

**MERCER COUNTY INSURANCE FUND COMMISSION
AGENDA AND REPORTS
JULY 12, 2021
11:00 AM**

**To attend the meeting via teleconference
Dial 1- 312-626-6799 and enter Meeting ID: 977 4520 1313**

OR

Join Zoom Meeting via computer Link

<https://permainc.zoom.us/j/97745201313>

OPEN PUBLIC MEETINGS ACT - STATEMENT OF COMPLIANCE

The Mercer County Insurance Fund will Commission will conduct its July 12, 2021 meeting electronically, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Notice of this meeting was given by

- (1) Sending sufficient notice herewith to the Trenton Times, The Trentonian and the Princeton Packet
- (2) Filing advance written notice of this meeting with the Commissioners of the Mercer County Insurance Fund Commission,
- (3) Posting this notice on the public bulletin board of all members.

During a remote meeting, participants, including members of the public, may be muted by the host, however there will be an opportunity for them to participate and speak during the public portion of the meeting where participants will be unmuted at their request.

MERCER COUNTY ISURANCE FUND COMMISSION
AGENDA
OPEN PUBLIC MEETING: July 12, 2021
11:00 AM

- MEETING CALLED TO ORDER - OPEN PUBLIC MEETING NOTICE READ
- ROLL CALL OF COMMISSIONERS
- APPROVAL OF MINUTES: April 26, 2021 Open MinutesAppendix I
April 26, 2021 Closed MinutesSent via e-mail

- CORRESPONDENCE: None

- COMMITTEE REPORTS
 - Safety Committee: Verbal
 - Claims Committee: Verbal

- EXECUTIVE DIRECTOR/ADMINISTRATOR - PERMAPages 2-30

- TREASURER – David Miller
 - Resolution 25-21 May Bill List - MotionPage 31
 - Resolution 26-21 June Bill List - MotionPage 32
 - April Treasurer Reports.....Pages 33-34

- ATTORNEY – Paul Adezio, Esq..... Verbal

- CLAIMS SERVICE – PERMA..... Verbal

- CLAIMS ADMINISTRATOR –Inservco Insurance Services, Inc. - Motion
 - Resolution 27-21 Authorizing Disclosure of Liability Claims Check RegisterPage 35
 - Liability Claim Payments 4-1-21 to 4-30-21Pages 36-37
 - Liability Claim Payments 5-1-21 to 5-31-21Pages 38-39

- MANAGED CARE – First MCO
 - Monthly Summary Report.....Page 40

- NJCE SAFETY DIRECTOR – J.A. Montgomery Consulting
 - Monthly Report.....Pages 41-45

- RISK MANAGER CONSULTANT – CBIZ Borden Perlman
 - Monthly Report..... Verbal

- OLD BUSINESS
- NEW BUSINESS:
- PUBLIC COMMENT
- CLOSED SESSION – Payment Authorization Requests (PARS)Pages 46-47
Resolution 28-21 Executive Session for purpose as permitted by the Open Public Meetings Act,
more specifically to discuss PARS/SARS related to pending or anticipated litigation as
identified in the list of claims prepared by third-party claim administrator Inservco Insurance
Services, Inc. and Qual Lynx and attached to this agenda.
 - Motion for Executive Session
 - Motion to Return to Open
- APPROVAL OF PARS: *Motion to approve PARS/SARS as discussed in Executive Session (Roll Call Vote)*
- MEETING ADJOURNMENT
- NEXT SCHEDULED MEETING: July 26, 2021, 10:30 AM

MERCER COUNTY INSURANCE FUND COMMISSION

9 Campus Drive, Suite 216
Parsippany, NJ 07054
Telephone (201) 881-7632 Fax (201) 881-7633

Date: July 12, 2021
Memo to: Commissioners of the Mercer County Insurance Fund Commission
From: PERMA Risk Management Services
Subject: Executive Director's Report

❑ Proposed Amendment to the Commission’s Rules & Regulations (Pages 5-6) – At the last meeting we discussed an amendment to the Insurance Commission’s Rules & Regulations (By-Laws) pursuant to Governor Murphy signing S855 into law on August 21, 2020. The legislation required the title of “chosen freeholder” to be changed to “county commissioner” and all “board of chosen freeholders” to be known as “boards of county commissioners” effective January 1, 2021. The Commission was provided a copy of the Ordinance adopted by County Commissioners. Attached on pages 5-6 is a copy of the Ordinance approved by the County Commissioners. However, in consultation with the Commission Attorney, we are recommending the Commissioners consider amending the Rules and Regulations as well. If you agree, as required by the Commission Rules & Regulations, we would ask one of the Commissioners to propose a change to the Rules and Regulations. We could schedule a public hearing at the July meeting. The Fund Office will advertise the public hearing for the amendment and notify the Commissioners of the proposed changes prior to the July 26 meeting.

❑ Motion to propose an amendment to the Rules and Regulations and advertise a Public Hearing for July 26, 2021 at 10:30 AM

❑ Certificate of Insurance Reports (Pages 7-10) – Included in the agenda on pages 7-10 are the certificate of issuance reports from the NJCE which lists those certificates issued for the months of April and May. There were (3) three certificate of insurances issued during the month of April and (18) eighteen during the month of May.

❑ Motion to approve the certificate of insurance report

❑ NJ Counties Excess Joint Insurance Fund (NJCE) (Pages 11-16) - The NJCE met on April 22, 2021. A written summary report of the meeting is included in the agenda on pages 11-14. The NJCE also held a special meeting on May 27 to introduce an amended 2021 budget. A written summary of that meeting is on pages 15-16. The NJCE Board agreed the JIF would charge additional assessments to cover the premium due which totaled approximately \$609,000. The NJCE also met on June 24, 2021. Executive Director will provide a verbal update of the meeting. The next scheduled meeting is on September 23, 2021 at 9:30 AM.

- ❑ **NJCE Finance Committee (Appendix II)** – The NJCE team (PERMA, JAM and CSB) made a presentation to the Finance Committee on the state of the commercial market and benefits of the insurance commission/joint insurance versus commercial market. The presentation was roughly an hour, generated some good questions and interaction with commissioners and was well received. The Finance Committee suggested to the NJCE Board of Commissioners that a presentation be made available to all commissioners of the NJCE membership and key members of their management team. It was also suggested a recorded version be available as well as one or live webinars to promote interaction and allow for questions. NJCE Board of Commissioners at their June 24 meeting authorized PERMA to arrange webinars on July 22 and July 23. Included in Appendix II of the agenda is a copy of the NJCE Executive Director’s memorandum along with a copy of the presentation.

- ❑ **NJCE JIF Cyber Task Force (Pages 17-20)** – Included in the agenda on pages 17-20 is a news alert from the NJCE JIF Cyber Task Force.

- ❑ **MCIFC Property & Casualty Financial Fast Track (Pages 21-22)** – Included in the agenda on pages 21-22 is a copy of the Financial Fast Track for the month of April. As of April 30, 2021 the Commission has a surplus of **\$9,112,362**. Line 10 of the report “Investment in Joint Venture” is Mercer County Insurance Fund Commission’s share of equity in the NJCE. MCIFC’s equity in the NJCE as of April 30, 2021 is **\$1,232,351**. The total cash balance is **\$3,206,938**.

- ❑ **NJCE Property & Casualty Financial Fast Track (Pages 23-25)** – Included in the agenda on pages 23-25 is a copy of the Financial Fast for the month of April. Please note the reduction in the surplus in the 2016, 2020 and 2021 fund years. The most significant change is a result of the projected \$10 million that COVID related workers’ compensation claims will eventually cost the NJCE. The NJCE is strengthening its claim and IBNR reserves because of the uncertainty over the recovery from the excess insurer Safety National. Therefore, our strategy is to book \$4 million for COVID claims and IBNR at the NJCE level to relieve the members of this liability. Hopefully, the NJCE will be successful in making a full recovery from Safety National so that it can reverse this accrual. In addition to this, the Actuary is further strengthening the case reserves and IBNR due to large claims activity in the 2016 fund year.

- ❑ **Claims Tracking Reports (Pages 26-28)** - Included in the agenda on pages 26-28 are copies of the Claim Activity Report and the Claims Management Report Expected Loss Ratio Analysis report as of April 30, 2021. The Executive Director will review the reports with the Commission.

- ❑ **Hopewell Valley Golf & Country Club** – It is our understanding from the risk management consultant that the County acquired the Hopewell Valley Golf & Country Club in January of 2021. In order to insure this facility properly, we have requested underwriting information necessary to add the location and its operation for coverage.

- ❑ **2022 Renewal – Underwriting Data Collection** - The Fund office is beginning the data collection process for the 2022 renewal in order to provide relevant information to

underwriters. Members and/or risk managers will manage the renewal via Origami, the online platform where members' exposure data (property, vehicles, etc.) may be accessed and edited, as well as, applications to download and complete for ancillary coverages. In addition, the Payroll Auditor is conducting payroll audits which will be uploaded by the Fund office into Origami. The 2022 renewal process is mid-July through mid-September, which will allow members to confirm underwriting data.

- ❑ **2021 MEL, MRHIF & NJCE Educational Seminar** – The 10th Annual Educational Seminar was held virtually on May 14 and May 21. There were over 200 attendees for each session. Executive Director will provide a verbal report on the seminar.
- ❑ **2021 Government Finance Officers Association of NJ (GFOA of NJ) - J.A. Montgomery** has been invited to present at the GFOA of NJ conference at the Golden Nugget in Atlantic City from September 21st to September 24th. GFOA of NJ is a professional association of government finance officers working together to enhance and promote professionalism within the governmental community.
- ❑ **2021 New Jersey Association of Counties Conference** - The 71st Annual Conference is scheduled to be held from October 11th – October 14th at Caesar's in Atlantic City. NJAC will also be celebrating its 100 year anniversary. The New Jersey Counties Excess Joint Insurance Fund and J.A. Montgomery will be presenting at the NJAC conference in October.
- ❑ **2021 NJLM Annual Conference** - The 106th Annual New Jersey State League of Municipalities Conference is scheduled for November 16th through November 18th at the Atlantic City Convention Center in Atlantic City.
- ❑ **Medical Marijuana and Workers Compensation – (Pages 29-30)** – Included in the agenda on pages 29-30 is a letter from Ana-Eliza T. Bauersachs of Capehart Scatchard providing a quick overview of a seminal case addressing the use of medical marijuana in New Jersey Workers' Compensation. We will ask Mr. Pszwaro of Capehart Scatchard to review the letter.
- ❑ **2021 Meeting Schedule** – The Commission is scheduled to meet again on July 26, September 27, October 25 and December 20. At our last meeting we discussed possibly meeting in-person for the September meeting.

COUNTY OF MERCER, NEW JERSEY
ORDINANCE NO. 2020- 1

1st Reading...December 3, 2020..... Date to County Executive.....December 18, 2020
 2nd Reading...December 17, 2020.... Date Returned...December 22, 2020....
 Public Hearing...December 17, 2020
 Date Adopted: Date Resubmitted to Board.....
 ..December 17, 2020..... Approved as to Form and Legality

 ..January 6, 2021.....
 Effective Date County Counsel

AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE OF MERCER COUNTY, NEW JERSEY, PURSUANT TO P.L.2020, c.67, ALL REFERENCES TO THE TITLE "FREEHOLDER" IN THE ADMINISTRATIVE CODE SHALL HEREINAFTER BE CHANGED TO "COMMISSIONER" (AMENDMENT NO. 21)

RECORD OF VOTE													
First Reading								Second Reading					
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X				✓		Cannon	X					
Cimino	X						Cimino	X					✓
Colavita	X						Colavita	X					
Frisby	X						Frisby	X				✓	
Melker	X						Melker	X					
Walter	X					✓	Walter	X					
Koontz	X						Koontz	X					

X—Indicates Vote Abs.—Absent N.V.—Not Voting
 Res.—Resolution Moved Sec.—Resolution Seconded

Rejected By Ben M. High.....
 Approved County Executive
 Reconsidered Override
 By Board..... Vote Aye Nay
David Koontz Jerlene N. Wentz
 Chair of the Board Clerk to the Board

ORDINANCE NO. 2020-1

-2-

WHEREAS, P.L.2020, c.67, requires that the title of "Chosen Freeholder" be changed to "County Commissioner." Accordingly, all "Boards of Chosen Freeholders" will be known as "Boards of County Commissioners" and all individual "Freeholders" and "Chosen Freeholders" will be known as "County Commissioners"; and,

WHEREAS, P.L.2020, c.67 requires this change to be made by January 1, 2021; and,

WHEREAS, pursuant to Section 2.01.02 of the Code, the Mercer County Board of Chosen Freeholders has the power to adopt Ordinances to amend the Code as it deems appropriate and necessary; now, therefore,

BE IT ORDAINED, by the Mercer County Board of Chosen Freeholders that the Mercer County Administrative Code shall be amended to provide as follows:

1. All references to the title "Freeholder" and/or "Chosen Freeholder" in the Administrative Code shall hereinafter be changed to "Commissioner" and/or "County Commissioners".
2. The Clerk to the Board is hereby directed to comply with the publication of the Ordinance with the provisions of law.
3. This Ordinance shall take effect January 1, 2021.
4. Upon adoption, the Clerk to the Board shall forward a certified copy of this Ordinance to the Office of the County Executive, County Counsel, and County Administrator.

Mercer County Insurance Comm.

Certificate of Insurance Monthly Report

From 4/1/2021 To: 5/1/2021

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - New Jersey Historical Commission I - County of Mercer	225 W. State Street, P.O. Box 305 Trenton, NJ 08625	Company F: Auto Physical Damage; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$15,000,000 Company F: Property; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$110,000,000 RE: All operations usual to County Governmental Entity Evidence of insurance with respect to all operations usual to County Governmental Entity.	4/9/2021 #2894658	GL AU EX WC OTH
H - New Jersey Historical Commission I - County of Mercer	225 W. State Street, P.O. Box 306 Trenton, NJ 08826	Company F: Auto Physical Damage; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$15,000,000 Company F: Property; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$110,000,000 RE: All operations usual to County Governmental Entity Evidence of insurance with respect to all operations usual to County Governmental Entity.	4/9/2021 #2894655	GL AU EX WC OTH
H - New Jersey Historic Trust I - County of Mercer	PO Box 457 Trenton, NJ 08625	The Certificate Holder is an Additional Insured on the above- referenced Commercial General Liability and Excess Liability Policies if required by written contract.	4/9/2021 #2894672	GL AU EX WC OTH
Total # of Holders: 3				

Mercer County Insurance Comm.

Certificate of Insurance Monthly Report

From 5/1/2021 To: 6/1/2021

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - County of Mercer I - County of Mercer	640 South Broad Street Trenton, NJ 08611	RE: Polling Locations The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to the below locations to be used as polling sites: Melvin H. Kreps Middle School 5 Kent Drive, Hightstown, NJ 08520 Ethel McKnight Elementary School 58 Twin Rivers Drive, East Windsor, NJ 08520 Perry L. Drew Elementary School 70 Twin Rivers Drive North, East Windsor, NJ 08520 Hightstown American Legion Post #148 895 Route 130 North, East Windsor, NJ 08520 Hightstown Elk's Lodge #1955 110 Hickory Corner Road, East Windsor, NJ 08520 East Windsor P.A.L. Building 30 Airport Road, East Windsor, NJ 08520 Meadow Lakes, Auditorium 300 Etra Road, East Windsor, NJ 08520 East Windsor Municipal Building 16 Lanning Blvd., East Windsor, NJ 08520 East Windsor Rescue Squad #1 47 One Mile Road, East Windsor, NJ 08520 St. James Village 719 St. James Place, East Windsor, NJ 08520 EWING TOWNSHIP Hollowbrook Community Center 320 Hollowbrook Drive, Ewing, NJ 08638 Central Baptist Church 2015 Pennington Road, Ewing, NJ 08618 Ewing Senior & Community Center 999 Lower Ferry Road, Ewing, NJ 08628 West Trenton Fire House 40 West Upper Ferry Road, Ewing, NJ 08628 Parkway Elementary School 446 Parkway Ave., Ewing, NJ 08618 Lore Elementary School 13 Westwood Drive, Ewing, NJ 08628 American Legion Post 314 39 Lanning Street, Ewing, NJ 08618 Fire Station 30 1666 Pennington Road, Ewing, NJ 08618 Prospect Heights Fire House 1660 Ninth Street, Ewing, NJ 08638 Antheil School 339 Ewingville Road, Ewing, NJ 08638 Ewing High School 900 Parkway Ave., Ewing, NJ 08618 Fisher School 1325 Lower Ferry Road, Ewing, NJ 08618	5/3/2021 #2912365	GL AU EX WC OTH
H - Hopewell Township I - County of Mercer	201 Washington Crossing-Pennington Road Titusville, NJ 08560	RE: Juneteeth Celebration The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to Juneteeth Celebration event during the current calendar year.	5/3/2021 #2911618	GL AU EX WC OTH
H - Dempster Fire Training Center I - County of Mercer	350 Lawrence Station Road Lawrenceville, NJ 08648	RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915923	GL AU EX WC OTH
H - Ft. Dix Driver Training Area I - County of Mercer		RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915924	GL AU EX WC OTH
H - Hamilton High West High School I - County of Mercer		RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915925	GL AU EX WC OTH

Mercer County Insurance Comm.

Certificate of Insurance Monthly Report

From 5/1/2021 To: 6/1/2021

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - Mercer County I - County of Mercer	Prosecutors/Corrections Firearms Training Center 1750 River Road 08538 Lambertville, NJ	RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915927	GL AU EX WC OTH
H - Princeton HealthCare System I - County of Mercer	1 Plainsboro Road Plainsboro, NJ 08536	RE: Additional Insured Princeton HealthCare System, a New Jersey nonprofit corporation d/b/a Penn Medicine Princeton Health is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915917	GL AU EX WC OTH
H - Princeton HealthCare System I - County of Mercer	1 Plainsboro Road Plainsboro, NJ 08536	RE: Additional Insured Princeton HealthCare System, a New Jersey nonprofit corporation d/b/a Penn Medicine Princeton Health is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915928	GL AU EX WC OTH
H - Steinert High School I - County of Mercer	2900 Klockner Road Hamilton, NJ 08690	RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915929	GL AU EX WC OTH
H - Mercer County Community College I - County of Mercer	1200 Old Trenton Road West Windsor, NJ 08550	RE: Additional Insured The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract.	5/6/2021 #2915926	GL AU EX WC OTH
H - Beneficial Mutual Savings Bank I - County of Mercer	530 Walnut Street Philadelphia, PA 19106	RE: Lease of the Mercer County Connections Office. Certificate holder is additional insured where obligated by virtue of a written contract or written mutual aid agreement or other written agreement with the Named Assured, but only in respect to acts or operations by or on behalf of the Named Assured, and with respects to the lease of the Mercer County Connections Office.	5/10/2021 #2917980	GL AU EX WC OTH
H - Christopher Uffer NJ Transit I - County of Mercer	Local Programs/Community Mobility One Penn Plaza East, 4th Floor Newark, NJ 07105	Company F: Auto Physical Damage; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$15,000,000 Company F: Property; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$110,000,000 RE: 2016 Ford E-450 Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies and Loss Payee on the Property Policy if required by written contract as respects to: NJT Vehicle ID: 16-1800 Year/Make/Model: 2016 Ford E-450 Vin no.: 1FDFF4FS1GDC56772 Cost of Vehicle: \$57,557.00 Seating Configuration: 16 Ambulatory & 2 Securement Locations	5/10/2021 #2917942	GL AU EX WC OTH

Mercer County Insurance Comm.

