

Wyoming Miners' Hospital Board Meeting
Ramada Plaza
Casper, WY
May 3, 2013, 8:30 AM

Don Stauffenberg, Wyoming Miners Board Chairman, called the meeting to order at 8:30 am.

ROLL CALL:

Those present were:

Albert Battisti – Rock Springs
Cliff Knesel – Gillette
Jamie LaValley – Gillette
Bill Rice - Gillette
Gary Wolfe – Green River

Absent:

David Hornbeck – Casper
Bill Korhonen – Rock Springs
Rose Moseby – Rock Springs

Others Present were:

Mary Ellen Young – Executive Director
Helen Jerome – Gillette Administrative Assistant
Terri Stringham – Green River Administrative Assistant
Ken Nelson – Senior Assistant Attorney General
Kelly Roseberry – New AG Representative

Don Stauffenberg made a determination that there was a quorum and that the meeting could proceed.

- I) Introductions were made of the new Campbell County Memorial Hospital representative, Bill Rice the new Green River Admin Assistant, Terri Stringham, and the new Attorney General's office representative Kelly Roseberry.
- II) Approval of January 18, 2013 minutes:
Cliff Knesel made the motion to approve the minutes from January 18, 2013. Gary Wolfe seconded the motion. Motion carried.
- III) Old Business:
 - (1) Executive Director's Report was sent to all board members. There were no questions.
 - (2) Financial Reports:
March Financials reviewed by Mary Ellen as she had previously sent them out to all board members. The financials show that we may have some money left over at the rate we are going, but it is a pretty slim. Don recommends that we submit our 2015-2016 biannual budget for the full amount allowed since we are so close. Financial constrains lead to discussions including; Albert suggested that we need to review the original terminology of who is deserving of the benefit. Mary Ellen suggests that if you have private insurance that we will not pay any co pays, deductibles, etc. These things can be changed within the rules. Cost savings ideas will be addressed at the next meeting.

IV) New Business:

(1) Medical and Prescription TPA Contract:

No bids have been received to date. A committee is needed to review the bids: Motion was made to create a Contract Review Committee by Gary Wolfe. Motion was seconded by Cliff. Motion carried. Mary Ellen, Jamie LaValley and Bill Rice were appointed to be on the committee.

(2) Denied benefits and terminated registrations.

- (a) Mary Ellen presented a letter from a miner requesting the MHB purchase an exercise bike for him. Mary Ellen denied the claim and the miner is contesting the denial of the benefit. Mary Ellen also presented a case where a miner received benefits after stating they were a Wyoming resident, when in fact they were not. Ken Nelson expressed that he felt that the MHB needs to form a committee of a couple of board members and a member from the AG office to review contested denials of benefits and/or terminations of miner benefits. A committee was appointed to review these types of problems. A motion was made by Gary Wolfe for a review committee. Cliff seconded the motion. Motion carried. Don, Jamie and Mary Ellen were appointed to be on the committee. Cliff made the motion that items 4 B and E on the agenda to be sent to the review committee. Bill Rice seconded. Motion carried.
- (b) The process for contested benefits as suggested by Ken Nelson would be as follows: Mary Ellen will first review and if there is some reason for denial and it is contested or if the denial is questionable, then it would go to the Review Committee (RC) and the committee would send a report to the Assistant Attorney General (AAG) assigned to the Board for prosecution for review.
- (c) If the RC and AAG would recommend denial;
 - (i) A preliminary denial letter shall be sent to claimant stating the basis for denial including rules and advise the applicant of the right to request reconsideration.
 - (ii) If the claimant fails to request reconsideration in writing within 15 days of the date of the preliminary denial letter, the preliminary denial becomes final.
 - (iii) If the claimant requests reconsideration a reconsideration conference shall be held with the RC, the AAG and the applicant.
 - (iv) Following the reconsideration conference, the RC shall either approve or deny the application or claim.
 - (v) If denied, the claimant must submit a written request for a hearing within 15 days of the date of denial letter or the denial is final.
- (d) Denial hearing.
 - (i) A denial hearing is a formal contested case hearing conducted pursuant to the Wyoming Administrative Procedure Act.
- (e) Appeal.
- (f) A Petition for Judicial Review of the Board decision may be file in the district court in accordance with the Wyoming Rules of Appellate Procedure.
- (g) Transcripts
 - (i) If a Petition for Judicial Review is file in the district court, the petitioner shall either arrange the preparation and fro for the transcript of the testimony, or reimburse the Board for the coast of the transcript if previously prepared at Board expense.

(3) 2013/2014 Budget:

Mary Ellen has projected the need for an Exception Request to add more funding to our 2013/2014 budget. This will be done in the spring. Since we have only used 87% of the funds available for this biannual budget, there will be funds available. The Budget for 2015/2016 is due the end of July.

