

**Minutes – APPROVED  
Claims and Appeals Committee  
October 30, 2023 – 3:00 p.m.  
Remote/Zoom Meeting**

Present: Bud Shattuck, Chair, Donna Dawson, Tanya DiGennaro, Carol Sosnowski; Don Fischer; Tom Brown; Judy Drake (assigned as temporary member by Committee Chair - Rordan Hart)

Excused:

Staff/Guests: Elin Dowd, Executive Director; Lynne Sheldon, Clerk of the Board; Kylie Rodrigues, Benefits Specialist; Rob Spenard, Paul Pelton, Locey & Cahill

### **Call to Order**

Mr. Shattuck, Chair, called the meeting to order at 3:04 p.m. – (To ensure quorum, Board Chair, Rordan Hart, assigned Judy Drake as temporary member for this meeting only, or until another committee member arrived)

### **Changes to the Agenda**

There were no changes to the agenda.

### **Approval of Minutes of December 22, 2022 and August 11, 2023**

It was MOVED by Ms. DiGennaro, seconded by Mr. Brown, and unanimously adopted by voice vote by members present via remotely, to approve the minutes of December 22, 2022 and August 11, 2023. MINUTES APPROVED.

### **Executive Director Update**

Ms. Dowd said the Consortium staff has been busy and it is currently in the open enrollment period. She also reported that the Department of Financial Services (DFS) is still conducting their audit and she expects a status update to come from them soon.

### **BMI Medical and RX Claims Audit**

Ms. Dowd said BMI is currently conducting two audits for the Consortium. She said the medical audit has been very timely. Currently, BMI has given their medical claims audit findings to Excellus. Excellus may now review those findings, and a meeting between the two groups will be set up to discuss any discrepancies. Ms. Dowd said BMI is also starting to request information from ProAct pharmacy to get the RX Claims audit started.

Ms. Dowd reported that the pharmacy RX provider transition from ProAct to Excellus will begin soon and communications have started with members to explain the transition, which will take place effective January 1, 2024.

### **Other Updates**

Ms. Dowd did not have any other updates to report.

**Appeal 2023-001**

Ms. Dowd explained that the Consortium, since inception, has only had a few appeals. She believes this would be the third appeal, and unique to the Consortium. She said today's Claim and Appeals meeting was called to discuss an appeal, but due to HIPAA, diagnosis, and patient information will not be provided at the meeting. Ms. Dowd explained that this appeal that was received by the Consortium approximately one week ago, refers to a subscriber's dependent. Ms. Dowd said the Consortium has been in constant communication with the subscriber.

Ms. Dowd said Excellus is administering the plan of 45 days per year of Physical Therapy in a year for the dependent. A request from the patient's Physical Therapist was sent to Excellus to have an extension of the 45 days of therapy extended. She said Excellus has declined this extension. Ms. Dowd said typically when Excellus denies an appeal, the appeal is then forwarded to the Department of Financial Services (DFS). Ms. Dowd explained that would be unnecessary for the appeal to be forwarded to DFS due to the nature of this denial. Excellus denied this due to the member meeting the maximum days per year only. Ms. Dowd said the Consortium was asked for an exception to this unique case as additional therapy would provide a better outcome for the total health of this dependent. Ms. Dowd said the Consortium does not change policy on a case-by-case basis, which means a total change to the benefits must come from the Consortium, not the administrators of the plan. Ms. Dowd also explained that the current coverage is a maximum of 45 days of Physical Therapy/Occupational Therapy/Speech Therapy which will max out for this dependent this November.

Ms. Dowd wanted to make the committee aware that Excellus has already planned for the 2024 year to increase from 45 days to 60 days per year on their metal level plans these services on January 1, 2024. This benefit change increase would affect today's current date until the end of the 2023 year. Ms. Dowd said Consortium researched how many individuals within the Consortium could potentially need additional therapy days. The individual count was three, however, those three individuals have not reached the 45 days as of today.

Mr. Shattuck expressed concern that when policies are changed, it may set a precedent, however, also says that therapy is important to continue if it is helping the total health of a patient and realizes stopping and starting a new therapy program isn't always in the best interest of a patient. Mr. Shattuck also questioned the cost of a change in benefit mid-year for the Consortium.

Mr. Locey said that they reviewed and discussed. Benefit change during the year is a slippery slope as others may come back with similar requests. He said competitively the benefits are comparable to many other plans. Mr. Locey said that they questioned Excellus the rationale of why they are moving to the 60 days at the beginning of the new year, and their response said that it was complaint driven requesting additional visits. Mr. Locey said there are also no changes to the actuarial value if this change in plan was made.

Mr. Shattuck asked the course of the approval process headed to other committees and ultimately to the Executive Committee in the month of December. Ms. Dowd said that Consortium asked for claims to be resubmitted. Ms. Rodrigues said that a similar billing situation happened last year with hearing aids and Excellus did pull those claims and resubmitted those on behalf of the individuals.

**MOTION NO. 004-2023– MOTION TO MOVE APPEAL 2023-001 TO THE JOINT COMMITTEE AND EXECUTIVE COMMITTEE ON BEHALF OF THE BOARD OF DIRECTORS FOR GTCMHIC FOR REVIEW AND POTENTIAL APPROVAL**

It was MOVED by Ms. DiGennaro, seconded by Mr. Brown, and unanimously adopted by voice vote by members present by video or in person, to approve the motion “To Move Appeal 2023-001 to the Joint Committee and Executive Committee on behalf of the Board of Directors for GTCMHIC for review and potential approval. MOTION CARRIED.

**Other Potential Appeals**

**Future Agenda Topics**

BMI Claims Audit

**Adjournment**

The meeting was adjourned at 3:37 p.m.

*Respectfully submitted by Lynne Sheldon, Clerk of the Board*