Certificate of Insurance Monthly Report

From 5/1/2021 To: 6/1/2021

Holder (H)/ Insured Name (I)	Holder / Insured Address	Description of Operations	Issue Date/ Cert ID	Coverage
H - Brandolini Property Management & I - County of Mercer	BLF Partners, LLC 1301 Lancaster Avenue Berwyn, PA 19312	Company F: Auto Physical Damage; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$15,000,000 Company F: Property; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$110,000,000 RE: Lease of the Mercer County Connections Office Brandolini Property Management & BLF Partners, LLC are an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to the lease of the Mercer County Connections Office	5/10/2021 #2917984	GL AU EX WC OTH
H - Hopewell Township I - County of Mercer	201 Washington Crossing-Pennington Road Titusville, NJ 08560	RE: 4-H Meetings The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract with respects to upcoming 4-H meetings.	5/11/2021 #2918250	GL AU EX WC OTH
H - Brandolini Property Management & I - County of Mercer	BLF Partners, LLC 1301 Lancaster Avenue Berwyn, PA 19312	Company F: Auto Physical Damage; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$15,000,000 Company F: Property; Policy Term: 1/1/2021 - 1/1/2022; Policy #:ERP980616209; Policy Limits: \$110,000,000 RE: Lease of the Mercer County Connections Office Brandolini Property Management & BLF Partners, LLC are an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to the lease of the Mercer County Connections Office	5/11/2021 #2918263	GL AU EX WC OTH
H - New Jersey Junior Breeder's I - County of Mercer	Fund, Inc. New Jersey Department of Agriculture P.O. Box 330 Trenton, NJ 08625	RE: 4-H Event during the current calendar year The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract as respect to a 4-H Event during the current calendar year.	5/11/2021 #2918216	GL AU EX WC OTH
H - Hopewell Township I - County of Mercer	201 Washington Crossing-Pennington Road Titusville, NJ 08560	RE: 4-H Fair The Certificate Holder is an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract with respects to upcoming 4-H fair.	5/12/2021 #2918751	GL AU EX WC OTH
H - Mercer County Improvement I - County of Mercer	Authority (MCIA) 80 Hamilton Avenue 2nd Floor Trenton, NJ 08611	RE: Additional Insured The following are an Additional Insured on the above-referenced Commercial General Liability and Excess Liability Policies if required by written contract: Mercer County Improvement Authority 80 Hamilton Avenue, 2nd Floor Trenton, NJ 08611 Cure Insurance Arena 81 Hamilton Avenue Trenton, NJ 08611 Global Spectrum, LP 81 Hamilton Avenue Trenton, NJ 08611 Cure Auto Insurance 214 Carnegie Center Princeton, NJ 08540 Spectra Venue Management 3601 South Broad Street Philadelphia, PA 19148 City of Trenton City Hall 319 East State Street Trenton, NJ 08608	5/24/2021 #2921127	GL AU EX WC OTH
Total # of Holders: 18				



NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND

9 Campus Drive - Suite 216
Parsippany, NJ 07054-4412
Telephone (201) 881-7632 Fax (201) 881-7633

Date: April 22, 2021
Memo to: Mercer County Insurance Fund Commission
From: Joseph Hrubash, NJCE Executive Director
Subject: April 22, 2021 Meeting

NJCE Financial Fast Track: Executive Director reviewed the revised Financial Fast Tracks (FFT) as of December 31, 2020 and February 28, 2021. Executive Director reported the Financial Fast Tracks were amended to reflect an anticipated recoverable amount from Safety National, the excess workers compensation insurer, for 2020 Covid-19 workers compensation claims.

COVID-19: Ms. Robyn Walcoff of PERMA provided an update on COVID-19 claim activity noting that as of March 31, 2021 for 2020 there were a total of 1,751 claims and 279 for 2021; total paid for both years was \$1.7 million. Ms. Walcoff reported a review of claims development will be conducted to evaluate if reserves on open claims may be reduced and/or closed.

Executive Director reported there is ongoing dialogue with Safety National on how the 2020 endorsement will be applied with respects to COVID-19 claims. Executive Director reported Safety National removed this endorsement for 2021 so each COVID-19 claim will be considered a single occurrence; however, the NJCE JIF is committed to applying one retention to its Commission and County members for any 2021 COVID-19 claims and seeking reimbursement from the carrier.

Finance Sub-Committee: Executive Director reported the Finance sub-committee met on April 9, 2021 to discuss on the 2021 NJCE budget delta of \$2,535,244 and review procurement responses for various JIF professional services. Copies of the meeting minutes were submitted for information.

Budget delta

Executive Director reported the budget delta was first addressed in late 2019 due to the hard insurance market and replacement of excess liability insurer; the NJCE absorbed the difference of \$1 million for 2020 which has already improved as of 12/31/20. Executive Director reported the 2021 renewal at expiring retentions would have resulted in significantly higher member premiums in excess of 25% increase and a number of changes in the excess program structure were done to control that pricing. Executive Director reported the NJCE adopted a 2021 budget with an 8% increase; however, the final results of the marketing and program restructuring efforts resulted in a delta of \$2,535,215 or 11.67% increase. Executive Director reported the budget delta is comprised of approximately \$600K in excess premium and the balance related to short fall in the loss funds.

Executive Director reported the fund is currently financially stable and there was no emergent need to take action; however, the Finance sub-committee met to review options to address the delta for 2021 fund year.

Finance sub-committee recommended the option of C1 to declare an additional assessment for the premium portion of delta of \$609,437; this will be billed in mid-September as a 3rd separate installment and due on November 1st. Included with the agenda was an exhibit of premium delta by member. No action to be taken at this time on the balance of the delta of \$1,925,777, which represents the short fall in the loss funds. Executive Director reported PERMA in conjunction with the Finance sub-committee, will monitor and re-evaluate the development of the balance of the delta on an annual basis. Executive Director reported, that based on prior history, the reserves and claims may improve over time, which would ultimately reduce the balance of the delta. Executive Director reported surplus may be gained as older years mature and the Finance sub-committee could consider an inter-fund transfer of that surplus to offset deficit years to close out the remaining delta. The Board of Fund Commissioners accepted the recommendation of the Finance sub-committee to declare an additional assessment in the total amount of \$609,437.

Professional Services/Procurement

Executive Director reported the Finance sub-committee reviewed responses to professional services, which were procured with the guidance of the Fund Attorney.

Finance sub-committee made the following recommendations:

- Litigation Manager - Award Judge E. David Millard of Citta, Holzapfel & Zabarsky a 1-year contract.
- Auditor – Award Bowman & Company for a 1-year contract.
- Payroll Auditor - Award Bowman & Company for a 1-year contract.
- Actuary – Award The Actuarial Advantage for a 1-year contract.

The Board of Fund Commissioners accepted the recommendations of the Finance sub-committee as noted; action was taken via Motion for Litigation Manager and Auditor and via adoption of Resolutions for Payroll Auditor and Actuary.

2021 Plan of Risk Management Amendment: Based on the recommendation of the Fund Underwriting Manager, the cyber coverage limits should be removed from the Plan of Risk Management. The Plan of Risk Management is posted to the NJCE JIF website and could serve as an incentive for cyber hacker attacks by identifying coverage limits. The Board of Fund Commissioners adopted a Resolution to amend the 2021 Plan of Risk Management as presented.

Prospective Membership: The County of Essex and Middlesex County Insurance Commission are renewing mid-2021 and have been identified as potential members for the NJCE program. Executive Director reported initial membership efforts are being taken now so as not to miss an opportunity to increase NJCE membership. The Board of Fund Commissioners adopted Resolutions to offer membership to County of Essex and Middlesex County Insurance Commission.

Membership Renewal: The Commissions of Camden County, Gloucester County and the County of Monmouth are scheduled to renew their three-year membership with the Fund as of January 1, 2022. Renewal documents will be sent to each respective County following the meeting.

NJ Senate Bill 3375: Executive Director reported proposed legislation S3775, which if passed would weaken the rights of employers to direct and control medical care including nurse case management as respects workers' compensation. Executive Director reported there has been considerable opposition to this bill and more information will be provided at future meetings.

Pollution Liability Coverage: As last reported, Zurich had informed the Fund office that this will be the final year of providing pollution liability coverage as they are moving away from this industry. The Underwriting Manager will conduct widespread marketing efforts on this line of coverage, which includes the feasibility of making a submission to the NJ Environmental Joint Insurance Fund (EJIF). Executive Director reported any additional information will be reported at future meetings.

NJCE Cyber Task Force: A meeting of this task force will be scheduled in May to discuss cyber-related issues. If any Fund Commissioner and/or a designated representative is interested in serving on the task force, please contact the office. Commissioners that currently serve are Commissioner Sheehan and Commissioner Block.

NJCE Claims Review Committee: The Claims Review Committee met prior to this Fund's meeting. The Board of Fund Commissioners accepted the recommendations of the Claims Review Committee to approve payment or settlement authority requests. Closed Session was not required for this action.

Marijuana Legislation and Effects on the Workplace & Mandatory Vaccinations: Submitted as part of the agenda were copies of memorandums drafted by the Municipal Excess Liability Joint Insurance Fund Attorney Fred Semrau, Esq. for our municipal clients. Executive Director reported these were included for informational purposes as they are also pertinent to NJCE membership.

Dividend: Deputy Executive Director reported this Board authorized the release of a \$1.5 million dividend, which was distributed in late January.

December 31, 2020 Audit: Deputy Executive Director reported following today's appointment, the Fund office will work with the Auditor to provide necessary report to complete the 2020 Audit. As in the past, a draft report is expected to be presented at the June meeting and the final at the September meeting.

2021 New Jersey Association of Counties Conference: The 71st Annual Conference is scheduled to be held from October 11th – October 14th at Caesar's in Atlantic City. NJAC will also be celebrating its 100 year anniversary.

2021 MEL, MRHIF and NJCE JIF Educational Seminar: For 10 years, the MEL Joint Insurance Fund (MEL) and Municipal Reinsurance Health Insurance Fund (MRHIF) – and most recently the New Jersey Counties Excess Joint Insurance Fund (NJCE JIF) have sponsored an Educational Seminar on property/casualty and health insurance matters. The session provided members and insurance producers the opportunity to earn as much as 5 Continuing Education Credits.

Deputy Executive Director reported this seminar will be conducted virtually over 2 half days – the morning of Friday, May 14th and Friday, May 21st. The agenda includes two ethics courses, and presentations on implicit bias, insurance market conditions, proposals to change the Workers' Compensation law and a discussion of proposed changes to the Affordable Care Act.

2021 Financial Disclosures: Deputy Executive Director reported Commissioners should anticipate the online filing of the Financial Disclosure forms as both a NJCE Commissioner, as well as, any County-related positions that require filing. It is expected the Division of Local Government Services will distribute a notice with filing instructions. As of 4/14/21 the Local Finance Board voted to extend the enforcement date to take action against non-filers until June 30, 2021 from the statutory deadline of April 30, 2021.

Underwriting Manager Report

Underwriting Manager provided a brief report on benefits of JIF membership versus commercial market especially during a hard market. Underwriting Manager reported while there may have been higher renewal costs for 2021, the NJCE and other JIFs are outpacing the commercial market in terms of comparing premium dollars. Underwriting Manager said an analysis report would be presented at the June meeting; Executive Director noted this analysis was suggested by Commissioner Wood at the Finance sub-committee meeting.

Risk Control Report

Safety Director submitted a report reflecting the risk control activities and the Safety Director Bulletins distributed from February to May 2021. Safety Director reported the NJCE online Learning Management System (LMS) is in the final stages of implementation; each Commission and County has been asked to designate an LMS Training Administrator(s) and an instructional webinar on how to navigate the LMS will be provided for members. Safety Director reported the 2021 safety grant program with Munich Re is modeled similar to the expiring program with two noted changes: 1) funding pool increased to \$50,000 to share among members that submit and 2) is applicable to efforts related to general liability, auto liability and law enforcement liability.

WC Claims Administration Report

A report was submitted noting the billed amount, paid amount, net savings as of March 2021.

Next Meeting: The next meeting of the NJCE fund is scheduled for June 24, 2021 at 9:30AM via Zoom; please contact the Fund office for meeting access information.



NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND

9 Campus Drive - Suite 216

Parsippany, NJ 07054-4412

Telephone (201) 881-7632 Fax (201) 881-7633

Date: May 27, 2021
Memo to: Mercer County Insurance Fund Commission
From: Joseph Hrubash, NJCE Executive Director
Subject: May 27, 2021 Special Meeting

2021 Amended Budget: At the April 22nd Fund meeting the NJCE Board agreed that the JIF would charge an additional assessment to the premium portion of the delta which totaled \$609,437. Per JIF regulations on supplemental assessments, this change requires an amendment to the budget. Following the introduction of the amended 2021 budget in the amount of \$27,697,716, the Board of Fund Commissioners scheduled a public hearing on June 24, 2021 at 9:30am via Zoom.

Finance Sub-Committee Meeting: A Finance sub-committee meeting is scheduled for Wednesday, June 9th at 2:00 pm to review an analysis of how the NJCE performs versus the commercial market.

2021 MEL, MRHIF and NJCE JIF Educational Seminar: The 10th annual seminar was conducted virtually on 2 half-day sessions: Friday, May 14th and Friday, May 21 from 9 am to 12 noon. There were over 200 attendees for each session and the Fund Office is currently submitting applicable credits to the respective agencies.

Next Meeting: The next meeting of the NJCE fund is scheduled for June 24, 2021 at 9:30AM via Zoom; please contact the Fund office for meeting access information.

NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND					
2021 BUDGET - MAY 2021 AMENDMENT					
APPROPRIATIONS	(A)	(C)	(D)	(E)	
I. Claims and Excess Insurance			(C - A)	(D / A)	Amended 2021 Budget
Claims	ANNUALIZED BUDGET FY2020	PROPOSED BUDGET FY2021	Change \$	Change %	Premium Delta
Property	836,999	910,261	73,262	8.8%	
Liability	997,334	897,602	(99,732)	-10.0%	
Auto	258,435	232,593	(25,842)	-10.0%	
Workers' Comp.	2,683,444	2,282,295	(401,149)	-14.9%	
WC 150 x 1K (7720)	<u>136,422</u>	<u>122,780</u>	<u>(13,642)</u>	<u>-10.0%</u>	
Subtotal - Claims	4,912,634	4,445,531	(467,103)	-9.5%	
Premiums					
Property	6,119,498	7,202,167	1,082,669	17.7%	132,004
XS Flood to 50	501,164	596,498	95,334	19.0%	(50,970)
Liability (Brit)	3,924,402	3,924,402	(0)	0.0%	528,400
Workers Comp (450 x 550) *	1,045,289	964,203	(81,086)	-7.8%	
Workers Comp (Stat x 1MIL/ x 3MIL Mc	2,080,846	2,199,012	118,166	5.7%	3
SubTotal Premiums	13,671,199	14,886,282	1,215,083	8.9%	609,437
Total Loss Fund	18,583,833	19,331,813	747,980	4.0%	609,437
II. Expenses, Fees & Contingency					
Claims Adjustment	68,190	69,553	1,364	2.0%	
Claims Adjustment - Property	17,000	17,340	340	2.0%	
Safety Director	412,378	420,625	8,247	2.0%	
General Expense					
Exec. Director	683,641	697,313	13,672	2.0%	
Actuary	23,045	23,505	461	2.0%	
Auditor	14,930	15,229	299	2.0%	
Attorney	15,654	15,654	0	0.0%	
Treasurer	15,653	15,653	0	0.0%	
Underwriting Manager	435,096	443,798	8,702	2.0%	
Underwriting Data Consolidation	98,110	100,073	1,962	2.0%	
Payroll Audit	16,423	16,751	328	2.0%	
Safety Institute Funding	100,004	100,004	0	0.0%	
Misc. Expense & Contingency	12,220	20,000	7,780	63.7%	
Total Fund Exp & Contingency	1,912,343	1,955,499	43,156	2.3%	
Risk Management Consultant	102,124	102,124	0	0.0%	
Total Self Insured Program	20,598,299	21,389,435	791,136	3.8%	
Ancillary Coverages					
Excess Liability	611,653	1,700,000	1,088,347	177.9%	
Property 150 x 110	554,779	500,341	(54,438)	-9.8%	
POL/EPL	1,211,835	1,305,838	94,003	7.8%	
Crime Program	163,805	175,281	11,476	7.0%	
Medical Malpractice	855,364	940,860	85,496	10.0%	
Pollution Liability	283,750	298,896	10,578	4.8%	
Employed Lawyers Liability	154,198	161,913	7,715	5.0%	
Cyber Liability	426,060	511,273	85,213	20.0%	
Aviation	119,274	87,327	(3,548)	-3.9%	
Marina Operators Liability	11,971	17,114	5,143	43.0%	
Total Ancillary Coverages	4,392,689	5,698,843	1,306,154	29.7%	
Total FUND Disbursements	24,990,988	27,088,278	2,097,290	8.4%	27,697,716

NJCE JIF CYBER TASK FORCE

THERE IS NO SUMMER VACATION FOR CYBERSECURITY

Recent attacks on municipalities should serve as a warning about how important it is to review your cyber risk management programs and find ways to better protect your networks. A simple breach in cyber security can cause a massive disruption to service, financial loss and can impact lives.

I. COLONIAL PIPELINE

A major U.S. oil pipeline was forced to shutdown due to a ransomware incident. The incident shows the typical administrative shutdown due to the malicious network encryption, but also the shutdown of its oil operations, which hits upon many risk management areas, including property damage, product damage, interruption and public relations.

The event boils down to two basic cybersecurity issues:

- 1) A compromised password; and
- 2) An unused remote connection.

Since a single password was compromised with no other evidence of breach, it was most likely due to such employee using the same password and/or email on more than one network (i.e. home and work email).

Takeaways:

- 1) Require strong passwords/passphrases/secrets, which are unique to the work account -- and consider changing them on a regular basis.
- 2) Inventory all remote connections/accounts with remote access -- and have a policy for regularly reviewing and closing unused remote connections.
- 3) There is also a chance the password was compromised in another breach, so consider utilizing deep web scans for previously breached accounts and passwords.

U.S. Pipeline Cyberattack Forces Closure

Colonial Pipeline carries roughly 45% of gasoline and diesel fuel consumed on the East Coast



For details, contact the NJCE Underwriting Manager or your local Commission Executive Director



NJCE JIF CYBER TASK FORCE

II. MASSACHUSETTS STEAMSHIP AUTHORITY

"We don't have cyber exposures like banks or pipelines." This is a phrase we thought we would not be hearing much of anymore, but new headlines reinforce the fact organizations of all types have cyber exposures and can be greatly affected.

The Massachusetts Steamship Authority, which operates a simple ferry service, is still recovering from a ransomware incident. Aside from the inability to access administrative systems, patrons are forced to pay with cash and bring paper trails of their tickets. The event luckily has not affected the actual ferry electronics and network, but the Authority may not have thought of such a scenario in the past. Imagine engine or navigation systems being affected.

Takeaways:

The cause and extent of the incident is still unknown, but the standard ransomware prevention tactics should be utilized:

- 1) Strong passwords policies
- 2) Remote connection security
- 3) Multi-factor authentication
- 4) Proper back-ups
- 5) Segregation of operational units



For details, contact the NJCE Underwriting Manager or your
local Commission Executive Director



NJCE JIF CYBER TASK FORCE

III. MULTIPLE HOSPITAL RELATED EVENTS

Numerous hospitals and emergency dispatch networks have been affected and even crippled by cyber incidents over past few years. One emergency department was shutdown due to a ransomware incident, forcing a cardiac arrest patient to be sent to another hospital about an hour away. The delay was a key factor in the patient's passing.

First response organizations must not only properly protect themselves from incidents, but also have contingency plans in place to continue their critical operations.

Takeaways:

In addition to all of the typical cyber event prevention steps, detailed incident response and disaster recovery plans must be in place (and continually practiced and reviewed) to continue operations. Your Continuity of Government (CoG) plans also need to address all of these cyber concerns.



For details, contact the NJCE Underwriting Manager or your local Commission Executive Director





EMAIL DOs & DON'Ts



EMAIL ADDRESSES

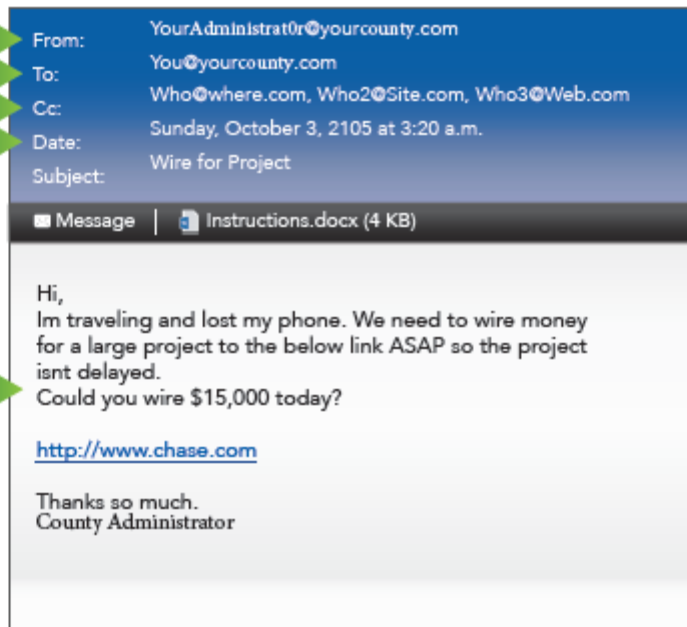
- Do you recognize the sender and the CCs?
- Is the sender's email spelled correctly? (i.e. "YourAdministrator" vs. "YourAdministrat0r")

DATE & TIME

- Was the email sent on a typical day and at a typical time?

