary pages of each quarterly report and detailed reports will be provided to the Committee upon request. Mr. Forlenza reviewed each report as follows:

1. **Occupation Claims:** Total number of claims is 303 for all years of which nine (9) are still open. The total incurred for these claims is \$742,667.34. This figure does not include \$71,949.11 in recoveries. In regards to Vineland, the total number of claims is ten (10) for all years of which eight (8) are still open. The total incurred for these claims is \$373,670.78, with zero (0) recoveries.
2. **Cancer Presumption Claims:** Total number of claims is five (5) for all years of which two (2) are still open. The total incurred for these claims is \$103,926.05 with zero (0) recoveries. In regards to Vineland, there are zero (0) claims.
3. **Sexual Abuse and Molestation Claims:** Total number of claims is one (1) for all years and one (1) still open. The total incurred for this claims is \$2,500.00 with zero (0) recoveries. In regards to Vineland, there was one (1) claim that has been closed with \$0 total incurred.
4. **PTSD Claims:** Total number of claims is eighteen (18) for all years of which twelve (12) are still open. The total incurred for these claims is \$1,217,915.08, with zero (0) recoveries. In regards to Vineland, the total number of claims is seven (7) for all years of which four (4) are still open. The total incurred for these claims is \$155,982.52, with zero (0) recoveries.
5. **Police-Motor Vehicle Claims:** Total number of claims is thirty-three (33) for all years of which twelve (12) are still open, and one (1) re-opener. The total incurred for these claims is \$2,026,514.49. This figure does not include \$205,609.71 in recoveries. In regards to Vineland, the total number of claims is six (6) for all years of which one (1) is still open. The total incurred for these claims is \$70,068.85 with zero (0) recoveries. Mr. Forlenza mentioned that the Executive Director's office would closely monitor these types of claims to identify any trends and determine if additional training is necessary.
6. **MISC/NOC Department Listing Analysis:** Mr. Forlenza reported this report was created to help identify if claims were being categorized as NOC (Not Otherwise

Classified). He noted it was important to have claims properly classified to identify trends and areas of focus for loss control. He indicated that in 2023 there were twelve (12) claims classified under the NOC category, with Vineland having one (1) which is very good.

7. ***Accidental Disability Pension Claims Report:*** Mr. Forlenza stated this is a new report which depicts ADP Claims which were closed prior to and after the legislative changes. The net incurred for all 3 JIF's is approximately \$12 million, with the TRICO JIF's portion being \$3,494,466.55. He indicated the Executive Director's office as well as the Municipal Excess Liability Joint Insurance Fund (MEL) and Residual Claims Joint Insurance Fund (RCF) would be monitoring the impact of this regulatory change.

Mr. Forlenza clarified that the pension board applies a credit towards any claim petition filed by an individual who's injury has reached the point of eligibility for the accidental disability pension. This credit is then deducted from any future pension payments made to the claimant. He mentioned that we are currently in the process of monitoring and tracking the costs associated with these losses.

8. ***Subrogation Reports:***

Mr. Forlenza referenced a subrogation report, which depicted \$138,544.58 in recoveries as of the 2nd quarter of 2023 for the TRICO JIF, and \$6,000.00 in recoveries as of the 3rd quarter of 2023 for Vineland.

9. ***Litigation Re-Openers Report:***

Mr. Forlenza referenced the Litigation Re-Openers report stating that this is a new report tracking the number of re-openers for Workers Compensation claims. He noted that there are forty-two (42) total claims from January 01, 2016 to September 30, 2023 with a total incurred of \$6,452,834.87. In regards to Vineland there are fifteen (15) total claims for the same time period, with a total incurred of \$1,362,903.12

10. ***Co-Morbidities Report (ACM, BURLCO & TRICO):*** Mr. Forlenza reviewed the co-morbidities charts with the Committee for the period of 12/01/2019 to 09/30/2023; noting that the average total cost of a claim for employees that have co-morbidities is 67% higher than those that do not have any-comorbidities. He noted the average medical and indemnity cost for employees that have co-morbidities is 102% higher than those that do not have any comorbidities. He also reviewed the average lost time days per claim which is 74% higher for employees that have comorbidities than those who do not.

