

Wyoming Miners' Hospital Board Meeting
Little America
Cheyenne, Wyoming
January 18, 2013, 8:00 AM

Albert Battisti, Wyoming Miners Board Chairman, called the meeting to order at 8:04 am after having breakfast and a Q&A session with several Wyoming Legislators.

Those Legislators present were:

Representative Stan Blake– Sweetwater County
Senator Stan Cooper – Lincoln County
Senator John Hastert – Sweetwater County
Senator John Hines – Campbell County
Representative David Miller - Fremont Campbell County
Representative Mark Baker – Sweetwater County

ROLL CALL:

Those present were:

Albert Battisti – Rock Springs
David Hornbeck – Casper
Bill Korhonen – Rock Springs
Jamie LaValley – Gillette
Don Stauffenberg – Riverton
Gary Wolfe – Green River
Cliff Knesel – Gillette

Absent:

Joe Hallock – Gillette
Rose Moseby – Rock Springs

Others Present were:

Mary Ellen Young – Executive Director
Helen Jerome – Gillette Administrative Assistant
Ken Nelson – Senior Assistant Attorney General

Albert Battisti made a determination that there was a quorum and that the meeting could proceed.

I. Election of new chair person

Cliff moved the election of the new chairperson to the last thing on the agenda. Don seconded. Motion carried

II. Approval of November 2, 2012 minutes

Cliff made the motion to approve the minutes from November 2, 2012. Bill seconded the motion. Motion carried.

III. Status of Proposed Rule Changes, Chapters 1 & 2

The proposed rule changes to Chapters 1 & 2 were signed by the Governor on Wednesday, Jan 16th. The new Rules will be posted on our website.

IV. Old Business:

A. Executive Director's Report

- a. Green River averaged 42 people stopping in the office and 67 phone calls, Gillette 440 calls and 148 people since July 2012.
- b. Re-registrations are ongoing at this time in both offices.
- c. Joe Hallock is our new member from CC Memorial Hospital effective January 15th, 2013.

- d. Governor Mead signed off on our supplemental budget request. If we run short on funds we may entertain the idea of doing another supplemental budget request in the next session.
- e. We stand at 8 prescription hardships down from 13 in 2012.
- f. Prescription drugs average 15% down from 50% of the total dollars spent in the Miners' Medical Assistance Program.

B. Financial Reports

Were reviewed by Mary Ellen as she had previously sent them out to all board members.

V. New Business

A. Mary Ellen reminded the board of requirements of Board Meeting Attendance:

December 17, 2003 Motion was passed that "...continued absence from three consecutive board meeting or 50% of meetings in any year be grounds for dismissal...."

It has been problematic for CCMH board members to be absent from meetings. Mary Ellen will keep the Campbell County Commissioners informed if this continues to be a problem.

B. EBMS upcoming contract expiration

- The FY 2013 TPA cap is \$350,000 per year of which 191K has already been spent. Registrations are now being done in house and not totally by EBMS. When we go out for next bid Mary Ellen plans on asking for flat rate and not per claim rate as it would be easier to budget. Don made the motion to authorize Mary Ellen to request proposals for a third party administrator of our hearing aid and medical claims as a flat rate per year contract. Gary seconded. Motion carried.
- Does the contract have to be for 3 years? Would like to go out for a 1 year contract. Mary Ellen will check with procurement on the possibility of a 1 year contract.

C. Temporary employee for Green River

- The Green River Administrative Assistant, Stephanie Hartford is on a lung transplant waiting list and is hoping to get the transplant and would like to continue with her employment after the recuperation period. Mary Ellen would like to hire a clerk from a Temp Agency. The temporary assistant would work a max of 20 hrs. per week, the same as what Stephanie's schedule currently calls for. The Green River office will do a running audit of claims submitted to Mary Ellen for accuracy, etc. Cliff made the motion for the board to allow Mary Ellen to get a temporary person for the Green River office. Jamie seconded. Motion carried.