EMAIL CONTENT

- Are the format and grammar in the email typical for the sender?
- Does the content seem atypical?
- Did the sender seem overly urgent?
- Does the email ask for person info/login info?



SUBJECT

- Is the subject a typical style for the sender?
- Does the subject match the email content?

ATTACHMENT

- Is an attachment needed for the email content?
- Were you expecting the attachment?
- Is it a ".txt" file?

LINKS

- Does the link look appropriate?
- Does the web address match the hyperlink shown (scroll over the hyperlink)?

DON'T GET PHISHED!

... but if you do, remember to

Contact Your Claims Representative for reporting the claim and engaging breach counsel and forensics firms as necessary.



MERCER COUNTY INSURANCE COMMISSION					
FINANCIAL FAST TRACK REPORT					
		AS OF	April 30, 2021		
ALL YEARS COMBINED					
		THIS MONTH	YTD CHANGE	PRIOR YEAR END	FUND BALANCE
1.	UNDERWRITING INCOME	542,803	2,171,212	53,674,208	55,845,420
2.	CLAIM EXPENSES				
	Paid Claims	204,537	976,705	14,399,969	15,376,675
	Case Reserves	758,352	704,108	5,213,735	5,917,843
	IBNR	39,612	(697,984)	3,211,495	2,513,511
	Excess Insurance Recoverable	488,279	6,395	(71,403)	(65,008)
	Discounted Claim Value	(7,336)	70,388	(206,821)	(136,434)
	TOTAL CLAIMS	1,483,444	1,059,612	22,546,975	23,606,587
3.	EXPENSES				
	Excess Premiums	228,497	913,987	17,275,749	18,189,736
	Administrative	49,547	198,442	3,970,643	4,169,086
	TOTAL EXPENSES	278,044	1,112,429	21,246,392	22,358,821
4.	UNDERWRITING PROFIT (1-2-3)	(1,218,685)	(829)	9,880,840	9,880,011
5.	INVESTMENT INCOME	0	0	0	0
6.	PROFIT (4 + 5)	(1,218,685)	(829)	9,880,840	9,880,011
7.	CEL APPROPRIATION CANCELLATION	0	0	0	0
8.	DIVIDEND INCOME	0	0	205,211	205,211
9.	DIVIDEND EXPENSE	0	0	(2,205,211)	(2,205,211)
10.	INVESTMENT IN JOINT VENTURE	0	742	1,231,610	1,232,351
11.	SURPLUS (6 + 7 + 8 - 9)	(1,218,685)	(87)	9,112,450	9,112,362
SURPLUS (DEFICITS) BY FUND YEAR					
	2014	0	(49,992)	1,100,666	1,050,674
	2015	0	(15,319)	1,606,124	1,590,805
	2016	0	4,474	1,669,890	1,674,364
	2017	0	45,889	2,257,124	2,303,012
	2018	0	196,751	1,924,550	2,121,301
	2019	(0)	207,812	731,936	939,748
	2020	(488,280)	313,153	(177,839)	135,314
	2021	(730,406)	(702,856)		(702,856)
	TOTAL SURPLUS (DEFICITS)	(1,218,685)	(87)	9,112,450	9,112,363
	TOTAL CASH				3,206,938

MERCER COUNTY INSURANCE COMMISSION				
FINANCIAL FAST TRACK REPORT				
		AS OF	April 30, 2021	
ALL YEARS COMBINED				
	THIS MONTH	YTD CHANGE	PRIOR YEAR END	FUND BALANCE
CLAIM ANALYSIS BY FUND YEAR				
FUND YEAR 2014				
Paid Claims	171	1,893	2,093,733	2,095,625
Case Reserves	(171)	46,576	186,178	232,754
IBNR	0	(6,779)	123,642	116,863
Discounted Claim Value	0	8,348	(13,818)	(5,470)
TOTAL FY 2014 CLAIMS	0	50,038	2,389,735	2,439,773
FUND YEAR 2015				
Paid Claims	1,325	3,644	2,575,955	2,579,598
Case Reserves	19,675	26,351	236,637	262,987
IBNR	(21,000)	(21,310)	89,736	68,427
Discounted Claim Value	0	6,679	(11,358)	(4,679)
TOTAL FY 2015 CLAIMS	0	15,364	2,890,970	2,906,333
FUND YEAR 2016				
Paid Claims	16,508	96,969	2,876,414	2,973,384
Case Reserves	(23,751)	(108,674)	646,102	537,428
IBNR	7,244	1,107	104,554	105,661
Discounted Claim Value	0	6,173	(16,028)	(9,855)
TOTAL FY 2016 CLAIMS	0	(4,425)	3,611,042	3,606,617
FUND YEAR 2017				
Paid Claims	40,439	67,899	2,063,031	2,130,931
Case Reserves	(21,328)	(28,850)	700,811	671,961
IBNR	(19,111)	(91,298)	233,143	141,846
Discounted Claim Value	0	6,414	(21,019)	(14,605)
TOTAL FY 2017 CLAIMS	(0)	(45,834)	2,975,967	2,930,132
FUND YEAR 2018				
Paid Claims	6,419	67,343	2,184,466	2,251,809
Case Reserves	12,381	(143,657)	678,071	534,413
IBNR	(18,800)	(128,120)	317,878	189,757
Discounted Claim Value	0	7,739	(22,612)	(14,873)
TOTAL FY 2018 CLAIMS	0	(196,695)	3,157,802	2,961,107
FUND YEAR 2019				
Paid Claims	10,406	14,732	1,869,058	1,883,789
Case Reserves	18,825	21,284	1,325,817	1,347,101
IBNR	(29,231)	(262,476)	815,476	553,000
Discounted Claim Value	0	18,704	(53,190)	(34,486)
TOTAL FY 2019 CLAIMS	0	(207,755)	3,957,160	3,749,404
FUND YEAR 2020				
Paid Claims	100,271	651,243	737,312	1,388,555
Case Reserves	(135,542)	(177,003)	1,440,120	1,263,117
IBNR	35,272	(830,057)	1,527,067	697,009
Excess Insurance Recoverable	488,279	7,566	(71,403)	(63,837)
Discounted Claim Value	0	35,159	(68,797)	(33,638)
TOTAL FY 2020 CLAIMS	488,280	(313,093)	3,564,299	3,251,207
FUND YEAR 2021				
Paid Claims	28,998	72,983		72,983
Case Reserves	888,265	1,068,081		1,068,081
IBNR	85,238	640,948		640,948
Excess Insurance Recoverable	0	(1,171)		(1,171)
Discounted Claim Value	(7,336)	(18,829)		(18,829)
TOTAL FY 2021 CLAIMS	995,165	1,762,013	0	1,762,013
COMBINED TOTAL CLAIMS	1,483,444	1,059,612	22,546,975	23,606,587

This report is based upon information which has not been audited nor certified by an actuary and as such may not truly represent the condition of the fund.

NEW JERSEY COUNTIES EXCESS JIF					
FINANCIAL FAST TRACK REPORT					
		AS OF	April 30, 2021		
ALL YEARS COMBINED					
		THIS MONTH	YTD CHANGE	PRIOR YEAR END	FUND BALANCE
1.	UNDERWRITING INCOME	2,270,708	9,204,700	188,496,467	197,701,167
2.	CLAIM EXPENSES				
	Paid Claims	50,362	320,886	7,089,259	7,410,146
	Case Reserves	411,724	1,752,030	9,041,576	10,793,606
	IBNR	249,922	1,621,523	9,477,682	11,099,205
	Discounted Claim Value	(69,217)	59,261	(1,855,299)	(1,796,038)
	Excess Recoveries	0	(388,517)	(1,286,205)	(1,674,722)
	TOTAL CLAIMS	642,790	3,365,183	22,467,013	25,832,196
3.	EXPENSES				
	Excess Premiums	1,694,148	6,776,242	132,722,487	139,498,730
	Administrative	163,360	698,358	14,328,278	15,026,635
	TOTAL EXPENSES	1,857,508	7,474,600	147,050,765	154,525,365
4.	UNDERWRITING PROFIT (1-2-3)	(229,590)	(1,635,083)	18,978,689	17,343,605
5.	INVESTMENT INCOME	7,165	13,137	1,561,013	1,574,150
6.	PROFIT (4+5)	(222,425)	(1,621,947)	20,539,702	18,917,755
7.	Dividend	0	0	5,107,551	5,107,551
8.	SURPLUS (6-7)	(222,425)	(1,621,947)	15,432,151	13,810,204
SURPLUS (DEFICITS) BY FUND YEAR					
	2010	87	193	313,887	314,080
	2011	150	366	817,021	817,388
	2012	229	(10,101)	775,737	765,635
	2013	410	34,236	1,435,473	1,469,709
	2014	605	29,953	2,370,698	2,400,651
	2015	736	(6,686)	1,465,627	1,458,940
	2016	775	(497,574)	2,615,331	2,117,757
	2017	893	(63,989)	1,269,126	1,205,137
	2018	917	107,200	2,227,973	2,335,172
	2019	997	118,286	1,617,686	1,735,972
	2020	645	(493,610)	523,592	29,982
	2021	(228,869)	(840,221)		(840,221)
	TOTAL SURPLUS (DEFICITS)	(222,425)	(1,621,947)	15,432,150	13,810,203
	TOTAL CASH				28,546,382

NEW JERSEY COUNTIES EXCESS JIF					
FINANCIAL FAST TRACK REPORT					
		AS OF	April 30, 2021		
ALL YEARS COMBINED					
		THIS MONTH	YTD CHANGE	PRIOR YEAR END	FUND BALANCE
CLAIM ANALYSIS BY FUND YEAR					
FUND YEAR 2010					
	Paid Claims	0	0	171,840	171,840
	Case Reserves	0	0	(0)	(0)
	IBNR	0	0	0	0
	Discounted Claim Value	0	0	0	0
	TOTAL FY 2010 CLAIMS	0	0	171,840	171,840
FUND YEAR 2011					
	Paid Claims	0	0	538,361	538,361
	Case Reserves	0	0	100	100
	IBNR	0	(64)	65	1
	Discounted Claim Value	0	7	(10)	(3)
	TOTAL FY 2011 CLAIMS	0	(57)	538,516	538,459
FUND YEAR 2012					
	Paid Claims	25	723	1,581,076	1,581,800
	Case Reserves	(25)	10,877	55,743	66,620
	IBNR	0	103	6,513	6,615
	Discounted Claim Value	0	(1,145)	(6,766)	(7,912)
	TOTAL FY 2012 CLAIMS	0	10,557	1,636,566	1,647,123
FUND YEAR 2013					
	Paid Claims	3,974	(36,356)	884,946	848,590
	Case Reserves	(3,974)	3,973	449,993	453,966
	IBNR	0	3	74,752	74,755
	Discounted Claim Value	0	(1,113)	(55,345)	(56,458)
	TOTAL FY 2013 CLAIMS	0	(33,493)	1,354,346	1,320,853
FUND YEAR 2014					
	Paid Claims	1,620	3,039	475,133	478,173
	Case Reserves	37,980	15,841	468,318	484,159
	IBNR	(39,600)	(51,147)	82,005	30,858
	Discounted Claim Value	0	3,478	(50,431)	(46,953)
	TOTAL FY 2014 CLAIMS	0	(28,789)	975,025	946,236
FUND YEAR 2015					
	Paid Claims	4,609	76,415	879,632	956,047
	Case Reserves	(4,609)	(76,417)	1,970,599	1,894,182
	IBNR	0	(1,981)	110,856	108,875
	Discounted Claim Value	0	10,020	(145,390)	(135,369)
	TOTAL FY 2015 CLAIMS	0	8,037	2,815,698	2,823,734

NEW JERSEY COUNTIES EXCESS JIF					
FINANCIAL FAST TRACK REPORT					
AS OF April 30, 2021					
ALL YEARS COMBINED					
	THIS MONTH	YTD CHANGE	PRIOR YEAR END	FUND BALANCE	
CLAIM ANALYSIS BY FUND YEAR					
FUND YEAR 2016					
Paid Claims	15	31,903	678,557	710,460	
Case Reserves	(17)	557,910	1,006,194	1,564,104	
IBNR	2	(79,418)	233,390	153,972	
Discounted Claim Value	0	(11,377)	(87,647)	(99,024)	
TOTAL FY 2016 CLAIMS	0	499,018	1,830,493	2,329,511	
FUND YEAR 2017					
Paid Claims	1,177	109,670	367,768	477,437	
Case Reserves	53,723	(287,088)	1,687,621	1,400,533	
IBNR	(54,900)	224,818	1,606,476	1,831,294	
Discounted Claim Value	0	18,227	(221,332)	(203,105)	
TOTAL FY 2017 CLAIMS	(0)	65,627	3,440,532	3,506,159	
FUND YEAR 2018					
Paid Claims	296	6,938	358,016	364,953	
Case Reserves	339,973	413,481	563,782	977,262	
IBNR	(340,269)	(547,469)	1,803,479	1,256,010	
Discounted Claim Value	0	21,524	(240,690)	(219,166)	
TOTAL FY 2018 CLAIMS	0	(105,527)	2,484,586	2,379,059	
FUND YEAR 2019					
Paid Claims	0	4,506	704,297	708,804	
Case Reserves	79,698	119,612	589,734	709,346	
IBNR	(79,698)	(263,349)	2,688,900	2,425,551	
Discounted Claim Value	0	22,756	(357,356)	(334,599)	
TOTAL FY 2019 CLAIMS	0	(116,475)	3,625,576	3,509,102	
FUND YEAR 2020					
Paid Claims	38,647	124,048	449,634	573,682	
Case Reserves	(322,310)	758,574	2,249,493	3,008,067	
IBNR	283,663	(272,734)	2,871,245	2,598,510	
Discounted Claim Value	0	273,753	(690,332)	(416,578)	
Excess Recoveries	0	(388,517)	(1,286,205)	(1,674,722)	
TOTAL FY 2020 CLAIMS	0	495,124	3,593,835	4,088,958	
FUND YEAR 2021					
Paid Claims	0	0		0	
Case Reserves	231,283	235,268		235,268	
IBNR	480,725	2,612,763		2,612,763	
Discounted Claim Value	(69,217)	(276,869)		(276,869)	
TOTAL FY 2021 CLAIMS	642,790	2,571,162	0	2,571,162	
COMBINED TOTAL CLAIMS	642,790	3,365,183	22,467,013	25,832,196	

This report is based upon information which has not been audited nor certified by an actuary and as such may not truly represent the condition of the fund.

Fund Year 2020 Claims reflect an anticipated recoverable amount of \$ 1,674,722 due from the reinsurer for COVID-19 WC claims.

**Mercer County Insurance Fund Commission
CLAIM ACTIVITY REPORT**

AS OF APRIL 30, 2021

COVERAGE LINE - PROPERTY									
CLAIM COUNT - OPEN CLAIMS									
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	0	0	0	0	0	0	6	2	8
April-21	0	0	0	0	0	0	6	2	8
NET CHGE	0	0	0	0	0	0	0	0	0
Limited Reserves									\$3,175
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	\$0	\$0	\$0	\$0	\$0	\$0	\$22,900	\$700	\$23,600
April-21	\$0	\$0	\$0	\$0	\$0	\$0	\$19,900	\$5,500	\$25,400
NET CHGE	\$0	\$0	\$0	\$0	\$0	\$0	(\$3,000)	\$4,800	\$1,800
Ltd Incurred	\$19,066	\$1,802	\$99	\$75,405	\$75,275	\$19,053	\$39,044	\$5,500	\$235,244
COVERAGE LINE - GENERAL LIABILITY									
CLAIM COUNT - OPEN CLAIMS									
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	0	1	2	2	17	4	12	6	44
April-21	0	1	2	2	17	3	6	11	42
NET CHGE	0	0	0	0	0	-1	-6	5	-2
Limited Reserves									\$15,923
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	\$0	\$7,500	\$280,422	\$242,913	\$80,137	\$10,000	\$45,743	\$7,500	\$674,215
April-21	\$0	\$7,500	\$277,671	\$239,972	\$80,137	\$9,000	\$37,500	\$17,000	\$668,780
NET CHGE	\$0	\$0	(\$2,751)	(\$2,941)	\$0	(\$1,000)	(\$8,243)	\$9,500	(\$5,435)
Ltd Incurred	\$78,677	\$120,910	\$359,591	\$262,217	\$88,194	\$33,960	\$38,963	\$17,000	\$999,512
COVERAGE LINE - AUTO LIABILITY									
CLAIM COUNT - OPEN CLAIMS									
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	0	0	0	1	0	0	1	1	3
April-21	0	0	0	1	0	0	1	1	3
NET CHGE	0	0	0	0	0	0	0	0	0
Limited Reserves									\$26,580
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	\$0	\$0	\$0	\$69,239	\$0	\$0	\$10,000	\$500	\$79,739
April-21	\$0	\$0	\$0	\$69,239	\$0	\$0	\$10,000	\$500	\$79,739
NET CHGE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Ltd Incurred	\$10,891	\$6,969	\$268,228	\$83,830	\$12,153	\$28,923	\$12,336	\$500	\$423,830
COVERAGE LINE - WORKERS COMP.									
CLAIM COUNT - OPEN CLAIMS									
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	6	7	10	17	12	31	71	30	184
April-21	6	7	9	14	12	30	66	50	194
NET CHGE	0	0	-1	-3	0	-1	-5	20	10
Limited Reserves									\$26,195
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	\$232,925	\$235,813	\$312,036	\$381,138	\$441,896	\$1,318,275	\$1,755,786	\$162,786	\$4,840,655
April-21	\$232,754	\$255,488	\$259,757	\$362,750	\$454,277	\$1,338,100	\$1,143,207	\$1,035,580	\$5,081,914
NET CHGE	(\$171)	\$19,675	(\$52,279)	(\$18,387)	\$12,381	\$19,825	(\$612,579)	\$872,794	\$241,258
Ltd Incurred	\$2,219,325	\$2,712,905	\$2,882,893	\$2,381,440	\$2,610,600	\$3,148,953	\$2,203,899	\$1,108,563	\$19,268,578
TOTAL ALL LINES COMBINED									
CLAIM COUNT - OPEN CLAIMS									
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	6	8	12	20	29	35	90	39	239
April-21	6	8	11	17	29	33	79	64	247
NET CHGE	0	0	-1	-3	0	-2	-11	25	8
Limited Reserves									\$23,708
Year	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
March-21	\$232,925	\$243,313	\$592,458	\$693,290	\$522,033	\$1,328,275	\$1,834,429	\$171,486	\$5,618,209
April-21	\$232,754	\$262,988	\$537,428	\$671,961	\$534,413	\$1,347,100	\$1,210,607	\$1,058,580	\$5,855,833
NET CHGE	(\$171)	\$19,675	(\$55,030)	(\$21,328)	\$12,381	\$18,825	(\$623,822)	\$887,094	\$237,623
Ltd Incurred	\$2,327,958	\$2,842,586	\$3,510,812	\$2,802,892	\$2,786,222	\$3,230,889	\$2,294,242	\$1,131,563	\$20,927,164