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

QUAL-LYNX REPORT;

Mr. Roselli reviewed his OPEN/CLOSED Analysis reports included in the agenda packet. He explained that these reports are two separate depictions of each Unit's (WC, Property, and Liability) Claims Counts per Adjuster. Mr. Roselli noted that at this time, Ms. Langdorf is seeking a lost time adjuster to fill a recent vacancy. He stated that Qual Lynx is continuously monitoring any staffing issues and will make the committee aware of any circumstances that may affect these numbers.

In the Property Unit, Ms. Johnson is fully dedicated to only handling ACM/BURLCO/TRICO Claims. A temp was also hired to begin assisting Ms. Johnson with subrogation files.

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

QUAL-LYNX STAFFING CONCERNS

Mr. Forlenza agreed that the report given by Mr. Roselli was accurate, but he still has concerns about the staffing situation at Qual-Lynx and the workload of the adjusters, which has been a persistent concern for well over a year. He acknowledged that Qual-Lynx, like other employers, faces challenges in maintaining appropriate staffing levels. Mr. Forlenza also mentioned that the JIF has set mandatory file counts for adjusters in their 2023 contracts with Qual Lynx, but he had refrained from enforcing them due to Qual-Lynx's staffing issues. Mr. Forlenza will be closely monitoring the adjuster file counts and will be discussing the adjuster file counts with Qual-Lynx.

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

CLAIMS AUDIT

Mr. Forlenza informed the Committee that his office has received the final Claims Audit reports from North Shore Risk Consulting. These reports were reviewed with the Claims Review Committee Chairs from ACM, BURLCO, and TRICO JIFs. Following this, the Executive Director's office was authorized to share the Claims Audit Report with Qual-Lynx and requested written responses to the recommendations and suggestions included within the audits.

Qual-Lynx responded by the end of October as requested, and the response has been distributed to the chairs of the individual claims committees. A meeting will be held amongst the Chairs of the Claims Review Committees and then the Claims Audit and Qual-Lynx's response will be reviewed with each Claims Review Committee to determine any additional actions to be taken.

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

CLAIMS WEBINAR

Mr. Forlenza requested an update from Mr. Roselli concerning the proposed Claims Coordinator webinar, which will serve as a refresher on how to report claims, due to the significant turnover in

Claims Coordinators and the increase in claims reporting times. Mr. Roselli noted this training is scheduled for Wednesday morning, November 29th, and even though this is done at the Roundtables in conjunction with the Safety and Wellness coordinators, with the amount of turnover taking place, felt it was best to offer a session now. Mr. Roselli noted he hopes to offer this training next year as well in October. Mr. Roselli noted if anyone needs any more information on this webinar, to please reach out to him.

2024 Proposed Meeting Dates

Mr. Forlenza reviewed the proposed meeting dates for 2024 included in the agenda. He asked the Committee if they would like to continue to meet on the fourth Monday of each month at 3:30 PM, prior to the Executive Committee Meeting. Mr. Forlenza also noted that the January 2024 meeting will consist of the current Executive Committee members; however, after the January 2024 Reorganizational meeting, those members may change to the new Executive Committee Members. Official meeting notices will be sent out two (2) weeks prior for each Claims Review Committee meeting. The Committee approved the proposed meeting dates.

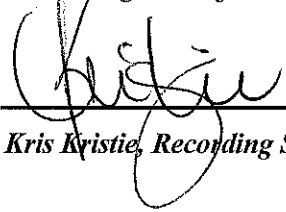
NEXT MEETING

The next Executive Claims Meeting will be held on **Monday, December 18, 2023 at 2:30 PM** at the Pitman Municipal Building, Pitman, NJ.

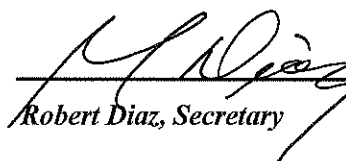
MOTION TO ADJOURN

Ms. Sweeney asked for a motion adjourning the Executive Claims meeting. Motion by Ms. Sperry seconded by Mr. Hogate to adjourn the meeting.

The meeting was adjourned at 4:52 PM.



Kris Kristie, Recording Secretary for



Robert Diaz, Secretary