

**School Employees' Health Benefits Program**  
**Plan Design Committee**  
**Open Session Minutes: March 18, 2019 10:00 a.m.**

Adequate notice of this meeting was provided through the annual notice of the schedule of regular meetings of the Committee filed with and prominently posted in the offices of the Secretary of State. A meeting notice was mailed to the Secretary of State, Star Ledger and the Trenton Times on December 20, 2018.

The meeting of the School Employees' Health Benefits Program Plan Design Committee of New Jersey was called to order on Monday, March 18, 2019 at 10:00 a.m. The meeting was held at the Division of Pensions and Benefits, Trenton NJ.

The text of Resolution B (Executive Session) – was read in its entirety in the event that the Committee desires, at any point in the meeting, to approve a motion to go into closed session.

Acting Secretary Ludwig took Roll Call and established that a quorum was present.

**Roll Call**

**Committee Members:**

**Julie Giordano Plotkin**, NJEA

**Kevin Kelleher**, NJEA

**David Pointer**, Deputy Director, Division of Pensions and Benefits

**Jennifer Keyes-Maloney**, Assistant Treasurer

**Donna Chiera**, AFT/AFL-CIO (Appearing Telephonically)

**David Ridolfino**- Director Office of Management and Budget

**Also Present:**

**Mark Cipriano**, Division of Pensions and Benefits

**Nicole Ludwig**, Division of Pensions and Benefits

**Amy Chung**, Deputy Attorney General

**Meeting Minutes**

Committee Member Kelleher made a motion to approve the meeting minutes from January 28, 2019. Committee Member Chiera seconded the motion and the motion passed 5-0-1 (Committee Member Ridolfino abstained as he was not present at the January 28, 2019 meeting).

## **Review: Fertility Mandate Resolution 2019-1 SHBP**

Acting Secretary Ludwig gave a brief presentation on the SHBP Commission appeal which resulted in Resolution 2019-1 being adopted by the SHBP PDC.

Mrs. Ludwig read the following from Resolution 2019-1:

WHEREAS, “iatrogenic infertility” is the impairment of the function of the reproductive system directly or indirectly caused by surgery, radiation, chemotherapy, or other medical treatment affecting reproductive organs or processes, as determined by the American Society for Reproductive Medicine, the American College of Obstetricians and Gynecologists, or the American Society of Clinical Oncology; and

WHEREAS, other states, including Connecticut, Delaware, Illinois, Maryland, and Rhode Island, currently provide coverage for an individual deemed iatrogenically infertile;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Consistent with the intent of N.J.S.A. 52:14-17.29v, treatment of iatrogenic infertility, or situations likely to lead to iatrogenic infertility, shall be covered to the same extent, and with the same conditions of coverage, as other instances of abnormal function of an individual’s reproductive system; and
2. The SHBP PDC directs the State Health Benefits Commission, and to the extent necessary the Division of Pensions and Benefits and the Division of Purchase and Property, to take appropriate action with the SHBP carriers to effectuate any necessary change, modification or clarification, to the existing contract and to require that the carriers provide adequate notice to SHBP participants of any required change.

Committee Member Keyes-Maloney explained that the Resolution was created to ensure there was consistency between the two carriers.

Committee Member Kelleher made a motion to adopt Resolution 2019-1 into the SEHBP. Committee member Ridolfino seconded the motion; voted in favor.

### **Additional Discussions**

Chairperson Pointer discussed the Subgroup which was formed at the February 25, 2019 PDC meeting. Chairperson Pointer asked for volunteers to serve on the subgroup.

The following members were chosen to sit on the subgroup:

- Kevin Kelleher
- David Pointer
- Julie Giordano Plotkin

**Adjournment**

Having no further matters to discuss, Chairperson Pointer made a motion to adjourn, Committee member Giordano-Plotkin seconded the motion and all voted in favor. The meeting adjourned at 10:15 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nicole Ludwig". The signature is written in a cursive, flowing style.

Nicole Ludwig  
Acting Secretary SEHBP PDC

SEHBP PDC Resolution # 2019-1

**RESOLUTION OF THE STATE HEALTH BENEFITS PROGRAM PLAN DESIGN COMMITTEE CLARIFYING THE  
PARAMETERS OF INFERTILITY COVERAGE**

WHEREAS, pursuant to N.J.S.A. 52:14-17.29 et seq. the School Employees' Health Benefits Program (SEHBP) provides health coverage to qualified employees and retirees of the State and participating local employers; and

WHEREAS, the SEHBP was enacted in 1961 for the purpose of providing affordable health care coverage for public employees on a cost-effective basis; and

WHEREAS, the enactment of P.L. 2001, c. 236 (N.J.S.A. 52:14-17.29v), known as the "Infertility Treatment Mandate," requires medical coverage by the SEHBP for treatment of infertility, defined as "a disease or condition that results in the abnormal function of the reproductive system;" and

WHEREAS, the SEHBP implemented the provisions of the Infertility Treatment Mandate as it relates to the extent of coverage; and

WHEREAS, "iatrogenic infertility" is the impairment of the function of the reproductive system directly or indirectly caused by surgery, radiation, chemotherapy, or other medical treatment affecting reproductive organs or processes, as determined by the American Society for Reproductive Medicine, the American College of Obstetricians and Gynecologists, or the American Society of Clinical Oncology; and

WHEREAS, other states, including Connecticut, Delaware, Illinois, Maryland, and Rhode Island, currently provide coverage for an individual deemed iatrogenically infertile;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Consistent with the intent of N.J.S.A. 52:14-17.29v, treatment of iatrogenic infertility, or situations likely to lead to iatrogenic infertility, shall be covered to the same extent, and with the same conditions of coverage, as other instances of abnormal function of an individual's reproductive system; and
2. The SEHBP PDC directs the School Employees' Health Benefits Commission, and to the extent necessary the Division of Pensions and Benefits and the Division of Purchase and Property, to take appropriate action with the SEHBP carriers to effectuate any necessary change, modification or clarification, to the existing contract and to require that the carriers provide adequate notice to SHBP participants of any required change.

DATED: February 27, 2019