FUND YEARS 2018 2019 2020 2021

**Mercer County Insurance Fund Commission
CLAIMS MANAGEMENT REPORT
EXPECTED LOSS RATIO ANALYSIS**

AS OF April 30, 2021

FUND YEAR 2018 -- LOSSES CAPPED AT RETENTION

	Budget	Current		40		MONTH TARGETED	Last Month		39		MONTH TARGETED	Last Year		28		MONTH TARGETED
		Unlimited Incurred	Limited Incurred	Actual 30-Apr-21	Actual 30-Apr-21		Unlimited Incurred	Limited Incurred	Actual 31-Mar-21	Actual 31-Mar-21		Unlimited Incurred	Limited Incurred	Actual 29-Apr-20	Actual 29-Apr-20	
PROPERTY	74,417	75,275	75,275	101.15%	74,417	100.00%	75,275	75,275	101.15%	74,417	100.00%	90,140	90,140	121.13%	74,417	100.00%
GEN LIABILITY	157,000	88,194	88,194	56.17%	145,196	92.48%	88,194	88,194	56.17%	144,355	91.95%	28,694	28,694	18.28%	131,194	83.56%
AUTO LIABILITY	131,000	12,153	12,153	9.28%	116,985	89.30%	12,153	12,153	9.28%	116,341	88.81%	12,153	12,153	9.28%	106,185	81.06%
WORKER'S COMP	4,455,000	2,610,600	2,610,600	58.60%	4,396,960	98.70%	2,591,800	2,591,800	58.18%	4,391,326	98.57%	2,545,316	2,545,316	57.13%	4,267,650	95.79%
TOTAL ALL LINES	4,817,417	2,786,222	2,786,222	57.84%	4,733,558	98.26%	2,767,422	2,767,422	57.45%	4,726,438	98.11%	2,676,304	2,676,304	55.55%	4,579,446	95.06%
NET PAYOUT %	\$2,251,809				46.74%											

FUND YEAR 2019 -- LOSSES CAPPED AT RETENTION

	Budget	Current		28		MONTH TARGETED	Last Month		27		MONTH TARGETED	Last Year		16		MONTH TARGETED
		Unlimited Incurred	Limited Incurred	Actual 30-Apr-21	Actual 30-Apr-21		Unlimited Incurred	Limited Incurred	Actual 31-Mar-21	Actual 31-Mar-21		Unlimited Incurred	Limited Incurred	Actual 29-Apr-20	Actual 29-Apr-20	
PROPERTY	75,000	19,053	19,053	25.40%	75,000	100.00%	19,053	19,053	25.40%	75,000	100.00%	6,753	6,753	9.00%	72,485	96.65%
GEN LIABILITY	160,000	33,960	33,960	21.23%	133,701	83.56%	34,960	34,960	21.85%	132,319	82.70%	32,594	32,594	20.37%	108,556	67.85%
AUTO LIABILITY	132,000	28,923	28,923	21.91%	106,995	81.06%	28,923	28,923	21.91%	105,634	80.03%	35,423	35,423	26.84%	81,876	62.03%
WORKER'S COMP	4,141,000	3,148,953	3,148,953	76.04%	3,966,855	95.79%	3,118,722	3,118,722	75.31%	3,947,569	95.33%	2,675,721	2,675,721	64.62%	3,384,276	81.73%
TOTAL ALL LINES	4,508,000	3,230,889	3,230,889	71.67%	4,282,551	95.00%	3,201,658	3,201,658	71.02%	4,260,522	94.51%	2,750,490	2,750,490	61.01%	3,647,192	80.90%
NET PAYOUT %	\$1,883,789				41.79%											

FUND YEAR 2020 -- LOSSES CAPPED AT RETENTION

	Budget	Current		16		MONTH TARGETED	Last Month		15		MONTH TARGETED	Last Year		4		MONTH TARGETED
		Unlimited Incurred	Limited Incurred	Actual 30-Apr-21	Actual 30-Apr-21		Unlimited Incurred	Limited Incurred	Actual 31-Mar-21	Actual 31-Mar-21		Unlimited Incurred	Limited Incurred	Actual 29-Apr-20	Actual 29-Apr-20	
PROPERTY	132,813	39,044	39,044	29.40%	128,359	96.65%	42,044	42,044	31.66%	128,074	96.43%	8,787	8,787	6.62%	39,844	30.00%
GEN LIABILITY	149,000	38,963	38,963	26.15%	101,092	67.85%	46,963	46,963	31.52%	98,441	66.07%	5,270	5,270	3.54%	14,900	10.00%
AUTO LIABILITY	116,000	12,336	12,336	10.63%	71,951	62.03%	12,336	12,336	10.63%	69,113	59.58%	0	0	0.00%	11,600	10.00%
WORKER'S COMP	3,069,000	2,755,015	2,203,899	71.81%	2,508,173	81.73%	2,780,287	2,780,287	90.59%	2,414,254	78.67%	217,525	217,525	7.90%	184,140	6.00%
TOTAL ALL LINES	3,466,813	2,845,358	2,294,242	66.18%	2,809,575	81.04%	2,881,630	2,881,630	83.12%	2,709,883	78.17%	231,581	231,581	18.05%	250,484	7.23%
NET PAYOUT %	\$1,083,634				31.26%											

FUND YEAR 2021 -- LOSSES CAPPED AT RETENTION

	Budget	Current		4		MONTH TARGETED	Last Month		3		MONTH TARGETED	Last Year		-8		MONTH TARGETED
		Unlimited Incurred	Limited Incurred	Actual 30-Apr-21	Actual 30-Apr-21		Unlimited Incurred	Limited Incurred	Actual 31-Mar-21	Actual 31-Mar-21		Unlimited Incurred	Limited Incurred	Actual 29-Apr-20	Actual 29-Apr-20	
PROPERTY	108,000	5,500	5,500	5.09%	32,400	30.00%	700	700	0.65%	24,840	23.00%	0	0	N/A	N/A	N/A
GEN LIABILITY	134,000	17,000	17,000	12.69%	13,400	10.00%	7,500	7,500	5.60%	8,040	6.00%	0	0	N/A	N/A	N/A
AUTO LIABILITY	104,000	500	500	0.48%	10,400	10.00%	500	500	0.48%	6,240	6.00%	0	0	N/A	N/A	N/A
WORKER'S COMP	2,765,000	1,109,734	1,108,563	40.09%	165,900	6.00%	206,772	206,772	7.48%	82,950	3.00%	0	0	N/A	N/A	N/A
TOTAL ALL LINES	3,111,000	1,132,734	1,131,563	36.37%	222,100	7.14%	215,472	215,472	6.93%	122,070	3.92%	0	0	N/A	N/A	N/A
NET PAYOUT %	\$0				0.00%											



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May 12, 2021

Dear Mr. Adezio:

Please accept this letter as a quick overview of the seminal case addressing the use of medical marijuana in New Jersey Workers' Compensation.

On April 13, 2021, the New Jersey Supreme Court released its much-awaited decision in *Vincent Hager v. M&K Construction*, (A-64-19) (084045). In Hager, the petitioner, then 28-years-old, was injured in 2001 working on a construction site for M&K Construction when a truck delivering concrete dumped its load onto him. Although the claim was initially denied, it was eventually accepted by the respondent. For unknown reasons, the trial did not begin in workers' compensation until 15 years later, in November 2016. At trial, the employer opposed petitioner's claim for total and permanent disability and opposed petitioner's request to reimburse him for the cost of marijuana under the New Jersey Compassionate Use Medical Marijuana Act (MMA).

Testimony adduced at trial showed that petitioner underwent multiple unsuccessful lumbar surgeries and suffered from significant pain. Throughout his course of treatment, he was prescribed Oxycontin, Oxycodone, Valium, Lyrica and other pain medications. At trial petitioner testified that as a result of the use of medical marijuana, he was able to stop taking Oxycodone. He felt that it provided some relief from incessant pain, and it helped him sleep better. He paid \$616 per month out-of-pocket for the prescription of two ounces of medical marijuana. During trial, petitioner sought a court order requiring M&K to reimburse him for the costs of the medical marijuana. M&K argued that such an order would violate federal law.

In April 2016, Dr. Joseph Liotta diagnosed petitioner with post-laminectomy syndrome with chronic pain from a spinal nerve injury. He also opined petitioner was suffering consequences from opioid use. Dr. Liotta thus provided the required documentation for petitioner's enrollment into the New Jersey MMA, providing him with a prescription for medical marijuana. At trial, Dr. Liotta testified petitioner will need marijuana to manage his pain for the rest of his life. He asserted the chemical addiction to marijuana is very weak compared to the addiction to opioids, which can lead to death and other side effects.

Dr. Brady, a pain medicine doctor certified to prescribe medical marijuana, testified for respondent. He testified that users of medical marijuana can experience "cognitive difficulties, problem solving cognition, short term memory loss and hallucinations," as well as an increased risk of lung cancer. He testified that users of opioids could experience "addiction, tolerance, overdose, death, constipation, depression and sexual dysfunction." He agreed that marijuana is less addictive than opioids, and felt petitioner was addicted to both. In his opinion, the only measure petitioner could take for his back pain was physical therapy.

The Judge of Compensation assessed permanency at 65% of partial total, with 50% attributed to his orthopedic condition and 15% attributed to the effects of medical marijuana. The judge ordered M&K to reimburse petitioner for the costs of medical marijuana and related expenses.

The case was subsequently appealed. The Appellate Division affirmed the Judge of Compensation in 2020. The Supreme Court has now affirmed the Appellate Division decision in a very lengthy opinion.

The issue raised by respondent is whether an employer can be ordered to reimburse the petitioner for the ongoing costs of medical marijuana under the New Jersey Compassionate Use Act.

The Supreme Court found as follows:

- The Compassionate Use Act cannot require a private health insurer to reimburse a person for costs associated with the medical use of cannabis, but the term “private health insurer” does not include workers’ compensation coverages. Therefore workers’ compensation employers and carriers are not exempt from the reimbursement requirement by statute.
- The Court found that there is competent medical evidence to support the argument that medical marijuana can restore some of a worker’s function or relieve symptoms such as chronic pain and discomfort. For this reason the Court said that medical marijuana may be found to constitute reasonable and necessary care under the New Jersey Workers’ Compensation Act.
- The Court devoted most of its decision to the conflict between the Controlled Substances Act, which lists marijuana as a Schedule One drug, and the Compassionate Use Act. The issue more precisely was whether the federal law preempts state law in respect to requiring reimbursement for costs of medical marijuana. The Court focused heavily on recent Congressional appropriations riders. *“Congress has, for seven consecutive fiscal years, prohibited the DOJ from using funds to interfere with state medical marijuana laws through appropriations riders.”* The Court said, *“We conclude that the CSA, as applied to the Compassionate Use Act and the Order at issue, is effectively suspended by the most recent appropriations rider for at least the duration of the federal fiscal year.”* The Court added, *“Qualified patients may continue to possess and use medical marijuana, and related compensation orders may be entered while federal authorities continue to enforce the CSA to the extent Congress permits.”*
- The Court rejected the argument that employers which are ordered to reimburse employees for costs of medical marijuana amount are violating federal law by aiding and abetting under 18 U.S.C. section 20. To be more precise, M&K contended that the company was being forced to break federal law. The Court concluded that there can never be aiding and abetting when actions are taken pursuant to a court order, including an order in the Division of Workers’ Compensation.

Some other state courts, such as in Maine and Massachusetts, have gone in a different direction from the New Jersey Supreme Court on the preemption issue. The New Jersey Supreme Court acknowledged that there is no consensus on this issue among all the states that have addressed it. Eventually this issue may find itself before the United States Supreme Court.

Please do not hesitate to contact me at your convenience if you have any questions or concerns. We are happy to discuss this issue further with the Insurance Commission at the upcoming meeting or any other time.

Very truly yours,

Ana Eliza T. Bauersachs

**MERCER COUNTY INSURANCE FUND COMMISSION
BILLS LIST**

Resolution No. 25-21

MAY 2021

WHEREAS, the Treasurer has certified that funding is available to pay the following bills:

BE IT RESOLVED that the Mercer County Insurance Fund Commission, hereby authorizes the Commission Treasurer to issue warrants in payment of the following claims; and

FURTHER, that this authorization shall be made a permanent part of the records of the Commission

FUND YEAR 2021

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>Invoice Amount</u>
000703			
000703	PERMA RISK MANAGEMENT SERVICES	POSTAGE 4/21	2.55
000703	PERMA RISK MANAGEMENT SERVICES	EXEC DIRECTOR FEE 5/21	14,459.92
			14,462.47
000704			
000704	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 5/21	663.25
			663.25
000705			
000705	INSERVCO INSURANCE SERVICES	CLAIMS SERVICES FEE 5/21	16,791.66
			16,791.66
000706			
000706	21ST CENTURY MEDIA-PHILLY CLUSTER	ACCT#896855 - AD - 4/21	10.85
			10.85
000707			
000707	J.A. MONTGOMERY RISK CONTROL	RISK CONTROL SERVICES 5/21	11,279.91
			11,279.91
000708			
000708	NJ ADVANCE MEDIA	ACCT#1153600 - AD - 2.12.21	35.44
			35.44
000709			
000709	CBIZ INSURANCE SERVICES, INC.	INSURANCE CONSULTING FEE 5/21	5,500.00
			5,500.00
		Total Payments FY 2021	48,743.58
		TOTAL PAYMENTS ALL FUND YEARS	\$48,743.58

Chairperson

Attest: _____ Dated: _____

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

_____ Treasurer

**MERCER COUNTY INSURANCE FUND COMMISSION
BILLS LIST**

Resolution No. 26-21

JUNE 2021

WHEREAS, the Treasurer has certified that funding is available to pay the following bills:

BE IT RESOLVED that the Mercer County Insurance Fund Commission, hereby authorizes the Commission Treasurer to issue warrants in payment of the following claims; and

FURTHER, that this authorization shall be made a permanent part of the records of the Commission

FUND YEAR
2021

<u>CheckNumber</u>	<u>VendorName</u>	<u>Comment</u>	<u>Invoice Amount</u>
000710			
000710	PERMA RISK MANAGEMENT SERVICES	POSTAGE 5/21	5.57
000710	PERMA RISK MANAGEMENT SERVICES	EXEC DIRECTOR FEE 6/21	14,459.92
			14,465.49
000711			
000711	THE ACTUARIAL ADVANTAGE	ACTUARY FEE 6/21	663.25
			663.25
000712			
000712	INSERVCO INSURANCE SERVICES	CLAIMS SERVICES FEE 6/21	16,791.67
			16,791.67
000713			
000713	PACKET MEDIA GROUP, LLC	ACCT#00032129 - AD - 6.18.21	16.80
000713	PACKET MEDIA GROUP, LLC	ACCT#00032129 - AD - 4.16.21	13.65
			30.45
000714			
000714	J.A. MONTGOMERY RISK CONTROL	RISK CONTROL SERVICES 6/21	11,279.91
			11,279.91
000715			
000715	CBIZ INSURANCE SERVICES, INC.	INSURANCE CONSULTING FEE 6/21	5,500.00
			5,500.00
		Total Payments FY 2021	48,730.77
		TOTAL PAYMENTS ALL FUND YEARS	\$48,730.77

Chairperson

Attest: _____

Dated: _____

I hereby certify the availability of sufficient unencumbered funds in the proper accounts to fully pay the above claims.

Treasurer

MERCER COUNTY INSURANCE COMMISSION
SUMMARY OF CASH TRANSACTIONS - ALL FUND YEARS COMBINED

Current Fund Year: 2021							
Month Ending: April							
	Property	Liability	Auto	Worker's Comp	NJ CEL	Admin	TOTAL
OPEN BALANCE	213,892.57	504,494.13	374,577.21	8,494,134.07	(5,563,665.33)	(948,826.87)	3,074,605.78
RECEIPTS							
Assessments	3,967.33	8,014.25	6,598.45	204,820.99	132,053.39	30,112.79	385,567.20
Refunds	0.00	0.00	0.00	9,127.43	0.00	0.00	9,127.43
Invest Pymnts	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Invest Adj	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal Invest	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other *	0.00	0.00	0.00	0.00	0.00	0.90	0.90
TOTAL	3,967.33	8,014.25	6,598.45	213,948.42	132,053.39	30,113.69	394,695.53
EXPENSES							
Claims Transfers	0.00	5,935.10	0.00	207,728.97	0.00	0.00	213,664.07
Expenses	0.00	0.00	0.00	0.00	0.00	48,698.83	48,698.83
Other *	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	0.00	5,935.10	0.00	207,728.97	0.00	48,698.83	262,362.90
END BALANCE	217,859.90	506,573.28	381,175.66	8,500,353.52	(5,431,611.94)	(967,412.01)	3,206,938.41

SUMMARY OF CASH AND INVESTMENT INSTRUMENTS				
MERCER COUNTY INSURANCE COMMISSION				
ALL FUND YEARS COMBINED				
CURRENT MONTH		April		
CURRENT FUND YEAR		2021		
Description:		MCIFC General	MCIFC Claims	
		A/C	A/C	
ID Number:				
Maturity (Yrs)				
Purchase Yield:				
TOTAL for All				
Accts & instruments				
Opening Cash & Investment Balance		\$3,074,605.78	1938655.76	\$ 1,135,950.02
Opening Interest Accrual Balance		\$0.00	0	\$ -
1	Interest Accrued and/or Interest Cost	\$0.00	\$0.00	\$0.00
2	Interest Accrued - discounted Instr.s	\$0.00	\$0.00	\$0.00
3	(Amortization and/or Interest Cost)	\$0.00	\$0.00	\$0.00
4	Accretion	\$0.00	\$0.00	\$0.00
5	Interest Paid - Cash Instr.s	\$0.00	\$0.00	\$0.00
6	Interest Paid - Term Instr.s	\$0.00	\$0.00	\$0.00
7	Realized Gain (Loss)	\$0.00	\$0.00	\$0.00
8	Net Investment Income	\$0.00	\$0.00	\$0.00
9	Deposits - Purchases	\$394,695.53	\$76,459.86	\$318,235.67
10	(Withdrawals - Sales)	-\$262,362.90	-\$48,698.83	-\$213,664.07
	Ending Cash & Investment Balance	\$3,206,938.41	\$1,966,416.79	\$1,240,521.62
	Ending Interest Accrual Balance	\$0.00	\$0.00	\$0.00
	Plus Outstanding Checks	\$296,804.89	\$87,346.29	\$209,458.60
	(Less Deposits in Transit)	\$0.00	\$0.00	\$0.00
	Balance per Bank	\$3,503,743.30	\$2,053,763.08	\$1,449,980.22

RESOLUTION NO. 27-21

**MERCER COUNTY INSURANCE FUND COMMISSION
AUTHORIZING DISCLOSURE OF LIABILITY CLAIMS CHECK REGISTER**

WHEREAS, the MERCER COUNTY INSURANCE FUND COMMISSION (hereinafter "MCIFC") is duly constituted as an Insurance Commission pursuant to N.J.S.A. 40A:10-6 et seq.; and

WHEREAS, the MCIFC is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act requires all meetings of public bodies be open to the public; and

WHEREAS, the Open Public Meetings Act further provides a public body may permissibly exclude the public from a portion of a meeting at which the public body discusses items per the Open Public Meetings Act at N.J.S.A. 10:4-12.b.(1) thru (9) recognized as requiring confidentiality, and

WHEREAS, it is necessary and appropriate for the MCIFC to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12.b.(7); and

WHEREAS, the MCIFC is a public agency which must comply with the Open Public Records Act (OPRA) N.J.S.A. 47: 1A-1 to -13; and

WHEREAS, the MCIFC must comply with OPRA and reported New Jersey Case Law interpreting same; and

WHEREAS, the MCIFC did hold a closed session from which the public was excluded on July 12, 2021 at which time certain items were discussed as were referenced in a separate resolution authorizing said closed session and it being determined certain liability & property claim payment information can be made public at this time; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of said MERCER County Insurance Fund Commission pursuant to both the Open Public Meetings Act and the Open Public Records Act as follows:

The attached financial transaction logs generated by third party administrator Inservco Insurances Inc. for the period April 1, 2021 to April 30, 2021 and May 1, 2021 to May 31, 2021 and related to all non-workers compensation payments are hereby approved for distribution to the listed claimants and for disclosure to the general public

ADOPTED by THE MERCER COUNTY INSURANCE FUND COMMISSION at a properly noticed meeting held on July 21, 2021.

