

Greater Tompkins County Municipal Health Insurance Consortium
Operations Committee Minutes – APPROVED
April 4, 2024 – 1:30 p.m.
GTCMHIC Headquarters (408 E. Upland Road, Ithaca, NY), or Remote
Zoom

Present: Laura Granger, Committee Chair; Judith (Judy) Drake, Committee Vice Chair; Brian Weinstein, Labor; Ruby Pulliam (arrived 2:05pm); Valerie Saul*; Janine Bond*; Sunday Earle*; Rita McCarthy*

Excused:

Absent: Kerrie Fusco; Mark Emerson

Staff/Guests: Teri Apalovich, Finance Manager; Kylie Rodrigues, Benefits Specialist; Lynne Sheldon, Clerk of the Board; Carl Cadregari, Foxpointe Solutions; Loren Cottrell, Tompkins County Information Technology

* = Via Zoom remote

Call to Order

Ms. Granger, Chair, called the meeting to order at 1:32 p.m.

Changes to the Agenda

There were no changes to the agenda.

Approval of February 1, 2024, Minutes

It was MOVED by Ms. Granger, seconded by Ms. Earle, and unanimously adopted by voice vote by members present and seen members via online, to approve the minutes of February 1, 2024. MINUTES APPROVED.

Executive Director Report

Update

Ms. Dowd announced two guests:

Mr. Cadregari, from FoxPointe Solutions will be presenting Cybersecurity information based on recommendations from the Department of Financial Services (DFS). He will be covering information related to the Consortium filing the annual Attestation.

Mr. Cottrell, from Tompkins County Information Technology, also offers support with FoxPointe to ensure the Consortium is following the safeguards of data.

Ms. Dowd also announced that prior to the May 2nd Joint Committee Meeting, the Consortium is holding their Open House. She invited all members and said that Excellus,

CanaRX, and Lifetime Benefit Solutions will also be in attendance. Excellus BCBS will be providing lunch to all.

Strategic Initiatives Update

Ms. Dowd shared that the Executive Committee is now meeting monthly due to advancing strategic initiatives that the Consortium is working on, and the Finance Committee is moving away from their regular monthly schedule.

4-Tier Update

Ms. Dowd discussed that the Consortium has not come up with a community-based methodology for a 4-Tier premium structure. She said that DFS also will need to approve any proposed methodology the Consortium presents. The Consortium had also researched new members coming into the Consortium with a 4-Tier option, while keeping current members in a 2-Tier plan. However, DFS has advised that would not be an approved option. Ms. Dowd said the Consortium's consultants are also working on other scenarios that would make a 4-Tier option feasible.

Medicare Advantage Plan Update

Ms. Dowd said that the Consortium tried to offer a Medicare Advantage Plan. She said that a resolution was approved previously that stated once the Consortium had a Medicare Advantage Plan, all participants that offered a plan, would have to join the Consortium's plan. Ms. Dowd said the Consortium worked on a contract with Aetna, however, there was not enough enrollment to offer the plan, and Aetna retracted the contract.

Ms. Dowd also explained that the Centers for Medicare and Medicaid Services (CMS) have released new rules and regulations as to how the Federal Government is subsidizing retirement prescription programs. She said the new laws in the Inflation Reduction Act are changing the Medicare environment and how retirement plans will be supplemented by Centers for Medicaid and Medicare Services (CMS).

Name Change Update

Ms. Dowd said that the Consortium is researching a change of name. She said the Consortium would like to agree to a more concise name that represents 18 of the counties the Consortium's members belong. She said some municipalities believe that they are not eligible to become members because they are not located in Tompkins County, which the Consortium's current name reflects. She said approval for the name also will need to come from DFS.

Open Meetings Law Update

Ms. Dowd explained an additional item the Consortium is working on is the New York State Open Meetings Law. As the Consortium grows larger (now covering 18 counties), the Consortium has many board members who are unable to attend the board

meetings due to distance in municipality locations. She said Consortium staff is working on a solution of how the governance of the Consortium will continue to comply with those laws as it grows. The Consortium has also asked for an attorney's opinion to help navigate through this.

