

Holiday Inn
Riverton, Wyoming
August 17, 2018

MINUTES

CALL TO ORDER AND ROLL CALL: 9:00 am

- PRESENT: Elwood Birch, Don Dorn, Bill Rice, Jamie LaValley, Fred John, Edward Tardoni, Jeff Harrington, Don Stauffenberg
- ABSENT: Terry Donaldson
- OTHERS PRESENT: Mary Ellen Young, Helen Jerome, Ronda Strother, Misha Westby our AG Rep by phone
- GUESTS: None

WELCOME NEW MEMBERS:

- Edward Tardoni –Sweetwater Memorial Hospital

APPROVAL OF MAY 11, 2018 BOARD MEETING MINUTES

- Don Dorn made the motion to approve the minutes. Don Stauffenberg seconded the motion. Motion carried.

APPROVAL OF JUNE 30, 2018 FINANCIALS

- Fred John made the motion to approve the financials as presented. Bill Rice seconded the motion. Motion carried.
- Corpus Statement – We have a total of \$103 million in the total of our two accounts. We are allowed by Statute to spend 5% from the balance of the Permanent Land Fund and the Income Fund combined. All the funds are drawn from the Income Fund which is \$36,997,103. It is gaining slightly.

OLD BUSINESS:

- Executive Director's Report/Programs
 - The Executive Director report gives you the year end numbers. The Gillette and Rock Springs offices saw 1,277 people in their offices and answered over 5,800 phone calls in the past 12 months.
 - Under the Miner's medical # Claims History – We saw a monthly average of claims paid at 2,508. CCMH is our biggest group for medical claims. There are a lot of claims that are submitted that are not paid due to the fact that they are not a covered condition. Our contract with EBMS is not governed by the number of claims paid. Bill Rice stated that it costs money on both sides when claims are sent in and then denied. Perhaps we need to sit down with the new director for CCMH as to what we pay and what we do not pay.

- Hearing Aids –We have paid for two cochlear implants which we used to not consider but if the doctor goes back and documents that they no longer are benefited by hearing aids then we will pay for the implants which come out of the Miner’s Medical Assistance program and not the Hearing Aid Program. Our Hearing Aid Program expense was in excess of \$223,205 compared to last fiscal year.
- Miner’s Medical Assistance Program – If a condition is obviously not work related we do not pay these claims. There are a lot of musculoskeletal that go to the ER and many are not paid because they are usually related to an injury or accident that is not work related. We also ask for more information from the doctors if there is any question concerning the cause of the condition. Our Miner’s Medical Assistance Program expense was \$220,402 less than last fiscal year.
- 2x2x3 program-Miners maxing out their benefits have been reduced and we believe this is due to instituting the \$2,000 deductible. This saving should continue the rest of the year. The changes we have made to our Programs have been positive and we think we don’t need to change anything but just monitor it.
- Results of enrollment prior to 10-year rule change
 - As of June 1/3 had either sent in new registration forms and/or reinstatements with over 10 years. The rest of the registrations have been in the 1 to 5 year range mostly with some in the 6 to 9 years. Those with much less years of employment were prevalent in June.
 - All registrations increased somewhat during the months of June and into July prior to the 10 year eligibility rule was made effective.
- Results of mass mailing to announce changes
 - To date we have had close to 600 letters that were returned to us due to bad addresses. Out of these there have been 313 miners benefits were terminated due to moving out of state, 42 terminated for death and 49 returned for the second time after trying to locate addresses. Some of the 49 have called and we are waiting for returned calls. A lot of phone numbers are no longer working as well.
- Registrations and Terminations – net increase
 - How to handle returned mail with no forwarding addresses – if no address can be found for these people we will terminate their benefits. We have gone above and beyond to try and contact them.
 - Elwood Birch thanked the staff for all the hard work they did. Mary Ellen Young worked from home as best as she could because of her injury. Thanks went to Jamie LaValley for all of the volunteer work that she did after the returned mail came in.
 - Mary Ellen Young - we did go to the EBMS customer appreciation event in Billings and took Jamie LaValley as that was her reward for helping out.
- Review updated Policy and Procedure Manual
 - The parts highlighted in yellow in the P&P Manual are wording changes. When there is a major benefit change Mary Ellen Young puts the effective date and references any Bill

that may have changed it. The rest of the changes are talking about the Health Savings Accounts and how we are to deal with them with the miner.