LILLIAN L. NAZZARO, ESQ., CHAIR

DATE

ATTEST:

RAISSA WALKER, VICE CHAIR

DATE

Mercer County Ins Fund Comm - 396
Financial Transaction Log - Liability Claim Payments
Monthly / Detail / By Coverage / By Payment Type / By Check Number
04/01/2021 Thru 04/30/2021

Type	Check #	Claim #	Claimant Name	From Date	To Date	Payee Name	Trans. Date	Payment Description	Amt. Requested	Amt. Paid
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Inservco Report Terminology

Reporting Name	Business Name	Business Description
Amount/Amt Paid	Amount Paid	Amount actually paid or received
Amount/Amt Requested	Amount Requested	Amount requested to be paid
As Of Date/To Date	Report End Date	Ending date of transactions on report; usually month end
Payment Type	Type	Types of transactions—Computer, Manual, Refund, Recovery, Stop Pay, Void
Report Begin Date	Report Begin Date	Beginning date of transactions on report; usually beginning of month or inception
Trans Date	Transaction Date	Issue date for computer issued payments and add date for all other type entries

Mercer County Ins Fund Comm - 396
Financial Transaction Log - Liability Claim Payments
Monthly / Detail / By Coverage / By Payment Type / By Check Number
04/01/2021 Thru 04/30/2021

Type	Check #	Claim #	Claimant Name	From Date	To Date	Payee Name	Trans. Date	Payment Description	Amt. Requested	Amt. Paid
Coverage: General Liability										
C	28160	3960003412 001	COSTANTINO, ALEXANDER	10/9/2020	10/9/2020	ALEXANDER COSTANTINO	4/12/2021	FULL & FINAL SETTLEMENT OF ALL CLAIMS	243.10	243.10
C	28165	3960001596 001	GUO, JENNY	3/31/2021	3/31/2021	DJS ASSOCIATES INC	4/12/2021	EXPERT FEE FILE #W991-ED	2,500.00	2,500.00
C	28271	3960001596 001	GUO, JENNY	3/9/2021	3/30/2021	LENOX SOCEY FORMIDONI GIORDANO	4/26/2021	LEGAL FEE - INV #21617	441.00	441.00
Total for Coverage: General Liability							Number of entries: 3		3,184.10	3,184.10
Coverage: Police Professional										
C	28164	3960001188 001	GYORFFY, ANTHONY	1/11/2021	1/29/2021	BRIDGES & SNELL LLC DBA	4/12/2021	inv# 0018	2,751.00	2,751.00
Total for Coverage: Police Professional							Number of entries: 1		2,751.00	2,751.00
Total for Mercer County Ins Fund Comm - 396							Number of entries: 4		5,935.10	5,935.10

Mercer County Ins Fund Comm - 396
Financial Transaction Log - Liability Claim Payments
Monthly / Detail / By Coverage / By Payment Type / By Check Number
05/01/2021 Thru 05/31/2021

Type	Check #	Claim #	Claimant Name	From Date	To Date	Payee Name	Trans. Date	Payment Description	Amt. Requested	Amt. Paid
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I n s e r v c o R e p o r t T e r m i n o l o g y

Reporting Name	Business Name	Business Description
Amount/Amt Paid	Amount Paid	Amount actually paid or received
Amount/Amt Requested	Amount Requested	Amount requested to be paid
As Of Date/To Date	Report End Date	Ending date of transactions on report; usually month end
Payment Type	Type	Types of transactions—Computer, Manual, Refund, Recovery, Stop Pay, Void
Report Begin Date	Report Begin Date	Beginning date of transactions on report; usually beginning of month or inception
Trans Date	Transaction Date	Issue date for computer issued payments and add date for all other type entries

Mercer County Ins Fund Comm - 396
Financial Transaction Log - Liability Claim Payments
Monthly / Detail / By Coverage / By Payment Type / By Check Number
05/01/2021 Thru 05/31/2021

Type	Check #	Claim #	Claimant Name	From Date	To Date	Payee Name	Trans. Date	Payment Description	Amnt. Requested	Amnt. Paid
Coverage: General Liability										
C	28479	3960003247 001	PSEG	6/3/2020	6/3/2020	PSEG	5/10/2021	CLAIM #2006120003/FULL/FINAL SETTLEMENT OF ALL CLA	9,500.00	9,500.00
C	28742	3960001596 001	GUO, JENNY	4/5/2021	4/27/2021	LENOX SOCEY FORMIDONI GIORDANO	5/24/2021	INV# 21661	286.50	286.50
Total for Coverage: General Liability							Number of entries: 2		9,786.50	9,786.50
Total for Mercer County Ins Fund Comm - 396							Number of entries: 2		9,786.50	9,786.50



First MCO Bill Review Services
MERCER CO INS COMM
Medical Savings by Month
NJ

Month of Reprice Service	Provider Billed Amount	First MCO Repriced	U & C / Fee Schedule	Savings	% of Savings	# of Bills	In Network	Out Of Network	% PPO Penetration	# of Appeals	FMCO Fee	Net Savings
2015 & Prior	\$1,541,419	\$945,050	\$1,521,000	\$596,369	39%	1,406	1,139	267	81%	24	\$118,224	\$478,145
Total 2016	\$1,310,806	\$661,339	\$1,492,038	\$649,467	50%	1,287	1,149	138	89%	18	\$129,313	\$520,155
Total 2017	\$858,268	\$428,786	\$995,115	\$429,482	50%	797	681	116	85%	13	\$85,891	\$343,591
Total 2018	\$1,316,429	\$549,418	\$1,501,858	\$767,011	58%	1,030	884	146	86%	23	\$153,381	\$613,630
Total 2019	\$2,069,874	\$1,022,019	\$2,189,736	\$1,047,855	51%	1,014	884	130	87%	38	\$209,572	\$838,283
Total 2020	\$1,190,605	\$642,820	\$1,536,308	\$548,501	46%	914	827	87	90%	18	\$109,657	\$438,844
Jan-21	\$145,289	\$56,926	\$376,058	\$88,362	61%	82	78	4	95%	1	\$17,672	\$70,690
Feb-21	\$162,802	\$76,726	\$157,554	\$86,075	53%	104	103	1	99%	2	\$17,215	\$68,860
Mar-21	\$160,613	\$81,351	\$133,267	\$79,262	49%	66	60	6	91%	0	\$15,852	\$63,410
Apr-21	\$200,320	\$58,221	\$213,198	\$142,100	71%	49	44	5	90%	1	\$28,420	\$113,680
May-21	\$280,258	\$141,795	\$318,825	\$138,463	49%	127	118	9	93%	0	\$27,693	\$110,770
Total 2021	\$949,282	\$415,020	\$1,198,901	\$534,262	56%	428	403	25	94%	4	\$106,853	\$427,410
Total to Date	\$9,236,685	\$4,664,453	\$10,434,956	\$4,572,948	50%	6,876	5,967	909	87%	138	\$912,890	\$3,660,057

SAFETY DIRECTOR REPORT

MERCER COUNTY INSURANCE FUND COMMISSION

TO: Fund Commissioners

FROM: J.A. Montgomery Consulting, Safety Director

DATE: June 21, 2021

DATE OF MEETING: July 12, 2021

MCIFC SERVICE TEAM

<p>Paul Shives, Vice President, Safety Services pshives@jamontgomery.com Office: 732-736-5213</p>	<p>Glenn Prince, Associate Public Sector Director gprince@jamontgomery.com Office: 856-552-4744 Cell: 609-238-3949</p>	<p>Natalie Dougherty, Senior Administrative Coordinator ndougherty@jamontgomery.com Office: 856-552-4738</p>
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April – June 2021

RISK CONTROL ACTIVITIES

MEETINGS ATTENDED / TRAINING / LOSS CONTROL VISITS CONDUCTED

- **April 26:** Attended the MCIFC meeting via teleconference.
- **April 26:** Attended the MCIFC Claims Committee meeting via teleconference.

UPCOMING MEETINGS / TRAINING / LOSS CONTROL VISITS PLANNED

- **June 23:** Plan to conduct an accident investigation at Hammer Park.
- **June 28:** Plan to attend the MCIFC meeting via teleconference.
- **June 28:** Plan to attend the MCIFC Claims Committee meeting via teleconference.

SAFETY DIRECTOR BULLETINS

Safety Director Bulletins and Messages are distributed by e-mail to Executive Directors, Fund Commissioners, Risk Managers and Training Administrators. They can be viewed at <https://njce.org/safety/safety-bulletins/>.

- NJCE JIF – SD Message - National Stand-Down to Prevent Falls – April 21.
- NJCE JJIF - SD Bulletin: National Stand-Down for Fall Prevention Resources – April 27.
- NJCE JJIF - SD Bulletin: FD Training in Acquired Structures – April 28.
- NJCE JIF - Day 1 – Day 5 National Safety Stand-Down to Prevent Falls – May 3 – May 7.
- NJCE JJIF - SD Bulletin: Latest Reopening New Jersey Limits, Restrictions & Guidance – May 5.
- NJCE JJIF - SD Bulletin: May 19 Reopening Indoor and Outdoor Guidelines – May 18.
- NJCE JJIF - SD Bulletin: 2021 Hurricane Season Preparedness – May 26.

- NJCE JJIF - SD Bulletin: May 28 & June 4 Reopening Guidelines – May 28.

NJCE TRAINING OVERVIEW – LIVE SAFETY TRAINING WEBINARS

The New Jersey Counties Excess Joint Insurance Fund (NJCE) is offering real-time, instructor-led online safety training.

Instruction is conducted with a live instructor using the Zoom webinar platform. We are excited to offer you the same training content, with the same experienced crew of instructors and with the same continuing education credits as with out in-person classes, but with the flexibility and safety of online delivery.

- The July – August Live Virtual Training schedules and registration links are attached.

NJCE MEDIA LIBRARY

NJCE Media Library includes a vast library of DVDs topics on many aspects of safety, risk control, employment practices, and supervision, and most can be viewed in under 20 minutes. The DVDs can be requested free of charge for NJCE members and held for up to 2 weeks so you can view them at your convenience. A prepaid self-addressed envelope is included to return the DVD. To view the full video catalog please visit <https://njce.org/wp-content/uploads/2021/02/NJCE-Media-DVD-Catalog.pdf>. Email the video library at melvideolibrary@jamontgomery.com or call 856-552-4900.

- No videos utilized.

NJCE ONLINE STREAMING VIDEO SERVICE

The NJCE JIF now has a New Video Streaming Service. This is an “on demand” service and has about 180 titles available for streaming right to your workplace! We encourage leaders to view the videos with members of their team and then discuss how the information in the video can best be used specifically in your operations.

To access the streaming “on demand videos”, go to the NJCE website <https://njce.org/safety-training-videos-registration/>. Complete the Registration Form, click submit. The following screen will provide the URL and password to access the streaming videos.

The Steaming Video Services is also accessible on the NJCE Learning Management System (LMS). The Streaming Videos are located under Resources in the Learning On-Demand Workplace College located on the Welcome page of the LMS. The learning will be recorded in the Users Transcripts when the videos are accessed.



NJCE Learning Management System (LMS) – A number of Commissions/Counties have been set up with their users uploaded onto the NJCE LMS. J.A. Montgomery Consulting is currently in the process of adding all the Live Virtual Training classes held from January 1, 2021 to date onto the LMS. Once this is completed the Learning History for participants that attended the classes will be recorded into their Transcripts on the LMS. Certificates will be available for LMS Administrators to access to print or save from the website. An email will be sent out to the LMS Training Administrators once this process is completed. Thank you

The MEL Safety Institute (MSI) and New Jersey Counties Excess Joint Insurance Fund (NJCE) is offering real time, instructor-led online safety training.

July and August Safety Training Schedule – Click on the Training Topic to Register and for the Course Description.

Date	Training Topic	Time
7/1/21	HazCom w/GHS	8:30 - 10:00 am
7/1/21	Hearing Conservation	10:30 - 11:30 am
7/1/21	Fire Safety	1:00 - 2:00 pm
7/6/21	Personal Protective Equipment (PPE)	8:30 - 10:30 am
7/6/21	HazCom w/GHS	11:00 - 12:30 pm
7/6/21	Bloodborne Pathogens (BBP)	1:00 - 2:00 pm
7/7/21	Heavy Equipment - Tractor Safety	8:30 - 9:30 am
7/7/21	Lock Out/Tag Out (LOTO)	10:00 - 12:00 pm
7/7/21	Fire Extinguisher	1:00 - 2:00 pm
7/8/21	Hazard Identification: Making Your Observations Count	8:30 - 10:30 am
7/8/21	Back Safety / Material Handling	11:00 - 12:00 pm
7/8/21	Ladder Safety/Walking & Working Surfaces	1:00 - 3:00 pm
7/9/21	Flagger Skills and Safety	8:30 - 9:30 am
7/9/21	Implicit Bias in the Workplace	9:00 - 10:30 am
7/9/21	CDL-Drivers Safety Regulations	10:00 - 12:00 pm
7/12/21	Preparing for the Unspeakable	9:00 - 10:30 am
7/12/21	Implicit Bias in the Workplace	1:00 - 2:30 pm
7/13/21	Protecting Children from Abuse - For Managers/Supervisors/Elected Officials	9:00 - 11:00 am
7/13/21	Work Zone: Temporary Traffic Controls	8:30 - 10:30 am
7/13/21	Bloodborne Pathogens (BBP)	11:00 - 12:00 pm
7/13/21	Ethics for NJ Local Government Employees	1:00 - 3:00 pm
7/14/21	HazCom w/GHS	1:00 - 2:30 pm
7/15/21	Heavy Equipment - Earth Moving Equipment Safety	8:30 - 9:30 am
7/15/21	Heavy Equipment - Trucks & Trailer Safety	10:00 - 11:00 am
7/15/21	Jetter/Vacuum Safety Awareness	1:00 - 3:00 pm
7/16/21	Confined Space Entry for Entrants & Attendants	8:30 - 10:30 am
7/16/21	Shop & Tool Safety	11:00 - 12:00 pm
7/19/21	HazCom w/GHS	8:30 - 10:00 am
7/19/21	Bloodborne Pathogens (BBP)	10:30 - 11:30 am
7/19/21	Lock Out/Tag Out (LOTO)	1:00 - 3:00 pm
7/20/21	Fire Safety	8:30 - 9:30 am
7/20/21	Employee Conduct and Violence Prevention in the Workplace	9:00 - 10:30 am
7/20/21	Personal Protective Equipment (PPE)	10:00 - 12:00 pm
7/21/21	HazMat Awareness w/HazCom GHS	8:30 - 11:30 am
7/21/21	Fall Protection Awareness	1:00 - 3:00 pm
7/22/21	CDL-Drivers Safety Regulations	8:30 - 10:30 am
7/22/21	Fire Extinguisher	11:00 - 12:00 pm
7/22/21	Driving Safety Awareness	1:00 - 2:30 pm

7/23/21	Ladder Safety/Walking & Working Surfaces	8:30 - 10:30 am
7/23/21	Back Safety / Material Handling	11:00 - 12:00 pm
7/26/21	Fire Safety	8:30 - 9:30 am
7/26/21	Bloodborne Pathogens (BBP)	10:00 - 11:00 am
7/26/21	HazCom w/GHS	1:00 - 2:30 pm
7/27/21	Confined Space Entry for Entrants & Attendants	8:30 - 10:30 am
7/27/21	Shop & Tool Safety	11:00 - 12:00 pm
7/27/21	Employee Conduct and Violence Prevention in the Workplace	1:00 - 2:30 pm
7/28/21	Work Zone Safety for Supervisors	1:00 - 2:00 pm
7/29/21	Asbestos, Lead, Silica, Overview	1:00 - 2:00 pm
7/30/21	Playground Safety Inspections	8:30 - 10:30 am
7/30/21	Hearing Conservation	11:00 - 12:00 pm
7/30/21	Jetter/Vacuum Safety Awareness	1:00 - 3:00 pm
8/2/21	HazCom w/GHS	8:30 - 10:00 am
8/2/21	Hearing Conservation	10:30 - 11:30 am
8/2/21	Fire Safety	1:00 - 2:00 pm
8/3/21	Personal Protective Equipment (PPE)	8:30 - 10:30 am
8/3/21	Employee Conduct and Violence Prevention in the Workplace	1:00 - 2:30 pm
8/4/21	Bloodborne Pathogens (BBP)	8:30 - 9:30 am
8/4/21	Fire Extinguisher	10:00 - 11:00 am
8/5/21	Lock Out/Tag Out (LOTO)	8:30 - 10:30 am
8/5/21	Jetter/Vacuum Safety Awareness	1:00 - 3:00 pm
8/6/21	Hazard Identification: Making Your Observations Count	8:30 - 10:30 am
8/6/21	Back Safety / Material Handling	11:00 - 12:00 pm
8/9/21	Flagger Skills and Safety	8:30 - 9:30 am
8/9/21	CDL: Drivers Safety Regulations	10:00 - 12:00 pm
8/9/21	Ladder Safety/Walking & Working Surfaces	1:00 - 3:00 pm
8/10/21	Confined Space Entry for Supervisors	8:30 - 11:30 am
8/10/21	Hoists, Cranes and Rigging	1:00 - 3:00 pm
8/11/21	Work Zone: Temporary Traffic Controls	8:30 - 10:30 am
8/11/21	Bloodborne Pathogens (BBP)	11:00 - 12:00 pm
8/11/21	HazCom w/GHS	1:00 - 2:30 pm
8/12/21	Dealing with Difficult People	9:00 - 11:00 am
8/12/21	Protecting Children from Abuse - For Managers/Supervisors/Elected Officials	1:00 - 3:00 pm
8/13/21	Heavy Equipment - General Safety	8:30 - 10:30 am
8/13/21	Shop & Tool Safety	11:00 - 12:00 pm
8/16/21	Preparing for the Unspeakable	9:00 - 10:30 am
8/16/21	Implicit Bias in the Workplace	1:00 - 2:30 pm
8/17/21	HazMat Awareness w/HazCom GHS	8:30 - 11:30 am
8/17/21	Fall Protection Awareness	1:00 - 3:00 pm
8/18/21	HazCom w/GHS	8:30 - 10:00 am
8/18/21	Bloodborne Pathogens (BBP)	10:30 - 11:30 am
8/18/21	Lock Out/Tag Out (LOTO)	1:00 - 3:00 pm
8/19/21	Confined Space Entry for Entrants & Attendants	8:30 - 10:30 am
8/19/21	Shop & Tool Safety	11:00 - 12:00 pm
8/19/21	Driving Safety Awareness	1:00 - 2:30 pm

8/20/21	CDL: Drivers Safety Regulations	8:30 - 10:30 am
8/20/21	Fire Extinguisher	11:00 - 12:00 pm
8/23/21	Preparing for First Amendment Audits	9:00 - 11:00 am
8/23/21	Back Safety / Material Handling	11:00 - 12:00 pm
8/24/21	Fire Safety	8:30 - 9:30 am
8/24/21	Bloodborne Pathogens (BBP)	10:00 - 11:00 am
8/24/21	HazCom w/GHS	1:00 - 2:30 pm
8/25/21	Special Events Management	8:30 - 10:30 am
8/25/21	CDL: Supervisors Reasonable Suspicion	1:00 - 3:00 pm
8/26/21	Ladder Safety/Walking & Working Surfaces	8:30 - 10:30 am
8/26/21	Jetter/Vacuum Safety Awareness	1:00 - 3:00 pm
8/27/21	Implicit Bias in the Workplace	9:00 - 10:30 am
8/27/21	Flagger Skills and Safety	11:00 - 12:00 pm
8/30/21	Playground Safety Inspections	8:30 - 10:30 am
8/30/21	Hearing Conservation	11:00 - 12:00 pm
8/31/21	Personal Protective Equipment (PPE)	8:30 - 10:30 am
8/31/21	Confined Space Entry for Entrants & Attendants	1:00 - 3:00 pm

Safety Training Guidelines:

To maintain the integrity of the classes and our ability to offer CEUs, we must abide by the rules of the State agency who issued the designation. Chief among those rules is the attendee of the class must attend the whole session. ***Attendees who enter the class more than 5 minutes late or leave early will not be awarded CEUs for the class or receive a certificate of completion.***

The Zoom platform is utilized to track the time each attendee logs in and logs out of webinars. Also, we can track participation, to demonstrate to the State agency that the student also participated in polls, quizzes, and question & answer activities during the live, instructor-led webinar. We maintain these records to document our compliance with the State agency.