Utilization Review May 2nd

Ms. Dowd shared that Excellus held a utilization review with Consortium staff and is now preparing a condensed report for the Joint Committee members to review at their May 2nd meeting. She said the Consortium also has a utilization report from ProAct, which will also be reviewed at the meeting.

Benefits Specialist Update – Benefit Clerk Training

Ms. Rodrigues reported that the previous day the Consortium held the Spring Benefit Clerk Training. This training covers an overview of enrollment, how to move an individual from active to retired, and many clerical items. She also said that CanaRX held a presentation of their program and how members can save money on medication costs. She said training also included Brandon Holt, the Consortium's Account Manager from Excellus BCBS, who spoke about FSAs (Flexible Spending Accounts), HRAs (Health Reimbursement Arrangements), and HSAs (Health Saving Accounts).

Benefits Specialist Update – PBM Transition

Ms. Rodrigues reported the Consortium moved the Pharmacy Benefit Manager (PBM) in January from ProAct to Excellus BCBC. She explained that there was a grace period from January to March 2024 that did not require prior authorizations for any medications. She said prior to the end of March, members were sent letters stating if they needed a prior authorization to contact their physicians to work on that process. Ms. Rodrigues said that the transition is going very well, and Excellus BCBS is providing positive customer service. She said the Consortium welcomes positive or negative feedback, which would be relayed back to Excellus to promote positive experiences.

Benefits Specialist Update - CAA Reporting

Ms. Rodrigues explained the CAA is a report requirement from Centers for Medicare and Medicaid Services (CMS) that must be completed annually. She said there are components from the PBM, as well as the medical provider regarding cost sharing of the premiums to employees.

Ms. Dowd said the CAA information ties back to the Medicare Advantage Plan she spoke of earlier in the meeting. She said CMS reviews the CAA report and looks at how prescription drug costs are affecting employees and employers, and then to how that affects insurance companies that are providing those services and benefits. Ms. Dowd added that eventually, CMS will have negotiated drug pricing similar to how the Medicaid systems work now, where there will be strict negotiated pricing for medications across the board. CMS is using the data collected through the CAA reports to establish their own pricing.

Ms. Rodrigues said she has five municipalities who have not reported their premium data yet, and ProAct has almost completed their information. She said Excellus will have theirs completed in May.

Benefits Specialist Update - SPD 2023 and 2024 Updates

Ms. Rodrigues said at the previous meeting she had mentioned that the Consortium had submitted the 2023 SPDs (Summary Plan Description). She said DFS is requesting certain edits. She said that Lifetime Benefits helped the Consortium build the SPDs, and they are helping the Consortium with a response back to DFS with those edits.

Ms. Rodrigues explained the Consortium is also working on the 2024 SPDs edits using model language that DFS requested. She said these have also been updated and will be reissued.

Cybersecurity – FoxPointe Solutions

Ms. Dowd said that based on the DFS audit, many of the audit recommendations were specifically around cyber security, including the hiring of a Chief Information Officer. She said due to Tompkins County being unable to staff this position, FoxPointe Solutions (Mr. Cadregari) was hired by the Consortium as Virtual Chief Information Officer.

Ms. Dowd said Mr. Cadregari who has been working with Consortium staff to make sure that the Consortium is becoming compliant with the new rules and regulations that have come out in New York State. She said that after Mr. Cadregari's presentation, the Consortium will have two resolutions for the Committees review and then the Consortium can submit the Cybersecurity Attestation Report.

Mr. Cadregari reported that Consortium staff recently completed annual training. This training helps individuals understand which areas of concern, such as phishing, farming, and all other cyber information to be protected against.

Committee members asked Mr. Cadregari and Mr. Cottrell questions regarding breach of information, factors of authentication, and password protocols. Mr. Cadregari said that phishing attacks are about 90% of the ransomware attacks out in the cyber world.

