

RAMKOTA
CASPER, WY
MAY 11, 2018
MINUTES

1. CALL TO ORDER AND ROLL CALL: 9:00 am
 - a. Present: Don Dorn, Bill Rice, Jamie LaValley, Terry Donaldson, Elwood Birch, Fred John
 - b. Absent: Edward Tardoni, Jeff Harrington
 - c. Others Present: Mary Ellen Young, Helen Jerome, Ronda Strother
 - d. Guest; DelAnn Dowling, Arch Coal

2. WELCOME NEW MEMBERS:
 - a. Fred John – member at large

3. APPROVAL OF FEBRUARY 15, 2018 BOARD MEETING MINUTES
 - a. Terry Donaldson made the motion to approve the minutes. Don Dorn seconded the motion. Motion carried.

4. APPROVAL OF March, 2018 FINANCIALS:
 - a. Our financial analyst has projected that we will have over 2M left in 900 series. This is where 93% of our benefits are paid out of. We will not have to use our exception request amount at this point. We had applied for the exception to be effective immediately when we applied in case we would need it.
 - b. Fred John made the motion to approve the financials. Bill Rice seconded the motion. Motion carried.

5. OLD BUSINESS:
 - a. Executive Director's Report/Programs
 - Gillette averages 172 phone calls a month and 60 people in the office. Rock Springs averages 50 phone calls a month and 40 people in the office per month.
 - EBMS Instituted the \$2,000 deduction in January of this year.
 - We have 8,201 active miners registered as of April 30, 2018.
 - Medical claims went up and have gone up in the past few months.
 - Hearing aid claims were 51K in April and 62K in March. Getting a lot more people using Costco and Sam's Club for purchasing hearing aids.
 - Medical claims have increased to over 200K a month and expect it to go up more. The average last year was 195K.
 - The Hardship prescription drug card – We found out several years ago that pharmacies would not do double billing with prescriptions and therefore we were paying 100% of the prescription cost. With the hardship prescription card, we pay the miners co-pay cost upfront, so they do not have to file and then wait for reimbursement.

- c. Hearing aid survey on website
 - Hearing aid survey results are available on our website now. If members are asked if they have other coverage on HA it seems that audiologists raise their prices in accordance with what insurance they have.
 - d. Passage of SF082
 - Passed (copy of bill attached to the minutes)
 - e. Copy of the new 30-6-102 Status
 - The addition of the new clause is in 30-6-104. Have not fewer than ten (10) years of employment as a miner.
 - f. Clarification of eligibility after 7/1/2018
 - If a member is terminated as of June 30, 2018 they will have to have 10 years of employment after July 1, 2018 to be reinstated. Those that had been terminated with less than 10 years will not be reinstated.
6. NEW BUSINESS:
- a. Approving revised Policy and Procedure Manual
 - Mary Ellen Young stated that the manual will have to be revised further regarding all the information on HSAs we have now received but she would like to be able to do that before the next meeting, so it can be put back on the website revised.
 - On page 3, 1(h) It states “If a miner is covered by a Health Savings Accounts, (HSA) they are not eligible to use Miner’s Hospital Board benefits per IRS Publication 969” will be removed as well as 1(i) “If a miner had an HSA, but no longer selected an HSA as a medical plan option, they can re-instate their benefits if they are still a qualified miner and Wyoming resident”.
 - Page 4, 2 (a) Add the wording “Miner must also provide a copy of their primary medical plan election form for the current year” was added.
 - There is an addition on pages 19 and 20 of the Policy and Procedure Manual regarding denials and what the procedures are to be taken when a member receives a denial.
 - Everything in the Policy and Procedure Manual and all changes will be addressed by our AG Representative before publishing it on our website.
 - All individuals newly enrolling and as records are updated will be required to provide a copy of their medical plan election form for the current year to comply with the mandate in our rules of “verification that no other source of benefits exist” – Chapter 2, Section 4 (b)(ii). So, if the miner has elected an HSA, since that is a “source of benefits”, they will be put in the EBMS division of “HSA”. Nothing will be paid out and they will have to Provide to the Miners Hospital Board an HSA balance statement showing zero balance. Once this is been done the claim will be released for payment
 - Terry Donaldson made the motion to approve the policy and procedures manual with the changes discussed and the HSA guidelines after the approval by the AG office. Jamie LaValley seconded the motion. Motion carried.

- b. Securing Compliance with Health Savings Accts
 - The following will be followed:
 - Miner's Hospital staff will enroll all individuals that meet the current eligibility requirements.
 - All individuals newly enrolling, and as records are updated, will be required to provide a copy of their medical plan election form for the current year to comply with the mandate in our Rules of "verification that no other source of benefits exist" – Chapter 2, Section 4(b)(ii).
 - If the miner has elected an HSA, since that is a "source of benefits", they will be put in the EBMS division of "HSA".
 - Since, by our Rules, we are a payer of last resort, no claims can be paid to members in the HSA division until they provide documentation to MHB that there is no money left in the HSA.
 - There will be problems with the HSA account as to when they zero the account out. As was noted that people could withdraw the money, send claims to us and then start putting money back into the HSA again.
- c. Elwood Birch wants to review how boards should operate at a future meeting. Any board member can contact Mary Ellen Young to have something put on the agenda at any time.
- d. Don Dorn asked if we are we still paying for CPAP machines and supplies. Yes, we are currently. We could have EBMS do a compliance report for people that are using or not using the machines.
- e. Terry Donaldson would like to revisit mine related health problems.
- f. Rules say we pay on condition is from work related to the mining industry. Need to investigate what our coverages pay for.

PUBLIC SOUNDING WHICH HAD BEEN DONE AT THE BEGINNING OF THE MEETING AFTER INTRODUCTIONS:

- DelAnn Dowling with Arch Coal
 - DelAnn explained why Arch Coal wants us to be able to enroll and pay benefits to miners with HSA's. She would prefer that the miners did not have to make a choice as to whether they wanted the HSA or WMHB benefits. If there was a way that this could be accomplished would be a benefit to the miners. She referred to the Internal Revenue publication 2004-33.
 - Elwood Birch stated that he has had some experience with the plans that she was talking about it. This isn't the first time that HSAs have come up before. Mary Ellen has done some research on this issue.
 - Misha Westby, from the Attorney General's office, gave her outlook on HSAs and where we stand as far as miners are concerned. Misha pointed out that are eligibility has nothing to do with whether the miner has other insurance or not. Our eligibility only requires a miner be a Wyoming resident and, after July 1, 2018, has a minimum of 10 total years of mining employment.

- Mary Ellen Young pointed out that the publication says if you have other coverage you cannot have us. In our statute we are the payer of last resort. We have to be sure that the miner has no other way to pay for his health services. We have to make sure that we administer under the direction that it was meant for. We can budget 10M a year and have never done this but we will in 2020 for the first time. 93% of our money is spent on paying claims. We have not been diligent in making sure that we are the payer of last resort, when it pertains to an HS, but we will set up a system where people will be put into a division that shows they have an HSA and we will not deny them enrollment if they meet the current eligibility requirements. We will ask for a copy of their insurance election claim form and if they have an HSA they will be put into a division called HSA and EBMS will not pay any claims until they can prove that there is no monies left in that fund so that satisfies our payer of last resort.

ADJOURNMENT & NEXT MEETING

- ~~August 24th~~ Riverton at Holiday Inn, at 9:00 am. Date was changed to April 17th to accommodate schedules
- Adjourned – Bill Rice made the motion to adjourn. Terry Donaldson seconded the motion. Motion carried