(4) Hearing Aid Providers:

Mary Ellen and Helen have run into problems where some providers are promising people who are not registered that they can get a hearing aid. If the person gets denied benefits due not being eligible and they have already received their hearing aid the miner is left with no monetary assistance. It has also been determined that some providers are backdating the claim forms so that the miner's aids are paid for even when the miner did not register until after receiving the aids. Both of these practices are in violation of the procedures. Mary Ellen suggested a phone call survey to the members who have received hearing aids to find out when the member has actually received their hearing aid. If the provider is falsifying the date then perhaps their PPO status should be pulled from the provider. Mary Ellen has asked permission to do a customer satisfaction survey of members receiving hearing aids. Motion made by Cliff to have Mary Ellen do a customer satisfaction survey in order to find providers not following their contracts and to determine the level of satisfaction the miners are experiencing. Jamie seconded the motion. Discussion: Will this be a random or specific members and/or everyone? Mary Ellen stated that calls will be made to a percentage of aids distributed by each provider. Motion carried.

Mary Ellen would like to have a guideline as to how much to pay for hearing aid repairs. Most repairs are \$100 to \$200 and up for the hearing aid set. She would like to have the cap for repairs be less than what the hearing aid insurance would cost. Perhaps the HA program needs to be reviewed. Mary Ellen will do more research. Item tabled.

(5) Statute and/or Rule changes:

The board would like to have all of the rule changes done at one time. After the interim committee meeting at the end of June we may have a complete listing of rules that will need to be changed. Item tabled until the next meeting after the Interim Committee Meeting

(6) Contiguous state miners and miners relocating after retirement:

Miners relocating – currently if a miner relocates to another state they are not eligible if they change their residency.

Contiguous state miners – there seems to be a problem with the situation of a miner living in WY and working, i.e., MT where the mine does not pay any taxes, etc. to WY.

Since both of these issues will be discussed at the Interim Study this discussion will be tabled until the next meeting.

(7) Coverage :

It was understood that when a miner is updated there was no break in coverage from the time they were terminated. They then can send in claims for the time period that they were not active. Ken Nelson and the rest of the board were in agreement that the miners should have a lapse in coverage from termination date to the date that they update their information. Sleep apnea studies – find out more occupational relationship. Sleep apnea is not normally a work related problem. Gary will visit with his pulmonologist in Salt Lake city about whether or not it is work related, etc. This item was tabled for the present time.

Better definitions on each of the four covered health categories need to be done in order to clarify what we pay on claims.

(8) Moving all TPA contracted services in house:

It will take some time before the state can have us a site that we can use to process all claims, registrations and supporting documentation. They have given us a date of possibly early 2016. Mary Ellen will continue to work on this.

VI) Executive Director Contract:

Mary Ellen passed out information regarding her contract and past salary. Gary moved and Cliff seconded that the board move into Executive Session. Motion passed. Gary moved and Albert seconded that the board members return to regular session. Motion passed. Gary moved and Cliff seconded that the Mary Ellen Young, current Executive Director, be offered a \$2,400 bonus effective the July 1, 2013 contract and that the position be granted vacation and holiday benefits in line with the current benefits afforded State employees. Motion passed. Current

benefits that would be in line with Mary Ellen's service time are 12 days of vacation per year, 9 holidays per year and 12 days per year for sick leave. Don asked Mary Ellen to forward to him a copy of the JCQ send to HR to explain her job description and to establish performance goals.

VII) Expiring MHB Board members:

Cliff Knesel from Gillette and Albert Battisti from Rock Springs are at the end of their 2 terms. Ken Nelson from the Attorney General's office is retiring so this will be his last meeting. Each was thanked for their services and small tokens of appreciation were given to them.

VIII) Other:

Mary Ellen informed the board that the Green River office hours will change to 9-1am effective the first of May, 2013.

IX) Public Sounding:

Senator Hastert came to discuss the Interim Study. The management council will discuss the following four items: (1) Discussion of payer of last resort, (2) Indirect effects on Miner's Hospital fund from the federal Affordable Care Act, (3) Contracts between service providers and MHB and (4) Long-term sustainability of program, given available revenue. The background of the board should be shared at the study and eligibility issues should be discussed at the meeting.

The LSO will put together a document prior to the meeting and Senator Hastert will see that we get a copy of this document prior to the meeting. The dates for the meeting will be June 27-28 in Riverton. The morning of the 28th would be the best choice for the meeting.

The topic of the miners retiring and moving out of state needs to be addressed. One suggestion that was discussed was changing the requirements to 10 years of employment in a mine instead of 1 and allowing those miners to move out of state after retirement. The question arises as to what happens to the person that does not meet these guidelines but is currently enrolled under the previous rules of only one year in the mining industry – do we terminate them or let them be grandfathered in? Don has request the LSO or AG office give us a ruling on whether or not the board is required to grandfather those miners already registered.

X) Adjournment & Next Meeting:

The next meeting is to be scheduled for August 23rd in Casper. Gary moved and Cliff seconded to adjourn the meeting. Motion passes.