Mr. Cadregari also said that the risk assessment was completed by himself and Mr. Cottrell. He said this assessment shows DFS that an accurate and thorough assessment has been completed. He said during the review there were some areas that the Consortium will need to focus on to complete a plan or program:

- Data retention and Destruction Policy (To be completed September 2024)
- Vendor Management Program (To be completed September 2024)
- Security Policies and Procedures to be in place (Resolutions to be presented to Operations Committee)

Mr. Cadregari also included that as the Consortium researches the open meetings law, the Consortium will want to take full advantage of executive sessions when committees

have discussions pertaining to cybersecurity or other information technology areas. This information is not FOIL-able (FOIL - Freedom of Information Law) and not to be disclosed.

Resolutions

Ms. Granger presented the following resolutions to the Operations Committee:

RESOLUTION NO. XXX-2024 – APPROVAL OF RISK ASSESSMENT PERFORMED BY FOXPOINTE SOLUTIONS FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM (GTCMHIC)

MOVED by Ms. McCarthy, seconded by Mr. Weinstein. The resolution was unanimously adopted by voice vote of members present, and visibly seen members via remote locations to approve the following resolution.

WHEREAS, the Greater Tompkins County Municipal Health Insurance Consortium (GTCMHIC) has been asked to update several areas related to Cybersecurity as part of a NYS Department of Financial Services (DFS) examination, and

WHEREAS, after discussing options with Tompkins County IT Department for additional support, a mutual resource was identified for ongoing Cybersecurity efforts and FoxPointe Solutions was approached for assistance, and

WHEREAS, It has been agreed that FoxPointe Solutions will perform GTCMHIC management-requested risk assessments and reporting services as GTCMHIC’s Virtual Chief Information Security Officer (“VCISO”) and cybersecurity consultant and manage GTCMHIC Information Security program. This includes activities required under the current versions of NYS DFS 23NYCRR500 Cybersecurity Rule (with limited exemptions), NY State SHIELD Act (§899-bb), HIPAA/HITECH Acts Security and Breach Laws (45CFR164.306-316, 45CFR164.400-414) and the Gramm-Leach-Bliley Act (GLBA)

WHEREAS, FoxPointe Solutions has recently completed the annual Cyber Security Risk Assessment on behalf of the GTCMHIC, and has presented a thorough complete report to the Operations Committee, and therefore be it,

RESOLVED, on recommendation of the Operations Committee, That the Executive Committee, on behalf of the Board of Directors, hereby approves the following Cyber Security Risk Assessment performed by FoxPointe Solutions.

RESOLUTION NO. XXX-2024 – APPROVAL OF INFORMATION SECURITY POLICIES AND PROCEDURES FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM (GTCMHIC)

MOVED by Ms. Drake, seconded by Mr. Pulliam. The resolution was unanimously adopted by voice vote of members present, and visibly seen members via remote locations to approve the following resolution.

WHEREAS, Per previous Resolution 042 of 2023, Tompkins County IT Department recommended that FoxPointe Solutions perform GTCMHIC management-requested assessments and reporting services as GTCMHIC's Virtual Chief Information Security Officer ("VCISO"), cybersecurity consultant, and to manage GTCMHIC's Information Security program, and

WHEREAS, these Information Security Programs require policies and procedures to be put in place to conduct independent audits of their cybersecurity programs and to GTCMHIC to be compliant with all applicable laws and regulations, and

WHEREAS, This program also includes policies and procedures required under the current versions of NYS DFS 23NYCRR500 Cybersecurity Rule (with limited exemptions), NY State SHIELD Act (§899-bb), HIPAA/HITECH Acts Security and Breach Laws (45CFR164.306-316, 45CFR164.400- 414) and the Gramm-Leach-Bliley Act (GLBA) (GLBA Title 16, Chapter 1, Part 314 of Subchapter C, Safeguards Rule, and

WHEREAS, FoxPointe Solutions has provided and reviewed in depth the said above policies and procedures with third party Tompkins County IT Department, GTCMHIC Staff Members, as well as the Operations Committee, and therefore be it

RESOLVED, on recommendation of the Operations Committee, That the Executive Committee, on behalf of the Board of Directors, approves the Information Security Policies and Procedures for the GTCMHIC.

Future Discussion Topics

Adjournment

The meeting was adjourned at 2:16 p.m.

Respectfully submitted by Lynne Sheldon, Clerk of the Board

The next meeting will be held June 6, 2024