- Jamie LaValley made the motion to accept the Policy and Procedure Manual with the correction and/or additions as of July 1, 2018. Don Dorn seconded the motion. Motion carried.
- Misha Westby – Defined lobbying and how it affects board members - After a Bill has been submitted to legislature board members can no longer voice their position pro or con the details of the Bill. Board members will be limited to providing factual information only. Don Stauffenberg asked about when the legislator’s questions trail off not pertaining to the bill. What if they want to get down into how the board operates, etc.? Misha Westby replied that all factual information is allowed. If the question arises “Does the board approve of this legislation?” The boards’ position is to be completely in line with sticking to the facts as to how the Bill would impact the board.

NEW BUSINESS:

- Compliance with Health Savings Accts
 - We are having an extremely hard problem administering the claims. If you are put into the HSA division no claims can be paid until the HSA is zeroed out. Once the zero balance is proved, we then move the miner to a product division and notify EBMS to pay the claim. After the claim is paid then the miner should be put back into the HSA division if they are putting money into the HSA monthly. Misha Westby explained that our statute says that the wording is open to interpretation. Because the language is so broad we can decide what money is available and who is going to get the benefits.
 - Don Stauffenberg – Do you think that this needs to be put into writing some place? I think you need to address this in a notification. You need to be consistent in regards to administering it. Misha Westby - You could put it into the policy manual if you wanted to.
 - Mary Ellen Young - I think that we will stay at status quo right now and make the change around the first of the year regarding the Health Savings Accounts since Misha Westby believes that we can handle this as we see fit being that if the miner has a Health Savings Account then it would be between him and the IRS if they receive our benefits as well. At the first of the year we will discontinue tracking and changing the divisions over to the HSA division since the division has to be changed back when they show that they have no monies in their account.
 - Mary Ellen Young – Stated that she was administering eligibility and HSAs incorrectly. Since IRS 969 states that if you have “other health coverage” you are not eligible for an HSA. Mary Ellen was interpreting it as a visa versa situation. Misha Westby pointed out that was really incorrect. If a miners meets our eligibility requirements (10 years of mining and be a Wyoming resident) then we need to register them whether they have an HSA or not. It really comes down to the IRS and the miner not us.
- Consider the make-up of the board and continuity of members – Requires a statute change

- Mary Ellen Young wants the board to consider how many members we actually need on the board and that a 7 member board is possibly the most efficient. It would take a statute change to reduce the board to 7 board members. The ruling from the governor's office says they do not have to be miners only be able to act on the behalf of miners. If the board were to be reduced, when Don Stauffenberg's and Jamie LaValley's second terms expire next year, we would not replace them thus cutting our board members to 7. Mary Ellen would also like to consider changing the verbiage that would take out the appointed seat for a Campbell County and Sweetwater County Hospital board members. Keep 1 member from Campbell County appointed by the commissioners and 1 member from Sweetwater but not necessarily be a hospital board member.
- Elwood Birch – we just want to change the board from 9 to 7 for more efficiency and continuity on the board. We didn't expect a motion but someday we may need to change the statute.
- Mary Ellen Young – we have historically had a hard time keeping hospital board members on the board.
- Annual Report – Mary Ellen went over the Annual Report that had been submitted to the State. Clarification: Space rental is office space. Real property is conference room space.
- If you get any complaints or calls our HA contract expired the end of June this year. EBMS was charging us \$900 a month for the preferred provider group but that was disbanded and so a new contract needed to be done as the current contract has expired. The attorney general's office decided to change the program to submit contracts. I found out I had to do training for contracts which was on August 2nd. It is submitted on August 8th and they have until August 24th to review the contract. I let them know it was a rush job but no response. EBMS is processing claims but are being held since we do not have a contract in place. Misha Westby will try to find out where the contract is at.

PUBLIC SOUNDING:

- Fred John said that he had a miner with 20 yrs experience that had never heard of the WMHB.
- Mary Ellen Young said that he can call the office and we can help him with registration. There are ways to get info on past employers, etc.

ADJOURNMENT & NEXT MEETING

- Don Stauffenberg made the motion to adjourn. Ed Tardoni seconded the motion. Motion carried.
- Next Meeting – Will be the day after Mining Association banquet in Cheyenne during the 2019 Legislative session. Date to be announced at a later date. **Update 10/9/2018: The next meeting will be Cheyenne at Little America on 1/16/2019.