About Zoom Training:

- When registering, please indicate the number of students that will be attending with you if in a group setting for an accurate count to avoid cancelations due to low attendance. Once registered you will receive an email with the webinar link. Be sure to save the link on your calendar to access on the day of training. We suggest registering no later than a day before to insure you receive the link and your computer and sound system are working correctly.
- A Zoom account is not needed to attend a class. Attendees can login and view the presentations from a laptop, smartphone, or tablet.
- Zoom periodically updates their software. After registering for a webinar, the confirmation email contains a link at the bottom to Test your system. We strongly recommend testing your system, and updating if needed, at that time.
- Please [click here](#) for informative Zoom operation details.
- It is suggested you log in to the webinar about 15 minutes early, so if there is an issue, there is time to address it. We cannot offer credit or CEUs/TCHs to attendees who log in 5 minutes late or leave early.
- Group Training procedures:
- Please have one person register for the safety training webinar.
- Group sign in sheet: Please assign someone to submit the completed sign-in sheet(s) within 24 hours of the webinar.

RESOLUTION NO. 28-21

**MERCER COUNTY INSURANCE FUND COMMISSION
AUTHORIZING A CLOSED SESSION TO DISCUSS
PAYMENT AUTHORIZATION REQUESTS (PARS) & SETTLEMENT (SARS)
RELATED TO PENDING OR ANTICIPATED LITIGATION**

WHEREAS, the MERCER COUNTY INSURANCE FUND COMMISSION (hereinafter “MCIFC”) is duly constituted as an Insurance Commission pursuant to N.J.S.A. 40A:10-6 et seq.; and

WHEREAS, the MCIFC is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act requires all meetings of public bodies be open to the public; and

WHEREAS, the Open Public Meetings Act further provides a public body may permissibly exclude the public from a portion of a meeting at which the public body discusses items per the Open Public Meetings Act at N.J.S.A. 10:4-12.b.(1) thru (9) recognized as requiring confidentiality; and

WHEREAS, it is necessary and appropriate for the MCIFC to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12.b.(7); and

NOW THEREFORE BE IT RESOLVED by the Commissioners of said Mercer County Insurance Fund Commission pursuant to the Open Public Meetings Act as follows:

The MCIFC shall hold a closed session from which the public shall be excluded on July 12, 2021.

The general nature of the items to be discussed at said closed session shall include the following: the appropriateness of payment of statutorily required workers’ compensation benefits, settlement authority if any or continuing defense of pending or anticipated litigation, discussion of litigation strategy, position the MCIFC will take in said litigation, strengths and weaknesses of MCIFC’s position in said litigation.

The specific litigation is identified by the claim number assigned by Inservco in its capacity as the third-party claims administrator, name of the claimant, date of loss, workers’ compensation petition number and/or court assigned docket number which is set forth in the attached list which list is also appended to the MCIFC monthly meeting agenda for June 28, 2021 which agenda has been timely posted per the Open Public Meetings Act.

The minutes of said closed session shall be made available for disclosure to the public consistent with N.J.S.A. 10:4-13 when the items which are the subject of the closed session discussions are resolved and the reasons for confidentiality as to both the MCIFC and the claimant no longer exist.

ADOPTED by THE MERCER COUNTY INSURANCE FUND COMMISSION at a properly noticed meeting held on July 12, 2021.

ADOPTED:

LILLIAN L. NAZZARO, ESQ., CHAIR

DATE

ATTEST:

RAISSA WALKER, VICE CHAIR

DATE

PAYMENT AUTHORIZATION REQUESTS

July 12, 2021

Claimant	Member	Date of Loss	Claim #	Cov.
Holland-Moore, D.	Mercer County	6/3/2020	3960003570	WC
Marasco, J.	Mercer County	4/11/2018	3960002154	WC
Ricigliano, T.	Mercer County	3/16/2020	3960003144	WC
Coderoni, S.	Mercer County	3/28/2019	3960002666	WC
Miller, W.	Mercer County	7/28/2018	3960001328	WC
Wynder, K.	Mercer County	7/30/2019	3960002849	WC
Hobbs, T.	Mercer County	11/21/2019	3960002995	WC
Estrada, E.	Mercer County	9/24/2019	3960002922	WC
Guo, J.	Mercer County	2/26/2017	3960001596	GL

APPENDIX I

**MERCER COUNTY INSURANCE FUND COMMISSION
OPEN MINUTES
MEETING – April 26, 2021
Meeting Held Telephonically
10:30 AM**

Meeting was called to order by Chair Nazzaro. Ms. Dodd read the Open Public Meetings notice into record.

ROLL CALL OF COMMISSIONERS:

Lillian Nazzaro, Esq.	Present
Raissa Walker	Present
K. Megan Clark Hughes	Present

FUND PROFESSIONALS PRESENT:

Executive Director	PERMA Risk Management Services Joseph Hrubash
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Claims Service	Inservco Insurance Services, Inc. Nancy Fowlkes Any Zeiders Suretha Hobbs Richard Crooks
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Qual Lynx
Chris Roselli

PERMA
Jennifer Conicella

Managed Care Services	First MCO Alyssa Hrubash
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NJCE Underwriting Manager	Conner Strong & Buckelew Ed Cooney
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Risk Management Consultant	Borden Perlman Salisbury & Kelly Diane Pursell
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Auditor	Bowman and Company, LLP
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Attorney	Paul Adezio, Esq.
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Safety Director	J.A. Montgomery Risk Control Glenn Prince
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ALSO PRESENT:

Susan Schaefer, Susan Schaefer, LLC
Ana-Eliza Bauersachs, Esq., Capehart Scatchard
Jason Thorpe, PERMA Risk Management Services
Cathy Dodd, PERMA Risk Management Services

APPROVAL OF MINUTES: OPEN AND CLOSED MINUTES OF FEBRUARY 22, 2021

**MOTION TO APPROVE THE OPEN AND CLOSED MINUTES OF
FEBRUARY 22, 2021**

Moved:	Commissioner Walker
Second:	Commissioner Hughes
Vote:	2 Yes, 0 Nays, 1 Abstained

CORRESPONDENCE: None

SAFETY COMMITTEE: Mr. Prince reported the Safety and Accident Review Committee has not met recently due to COVID. Mr. Prince said he was waiting for various departments to appoint new members to replace those that departed County employment or were promoted and no longer assigned to the committee. Mr. Prince said he would advise the status of the committee at the next meeting. Mr. Prince concluded his report unless there were any questions.

CLAIMS COMMITTEE: Ms. Conicella reported the Claims Committee did not meet, however the PARS would be presented during closed session through a Zoom breakout room. Ms. Conicella concluded her report unless there were any questions.

EXECUTIVE DIRECTOR REPORT: Executive Director advised his report was included in the agenda and the first action item was the Revised Risk Management Plan.

REVISED RISK MANAGEMENT PLAN: Executive Director referred to Resolution 20-21, Revised Risk Management Plan which was included in the agenda. Executive Director reported the changes were highlighted in yellow and reflected revisions to the POL/EPL deductibles for the County. Executive Director said the Cyber Liability retention was also amended to \$25,000, however based on a recommendation from the NJCE Underwriting Manager the cyber limits and retention were removed from the Risk Management Plan. Executive Director explained the Risk Management Plan was posted on the website and could serve as an incentive for cyber hacker attacks by identifying coverage information. Executive Director asked if anyone had any questions and requested a motion to approve Resolution 20-21. In response to the Chair's inquiry, Mr. Cooney advised the limits for the cyber policy was included in the policy and the limit schematics. Mr. Cooney said those documents could be found on the Conner Strong & Buckelew Egnite portal. Mr. Cooney reviewed the retention changes for 2021 with the Commission noting there were changes in the EPL/POL retentions for the County, however some of the members opted to self-fund the increase in the retention. In response to Mr. Cooney's inquiry, Ms. Dodd advised Mercer County did agree to self-fund the retention change

MOTION TO APPROVE RESOLUTION 20-21, REVISED RISK MANAGEMENT PLAN

Moved: Commissioner Walker
Second: Commissioner Hughes
Roll Call Vote: 3 Yes, 0 Nays

CERTIFICATE OF INSURANCE REPORTS: Executive Director reported the certificate of issuance report from the NJCE listing the certificates issued for the months of February and March were included in the agenda. Executive Director advised there were (6) six certificate of insurances issued during the month of February and (6) six during the month of March.

MOTION TO APPROVE THE CERTIFICATE OF INSURANCE REPORT

Moved: Commissioner Walker
Second: Commissioner Hughes
Vote: 3 Yes, 0 Nays

NJ COUNTIES EXCESS JOINT INSURANCE FUND: Executive Director reported the NJCE 2021 Reorganization Meeting was held on February 25, 2021 and a written summary report of the meeting was included in the agenda. Executive Director advised the 2021 budget was impacted by the “hard market” conditions, which were the worst since the mid 1980’s. This resulted in a delta, budget versus actual. Executive Director advised the NJCE Finance Committee met on April 9th and discussed the 2021 NJCE Budget Delta Options and the results of the recent Professional Services Procurement. Executive Director said a copy of the minutes for this meeting were included in Appendix III of the agenda. Executive Director noted the minutes included the different options that were available to address the budget delta. Executive Director advised the NJCE also met on April 22, 2021 and at that meeting, the Board of Commissioners voted to declare an additional assessment for the premium portion of the delta of \$609,437 due in 2021 and take no action now on the balance of the delta. Executive Director explained the Fund Office would monitor the claims activity versus loss funding on an annual basis with potential action at a future date. Executive Director noted the NJCE was scheduled to meet again on June 24, 2021 at 9:30 AM.

MCIFC PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director advised the February Financial Fast Track was included in the agenda. Executive Director reported the Commission had a surplus of \$9,317,709 as of February 28, 2021. Executive Director also referred to line 10 of the report, “Investment in Joint Venture” and indicated \$1,232,351 of the surplus was the MCIFC’s share of the NJCE equity. Executive Director advised the cash balance was \$3,010,296.

NJCE PROPERTY & CASUALTY FINANCIAL FAST TRACK: Executive Director reported the February Financial Fast Track was included in the agenda. As of February 28, 2021, the Fund had a surplus of \$15,349,550 and the cash balance was \$19,534,623. Executive Director noted the NJCE had issued dividends in the amount of \$5,107,551.

CLAIMS TRACKING REPORTS: Executive Director advised the Claims Tracking Reports for the month of February were included in the agenda. Executive Director referred to the Expected

Loss Ratio report and advised this report compared how the Commission was performing versus the actuary's projections. Executive Director reviewed the reports with the Commission and advised the Commission was performing above the actuary projections in every year except 2020. Executive Director said Fund Year 2020 was running slightly higher, but has not resulted in a deficit yet.

LEGISLATION S855: Executive Director reported Governor Murphy signed legislation which required the title of "chosen freeholder" to be changed to "county commissioner" and all "board of chosen freeholders" to be known as "boards of county commissioners" effective January 1, 2021. Executive Director advised the Commission's Rules and Regulations should be changed prior to December 31, 2021. Executive Director explained in order to make an amendment to the Rules and Regulations a Commissioner should propose an amendment and then a Public Hearing should be scheduled not more than 45 days from the request. Executive Director noted we would start this process in June and July when we meet for two consecutive months again. In response to the Chair's inquiry, Executive Director advised he would work with the County Counsel's office on the changes.

NJ SENATE BILL S3375: Executive Director advised at a previous meeting he spoke about the proposed legislation S3775, which if passed would weaken the rights of employers to direct and control medical care as respects to workers' compensation. Executive Director advised there was plenty of opposition to the bill. Executive director thought the bill would be defeated at this time however could resurrect itself in the future.

2021 MEL, MRHIF & NJCE EDUCATIONAL SEMINAR: Executive Director reported the 10th Annual Educational Seminar would be held virtually this year. Executive Director advised this year there would be two sessions, Friday, May 14th and Friday, May 21st, 9:00 AM to Noon. Executive Director noted the seminar qualified for Continuing Education Credits including CFO/CMFO, Public Works, Clerks, Insurance Producers and Purchasing Agents. Executive Director said the agenda included more information and you could register for the seminars using the below link:

https://permainc.zoom.us/webinar/register/WN_4Vo8s4QLRfSrDMcWkm7VfA

2021 EXCESS INSURANCE AND ANCILLARY COVERAGE POLICIES: Executive Director advised the NJCE renewal policies were available electronically through the Conner Strong & Buckelew Egnyte Connect for authorized users. Executive Director noted the Limit Schematics were also posted to the site. Executive Director said if anyone had any difficulty in accessing the website, they should contact the Fund Office.

CBIZ INSURANCE SERVICES, INC.: Executive Director reported the Commission Attorney advised the resolution authorizing amendment # 1 to reflect the name change of Borden Perlman was on the County Commissioners' April meeting agenda.

2021 MEETING SCHEDULE: Executive Director advised the Commission was not scheduled to meet in May and the next scheduled meeting was on June 28, 2021 at 10:30 AM.

Executive Director concluded his report unless there were any questions.

Executive Director's Report Made Part of Minutes.

TREASURER REPORT: Chair Nazzaro advised the March Bills List, Resolution 21-21 and the April Bills List, Resolution 22-21 were included in the agenda.

In response to the Chair's inquiry, Ms. Dodd advised she did not hear back yet from Mr. Miller. Executive Director said the December checks need to be re-issued and appreciated if the Chair could reach out to Mr. Miller.

In response to the Chair's inquiry, Ms. Dodd advised the March and April checks were sent to Mr. Miller to process.

**MOTION TO APPROVE RESOLUTION 21-21, MARCH BILLS LIST
AND APRIL BILLS LIST, RESOLUTION 22-21**

Moved:	Commissioner Walker
Second:	Commissioner Hughes
Roll Call Vote:	3 Yes, 0 Nays

ATTORNEY: Mr. Adezio advised he wanted to discuss vaccinations for COVID. Mr. Adezio said as some of you know the County has entered into an agreement with Capital Health concerning COVID vaccinations at the County's arena. Mr. Adezio advised there was an MOU and he thanked the insurance professionals who helped review the certificate of insurances. Mr. Adezio advised the County was looking into a MOU with Penn Medicine to provide additional sites at other Mercer County locations and the proposed date to start was Thursday, May 6. Mr. Adezio said he would send the MOU to the insurance professionals for their review and consideration. Chair Nazzaro reported this site would be at the West Windsor skating rink. Chair Nazzaro said this set up was the same as Capital Hill. Chair Nazzaro said they were also going to have a mobile unit to visit different sites. Chair Nazzaro also said they would need the certificate of insurance from Penn Med. In response to Mr. Cooney's inquiry, Chair Nazzaro said there were no other parties, only Penn Med. Mr. Cooney advised in terms of all of the sites all of the liability coverage was pretty automatic and the only thing he would need to know ahead of time was if there were any doctors on behalf of the County or hired by the County as a special endorsement needed to be issued. Mr. Cooney said, otherwise any nurses, EMS or below were all fine and automatic. Mr. Cooney indicated he would work through the contracts with Mr. Adezio.

CLAIMS SERVICE: Ms. Conicella advised she did not have any report.

CLAIMS SERVICE: Chair Nazzaro advised Resolution 23-21, Disclosure of Liability Claims Check Registers were included in the agenda along with a copy of the check register for February 1, 2021 through February 28, 2021 and March 1, 2021 through March 31, 2021.

**MOTION TO APPROVE RESOLUTION 23-21 AUTHORIZING
DISCLOSURE OF LIABILITY CLAIMS CHECK REGISTER**

Moved:	Commissioner Walker
Second:	Commissioner Hughes
Vote:	3 Yes, 0 Nays

MANAGED CARE: Ms. Hrubash advised she would review First MCO’s report, which was included in the agenda for the month of March. Ms. Hrubash provided the below information:

Month	Provider Bill Amount	Repriced Amount	Savings	Percentage of	Number of Bills	In Network Bills	Net Savings	PPO %
March	\$ 160,613	\$ 81,351	\$ 79,262	49%	66	60	\$ 63,410	91%

Ms. Hrubash advised that concluded her report unless anyone had any questions.

NJCE SAFETY DIRECTOR: Mr. Prince advised a copy of the Safety’s Director Report for February through April was included in the agenda. Mr. Prince reported the agenda included all of the training webinars scheduled through June 30, which was done through Zoom. Mr. Prince noted all of the training information was also posted on the NJCE website. Mr. Prince advised he was working with Sergeant Wylan of Corrections to schedule all of their third quarter training and looking forward to having both in-person and webinar based training for that facility. Mr. Prince said the Learning Management System was up and running as of April 1. Mr. Prince advised they provided webinars to administrators for the program. Mr. Prince reported the vendor, First Net, agreed to provide a recorded webinar for future use. Mr. Prince reminded everyone the 2021 Munich Re Grant was available and covered three lines of coverage, auto liability, general liability and law enforcement liability. Mr. Prince asked if any department had an idea to reach out to him and he would assist in drafting a submission. Mr. Prince noted the amount of the grant was increased to \$50,000 to be shared with the members of the NJCE. Mr. Prince concluded his report unless there were any questions.

RISK MANAGER CONSULTANT: Ms. Pursell reported as Mr. Adezio mentioned they had worked on the Capital Health MOU and was working on the Penn Med MOU. Ms. Pursell concluded her report unless there were any questions.

Correspondence Made Part of Minutes.

OLD BUSINESS: None

NEW BUSINESS: Executive Director said he now had a copy of the additional assesement exhibit he spoke about during is report. Executive Director referred to a copy of the exhibit, which was displayed on the computer screen and advised the Mercer County Insurance Fund Commission’s share of the assessment was \$65,779. Executive Director noted the amount would be billed as a third installment in the fall.

Chair Nazzaro suggested using the September meeting date as a target date to resume in-person meetings. Executive Director advised we could discuss further at the upcoming meetings.

PUBLIC COMMENT: None

CLOSED SESSION: Executive Director read and requested a motion to approve Resolution 24-21 authorizing a Closed Session to discuss PARS.

MOTION TO APPROVE RESOLUTION 24-21 FOR EXECUTIVE SESSION

Moved: Commission Walker
Second: Commission Hughes
Vote: 3Yes, 0 Nays

**MOTION TO APPROVE THE PARS/SARS AS REVIEWED DURING
CLOSED SESSION**

Moved: Commissioner Walker
Second: Commissioner Hughes
Roll Call Vote: 3 Yes, 0 Nays

MOTION TO ADJOURN:

Moved: Commissioner Walker
Second: Commissioner Hughes
Vote: 3 Yes, 0 Nays

MEETING ADJOURNED: 11:37 AM

Minutes prepared by:
Cathy Dodd, Assisting Secretary

APPENDIX II

Benefits of the New Jersey Counties Excess Joint Insurance (NJCE) Program



NEW JERSEY COUNTIES EXCESS JOINT INSURANCE FUND

9 Campus Drive - Suite 216

Parsippany, NJ 07054-4412

Telephone (201) 881-7632 Fax (201) 881-7633

Date: June 9, 2021

To: NJCE Finance Committee

From: Executive Director
Perma Risk Management Services

Re: Benefits of the New Jersey Counties Excess Joint Insurance (NJCE) Program

This will provide an overview of the benefits of membership in the New Jersey Counties Excess Joint Insurance Fund.

Introduction

Article 3 of NJSA 40A:10-1 et seq. permits a County to establish an Insurance Fund Commission so that the County and its' affiliated entities associated with the County can achieve cost savings through the combination of joint purchase and self-funding of the property & casualty insurance. The County is also a member of the NJCE JIF. N.J.S.A. 40:10-36 allows municipalities, counties and authorities to establish a Joint Insurance Fund to also share risk via self-insurance against liability, property damage and workers compensation. The NJCE JIF membership includes 10 counties and seventeen of their affiliated entities. Please attached membership chart.

Overview

The Insurance Fund Commission's Board of Commissioners is made up of three (3) County employees including a Chairperson and Vice Chairperson. The NJCE JIF has a Board of Commissioners made up of representatives of each of its ten (10) member counties. Please see attached Organization Chart. **The Board of Commissioners are the final decision makers.** Insurance Fund Commissions and Joint Insurance Funds are a public entity but operate similar to an Insurance Company providing a number of unbundled services. They contract with certain professionals including Executive Director, Treasurer, Attorney, Auditor, Actuary, Claims Administrator, Managed Care Provider and Litigation Management (including defense panel law firms). The member Insurance Fund Commission funds and retains the first \$300,000 in coverage for workers compensation and liability claims. The New Jersey Counties Excess Joint Insurance Fund retains the first layer of excess coverage shared with other members of New Jersey Counties Joint Insurance Fund on a joint and several basis through self-funding and risk sharing. The NJCE purchases coverage in the commercial market to provide catastrophic excess insurance and specialty coverage such as POL/EPL and Cyber Liability. Please see attached schematic depicting limits and coverage provided.