D. Renewal of Contracts:

Executive Director's Contract - Mary Ellen met with the state HR Department as she would like to become a state employee on July 1, 2013. She needs to fill out forms, job description, etc. Salary would be determined by the state at that point. Mary Ellen mentioned that she would like to have her contract approved for another year just in case the process to become a state employee is not completed by July 1. Bill made the motion to go into executive session. Don seconded. After the executive session Bill made the motion to extend Mary Ellen's contract as it now stands contingent if she becomes an employee of the state. Gary seconded. Motion carried.

Administrative Assistants - Both contracts come up again in July and Mary Ellen would like to renew both contracts for them at \$11 per hr. at their current salary. The board agreed that Mary Ellen had authorization to extend these contracts without passing before the board for approval.

VI. Expiring MHB Board members

Gillette-Cliff Knesel and Rock Springs-Albert Battisti will retire in May from the board after each has served 2, 4-year terms. The board will campaign to get the word out that we have two miner vacancies. Cliff and Albert will continue to serve until a replacement has been named. The applications will be submitted to the governor's office for approval.

VII. Other

1. Contractors in General-Eligibility

- a. If the statute gets changed it will help in determining their eligibility.

2. Sand and Gravel-Crusher Operators

- a. Question was asked about county entities, i.e, CC Road & Bridge employees. The board was unanimous in that all Sand and Gravel employees are eligible if the crusher operates year round, and if the employee registering works 12 consecutive months in the mine or pit with the crusher. The

board will require Sand and Gravel employers to prove which employees meet these eligibility requirements as many are equipment operators or work in other area and do not work in the pit.

3. Wyodak Power Plant Eligibility

- a. The board was unanimous in their opinion that Power Plants burn coal and do not convert coal. The applicant requesting a board review is a mine electrician and does not work in the crusher 12 consecutive months as he goes to the crusher when he is called for electrical work. All Power Plants were deemed as not eligible once again after a lengthy discussion. The topic of Power Plants and eligibility has been an issue since 2011. Don made the motion that the generation of electricity by power plants does not meet the criteria of being a mine. Seconded by Albert. Motion carried.

4. Letter from James Hayes-Jim Bridger Power Plant

- a. Jim Bridger Power Plant is not relying on the mine for feedstock and power plants in general are not conversion or processing facilities. The letter was reviewed and eligibility stands as Jim Bridger Power Plant employees are not eligible.

5. Letter from Steven DePaola-Degerstrom Convertors

- a. The discussion concluded that Degerstrom Convertors are not eligible as they are not dependent on the nearby mine for feedstock. They have rail system that allows their product to be shipped in from many suppliers.

6. Consider changing Rules from 1 year experience to 5 or more years since we cover health conditions due to "Labor in Mining".

- a. Discussion was held as to the fact that health problems from mining do not necessarily arise after one year of employment. No motion to propose a rule change at the present.

7. Consider impact of high deductible medical plans on our services.

- a. Discussion was held about the fact that we are paying the deductibles on member's health insurance plans. Peabody Energy states on forms for hearing aids that they will pay after MHB has paid. This needs to be discussed with EBMS.

8. Statue changes – Proposed changes to the eligibility criteria was reviewed and Representative Miller will sponsor a bill from the house. If we change the statute we will also have to change the rule in chapter 1 as it states the statute in verbatim. The wording about "operator" needs to be struck. Cliff made the motion to strike the last sentence from the statute. Jamie seconded. Motion passed. Bill made the motion to submit the revision to the legislature for revising the statute. Don seconded. Motion passed.

VIII. Public Sounding

Don would like to thank Cliff and Albert for their service to the board. They have had valuable insight into mining.

IX. Election of new chairperson Ken opened nominations for President – Gary nominated Don Stauffenberg. Motion seconded by Cliff. Don was elected in affirmation.

VIII. Adjournment & Next Meeting

The next meeting is to be scheduled for early May before Albert and Cliff's term expires. Cliff made the motion seconded by Gary to have the next meeting in May 3rd in Gillette. Gary Wolfe will try to make arrangements to hold the meeting at the college Gillette.

Adjourned at 10:08 am