Benefits of the Insurance Commission/Joint Insurance Program

There are a **number of benefits** derived from membership in an Insurance Commission and/or Joint Insurance Fund. They include the following:

- The NJCE JIF Model has enabled member Counties and their affiliated entities to **effectively take control of their total cost of risk**. It provides a modernized approach to managing risk that includes an efficient method of insurance procurement that **emphasizes improved buying power and better insulates membership from adverse insurance market conditions** like the current marketplace and also **insulates membership from adverse loss experience**.
- The Insurance Commission and NJCE concept was based on a proven model used by municipal JIFs. This is one of the most **successful shared services arrangement** in New Jersey that includes Inter-County, County to County and shared purchases of miscellaneous ancillary coverage. It allows for **consolidation of insurance coverage and services** resulting in savings to all participating members.
- A **comprehensive claims management program**. This includes an established claims committee to review and provide authorization to pay claims. Each member has a representative that serves on this committee. This differs from purchasing insurance in the commercial market in that you pay a premium and do not have a say on how your claims are handled. The only update is via insurer loss runs. In this program you would have an **intimate involvement in all claims** on a monthly basis via the claims committee who review claim payment authorization requests made by the claims administrator. The claims management program also includes dedicated claim resources, oversight of claims administrator, litigation management, management of the claims (including nurse case management for workers compensation claims), coordinated claim strategy meetings, use of a risk management information system for data analytics and claim adjuster reviews and audits.
- A **comprehensive risk control program**. This includes an established safety committee to review accidents and address training needs. Each member has a representative that serves on this committee. This program focuses on **customized safety training and education** to supplement and compliment your in house risk management program. This will help reduce the number of accidents and minimize their financial impact. Training includes webinar interactive programs, safety video streaming service, instructor led programs. It utilizes a learning management system to keep a record of who trains and for what training programs. The NJCE excess insurer also offers a grant program for certain safety initiatives.
- The **retention of underwriting profit**. This program allows for premium savings of up to 10% to 15%. It allows for retention of underwriting profit generating surplus and allows for dividends back to the membership. With a commercial insurer you pay premium with no chance to receive dividends regardless of your loss experience.
- **Improved communication between insurer and the insured member** via monthly executive committee meetings, claim committee meetings, safety committee meetings, the plan of risk management and monthly monitoring reports which tracks the financials, as well as, expected loss ratio report that measures claim performance against actuarial projections and the surplus generated.
- Provides for **all audit, actuarial and litigation management services**.

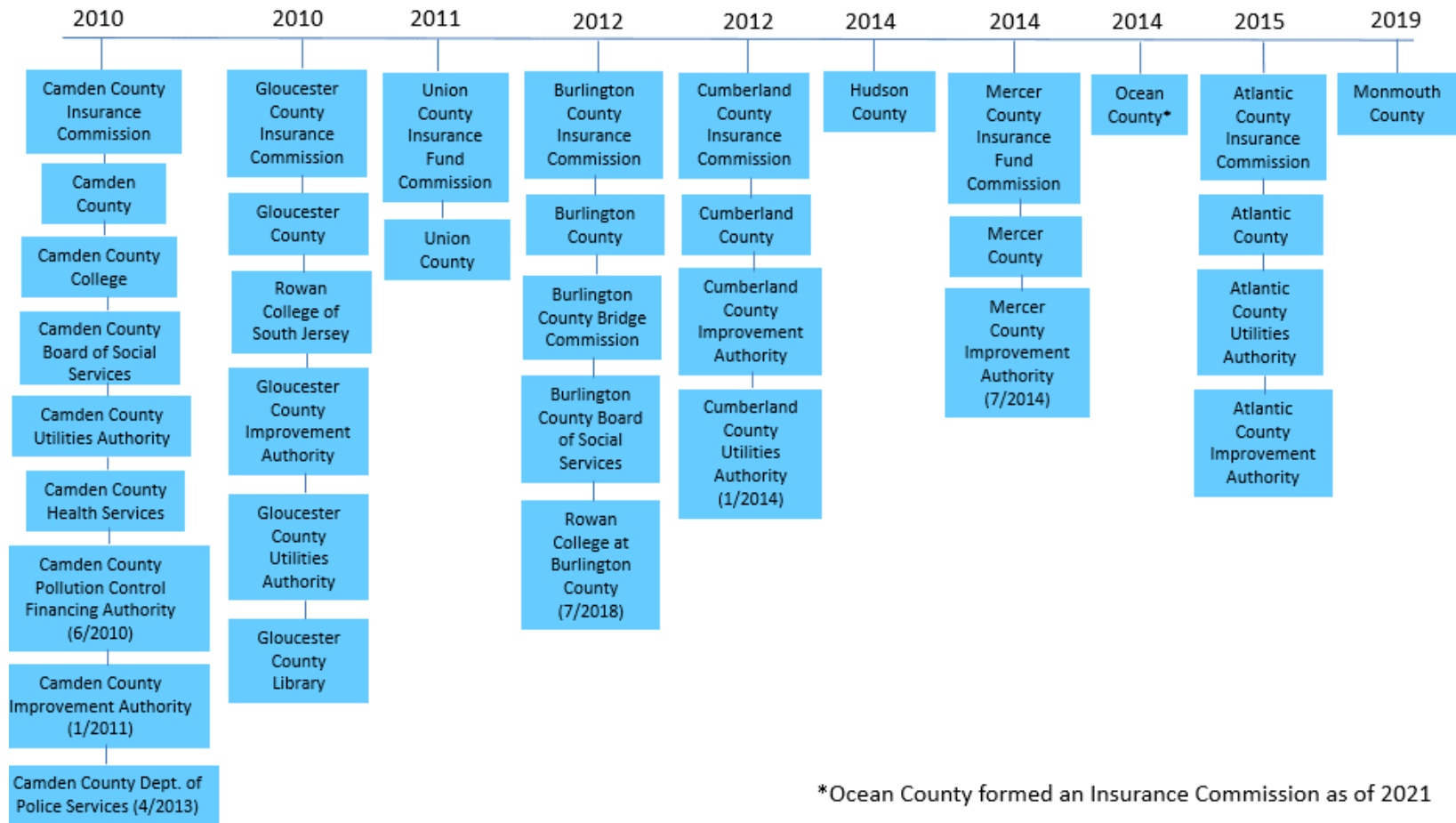
Financial Performance

The NJCE and its member Insurance Commissions are very strong financially. NJCE has a statutory “surplus” of \$13.6 million. Its member Insurance Commissions have a statutory “surplus” of \$55.3 million. The statutory “surplus” on a program wide basis is \$68.9 million. The total dividends returned to the membership is \$12.9 million. The total estimated savings to taxpayers since 2010 is \$110.6 million.

Also attached is a presentation that provides more detail on the benefits of the Insurance Fund Commission and the NJCE JIF.

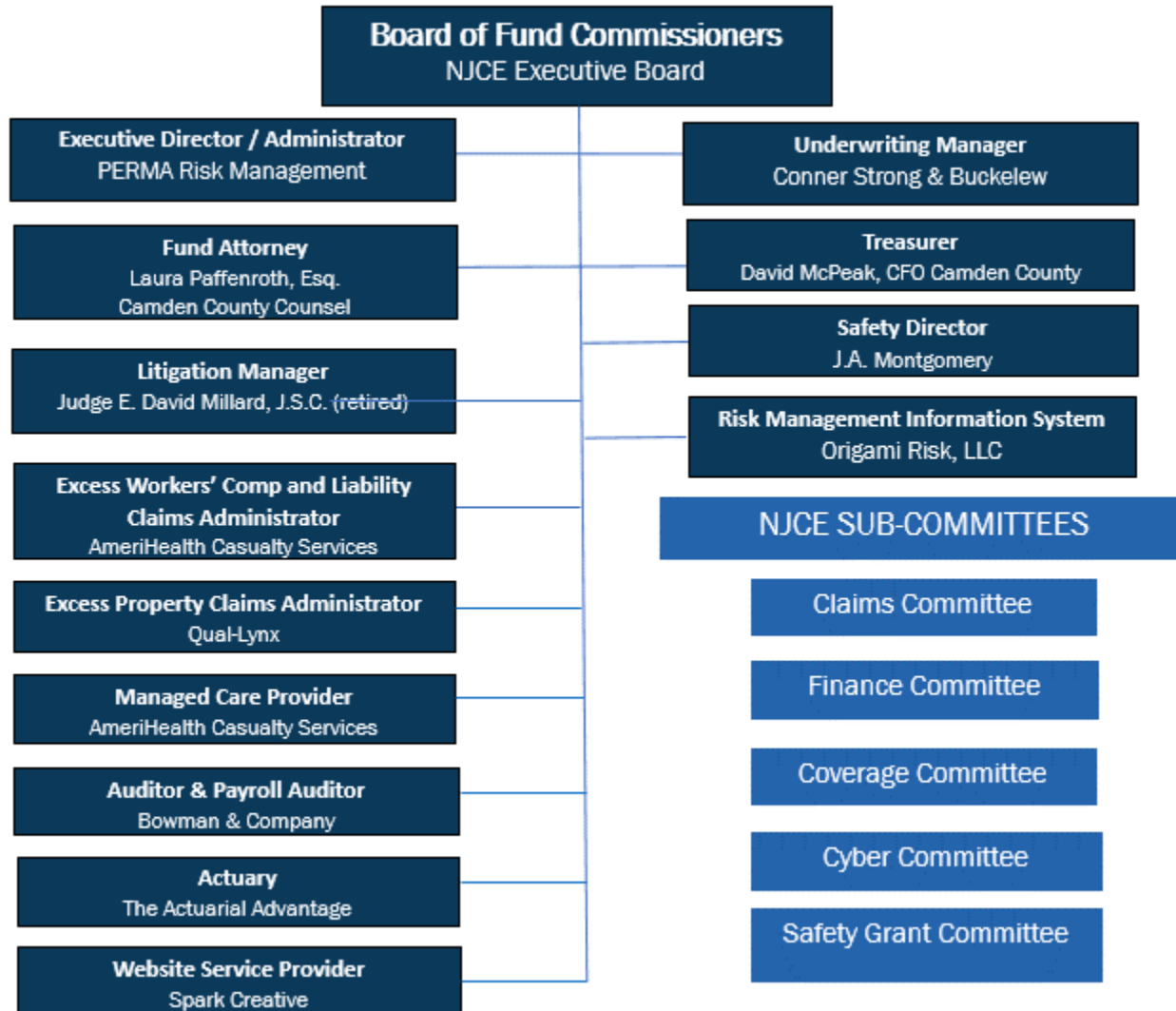
NJCE Membership Chart

New Jersey Counties Excess Joint Insurance Fund



*Ocean County formed an Insurance Commission as of 2021

NJCE Organization Chart





Marketplace Presentation

NJCE JIF vs. the Market



■ Overview

Looking at a sample set of NJCE members (three counties), we estimate nearly \$7,000,000 of savings over three years versus the standard insurance marketplace.

This would translate into \$15,000,000 to \$20,000,000 of savings for the entire NJCE program, if not more.

We present next an update on the insurance marketplace, including development over the many years and decades, and also laying out the cause of the trends. The marketplace review is followed by a Total Cost of Risk comparison between the market and the NJCE.

This is all of course just estimates based upon our experience, as well as the marketplace trends. Actual results may vary and depend upon specific circumstances,

NJCE Performance *(12/31/2020)*

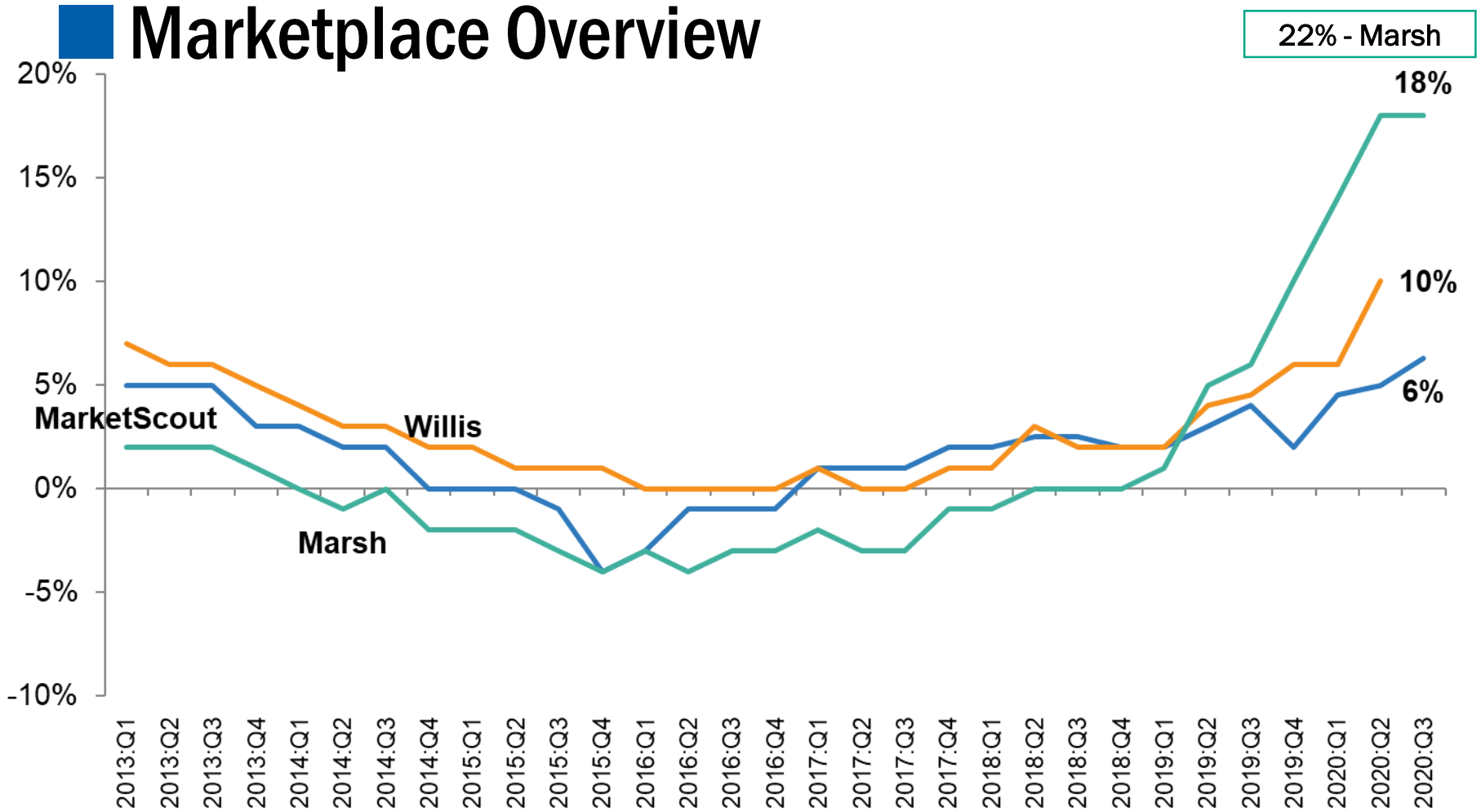
Member	Total Savings	Time in Program
Camden Commission	\$36,713,587	130 Months
Gloucester Commission	\$10,102,816	130 Months
Union Commission	\$16,084,952	118 Months
Burlington Commission	\$21,711,882	108 Months
Cumberland Commission	\$4,090,603	99 Months
Mercer Commission	\$11,737,661	84 Months
Hudson County	\$2,355,726	84 Months
Ocean Commission	\$1,145,451	79 Months
Atlantic Commission	\$6,462,424	72 Months
Monmouth County	\$201,318	21 Months
	\$110,606,419	130 Months

*** Total savings includes Surplus (Deficit), Portion of NJCE Surplus, Dividends Paid, and Compounded Premium Savings*



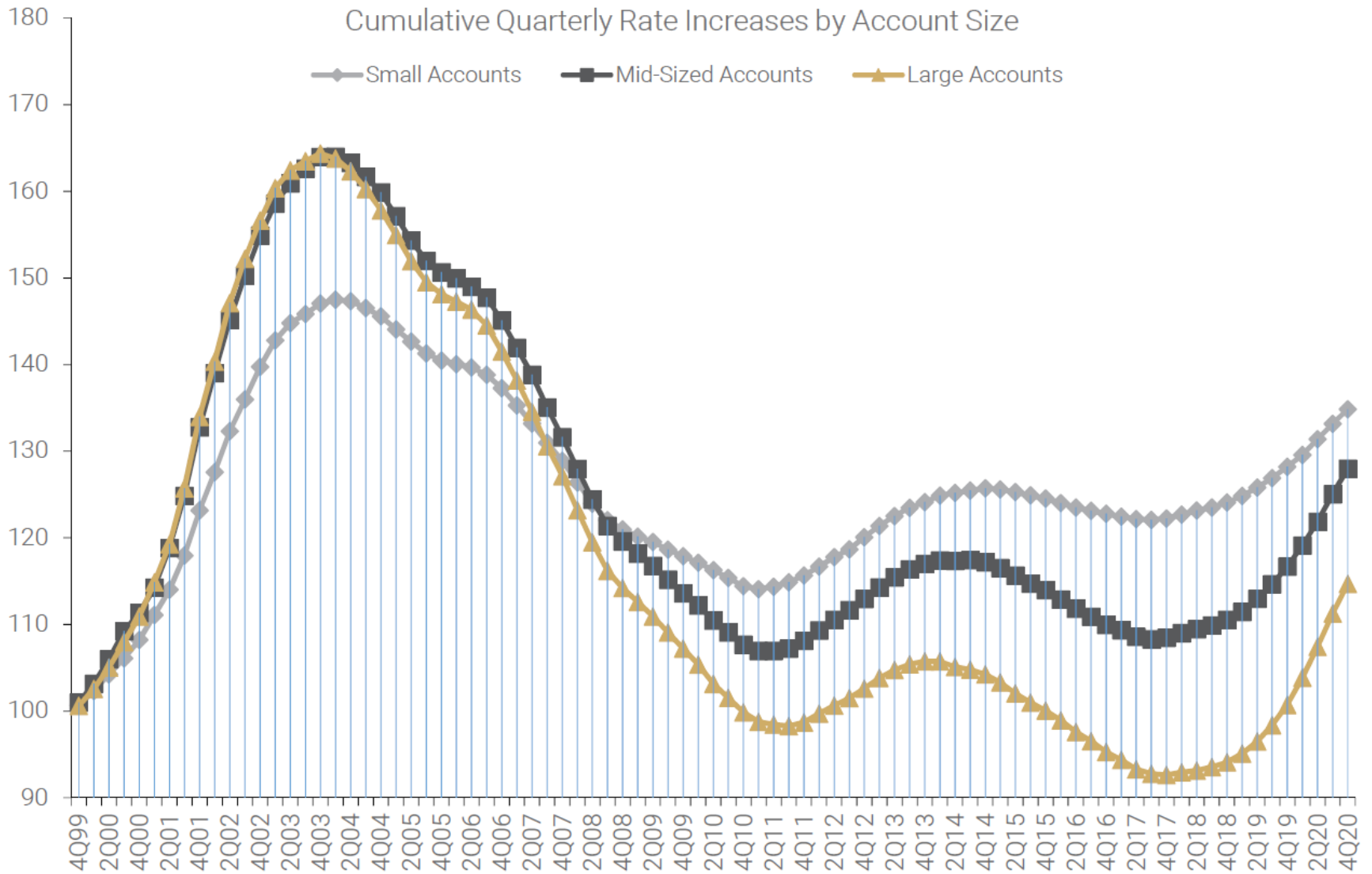
Marketplace Overview

Marketplace Overview



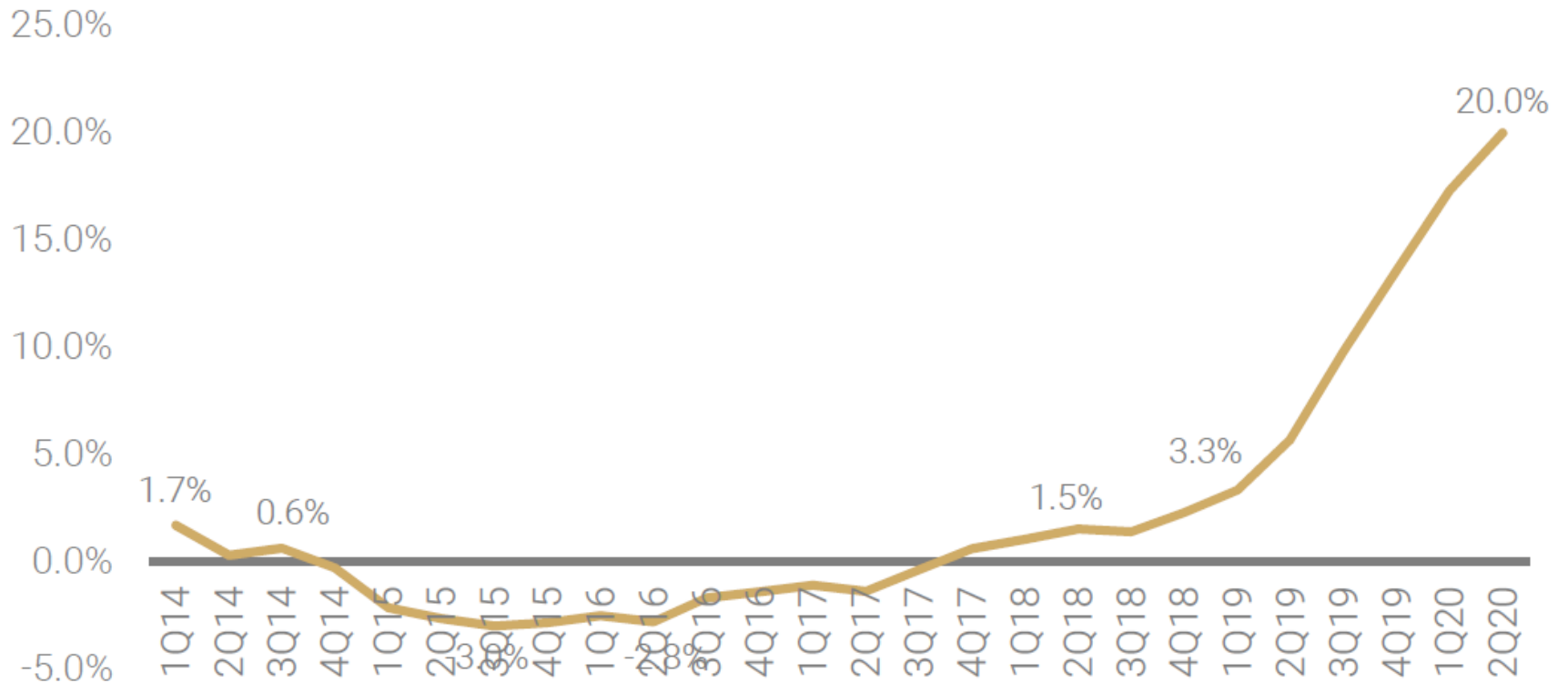
Fastest rate increases in almost 20 years.

Marketplace Overview

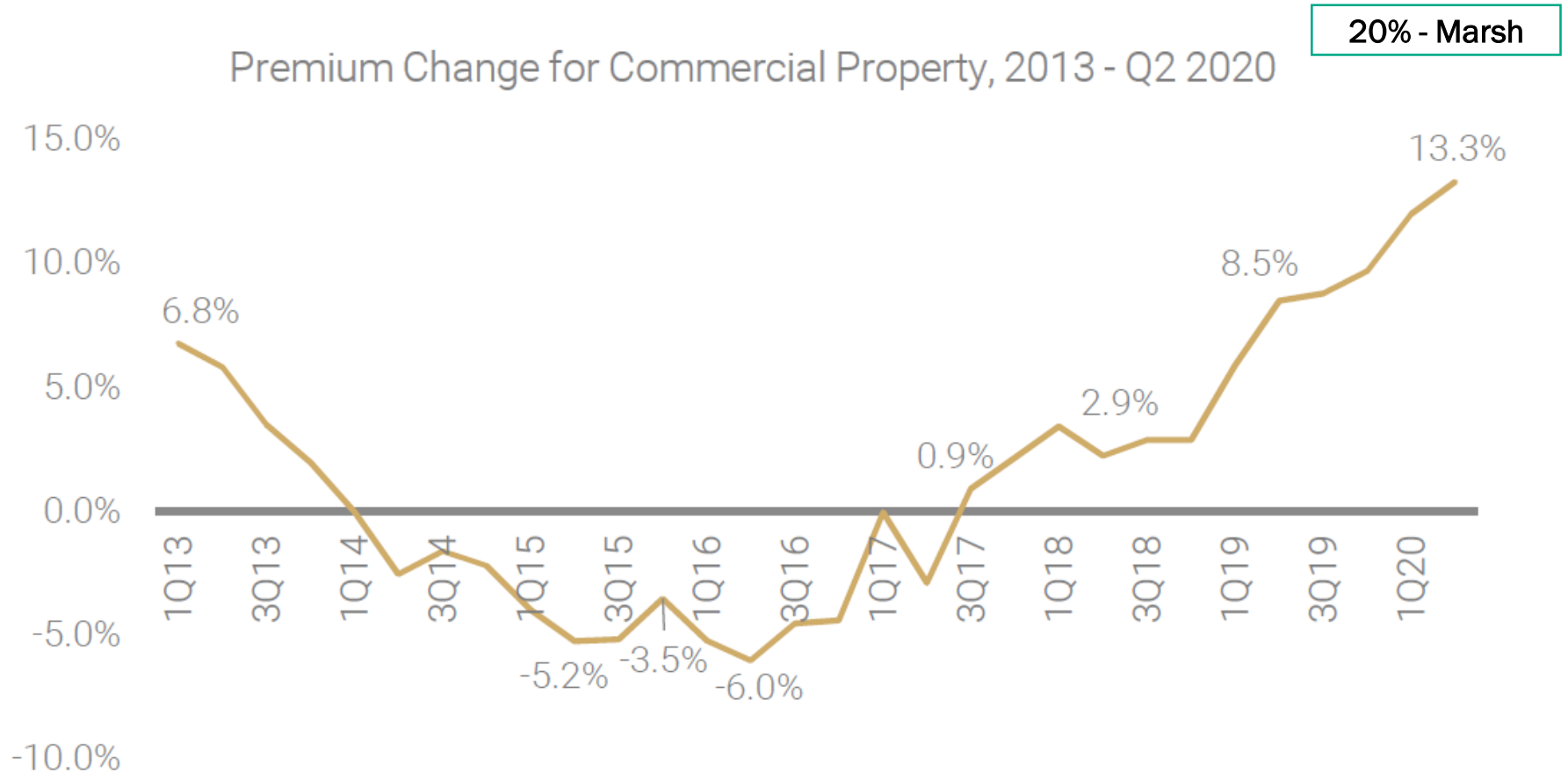


Marketplace Overview

Premium Change for Umbrella, 2014 - Q2 2020



Marketplace Overview



Marketplace Overview

Rate Projections

Line	2021 Forecast
Property	Up 15 to 25%
GL	Up 7.5% to 15%
Umbrella/XS	Up 30% to 150%
WC	Flat
Comm Auto	Up 8% to 15%
D&O	Up to 70%
Cyber	Up 10% to 30%

Market Influences

Line	Trend
Property	Cats, COVID
GL	Social inflation
Umbrella/XS	Social inflation
WC	COVID
Comm Auto	Social inflation
D&O	COVID, IE&D
Cyber	COVID

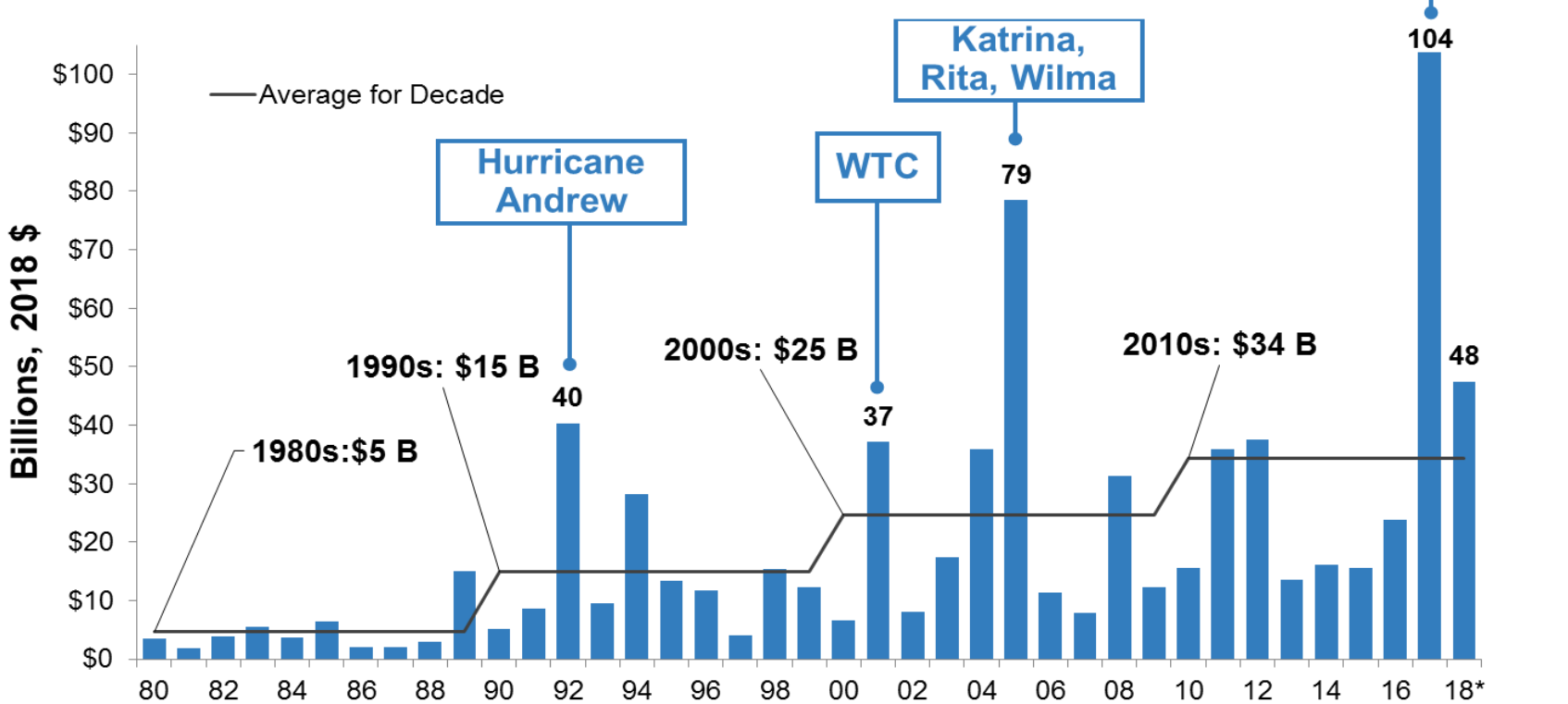
These are all higher than spring projections.

■ Marketplace Overview

Why?

Marketplace Overview

U.S. Inflation-Adjusted Insured Cat Losses



2018 – Third worst year for U.S. Insured Catastrophe Losses. Average Insured Loss per Year for 1980-2018 is \$19.3 B.

■ Marketplace Overview

Social Inflation

A Good Definition

- ▲ “a fancy term to describe rising litigation costs and their impact on insurers’ claim payouts, loss ratios, and, ultimately, how much policyholders pay for coverage.”

Actuarial Interpretation

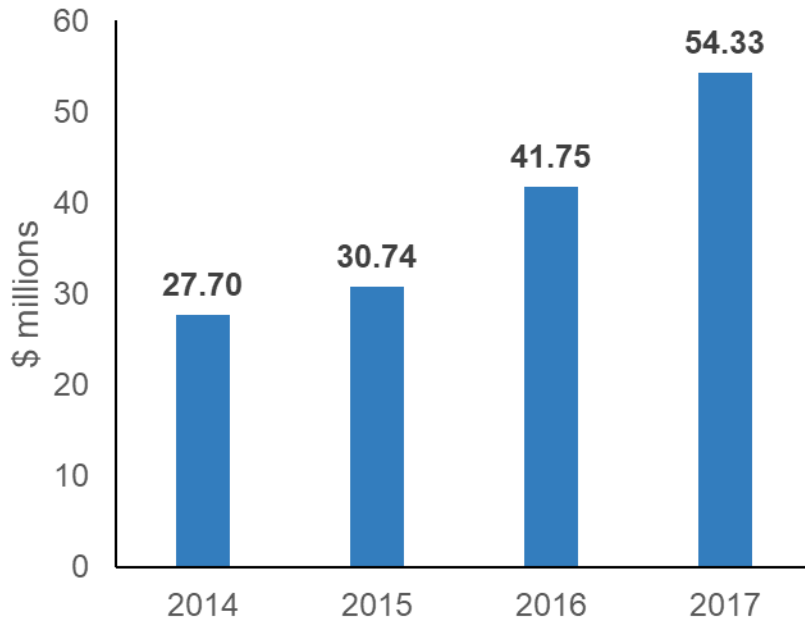
- ▲ “Excessive inflation in claims.”
 - ◆ Occurs when development defies key assumption: Loss Development is RV about stable mean

Marketplace Overview

Social Inflation

“Jackpot Justice”

Median, 50 Largest Jury Verdicts

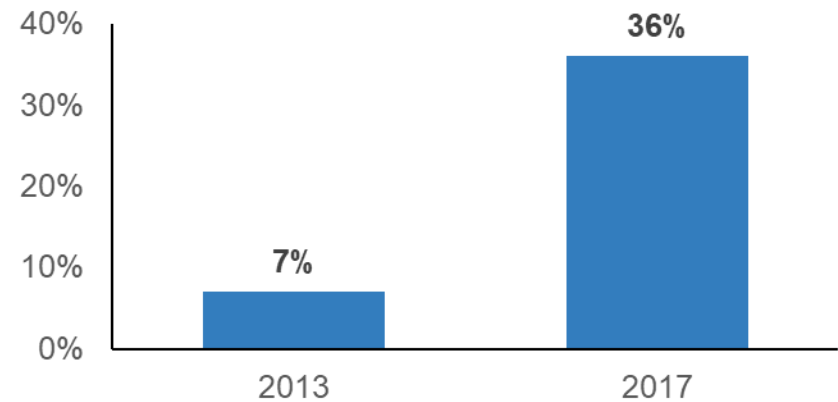


Litigation Financing

Litigation is a financeable asset.

- 68% of US Law Firms

% of US Law Firms Using Litigation Financing



Marketplace Overview

Social Inflation

Upward Creep in Loss Development

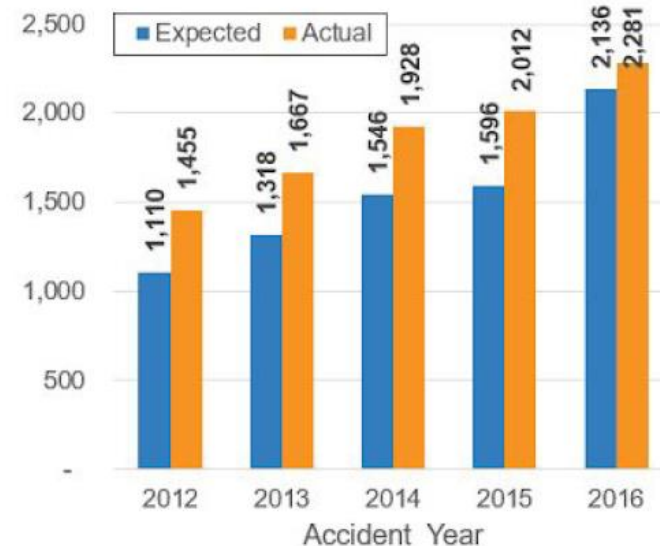
Key Assumption: LDF is RV about mean + inflation

Comm Auto LDFs

	12	24	36	48
2009	1.34	1.14	1.08	1.03
2010	1.36	1.16	1.08	1.04
2011	1.40	1.16	1.08	1.04
2012	1.40	1.16	1.09	1.04
2013	1.41	1.18	1.10	1.04
2014	1.42	1.19	1.10	1.05
2015	1.45	1.18	1.11	
2016	1.43	1.20		
2017	1.44			

2-Year Expected vs. Actual

12-36 Development (\$ Millions)

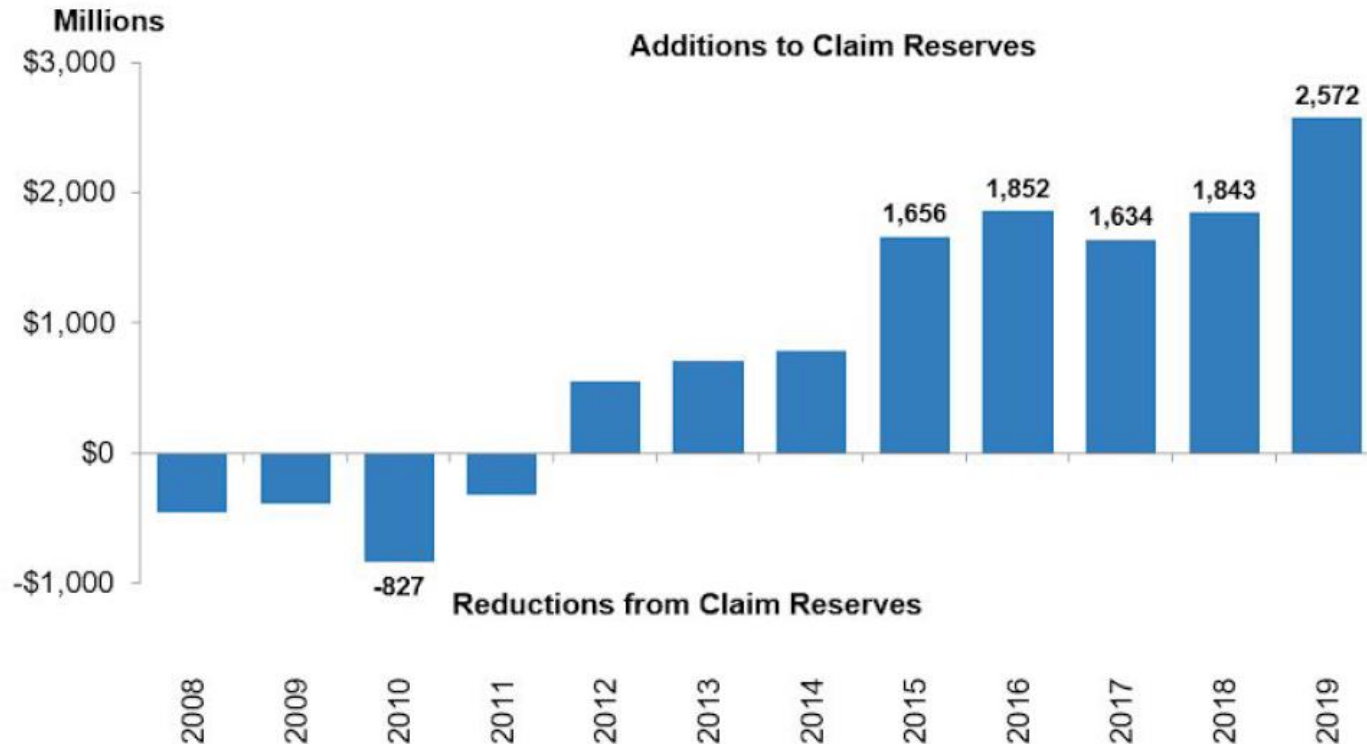


Marketplace Overview

Social Inflation

Social Inflation: The Toll

Reserve Development, Commercial Auto Liability




Sources: NAIC data sourced from S&P Market Intelligence; Insurance Information Institute.

Loss Triangle – Casualty (GL, LEL, AL)

Social Inflation – NJ Public Entities

Incurring Total LDF					
Periods	12 Months	24 Months	36 Months	48 Months	60 Months
1/1/2010 - 12/31/2010	0.00000	1.13780	1.11219	1.02746	0.91319
1/1/2011 - 12/31/2011	0.00000	1.36123	1.25182	1.14434	1.03126
1/1/2012 - 12/31/2012	0.00000	1.44473	1.43415	1.13501	1.24090
1/1/2013 - 12/31/2013	0.00000	1.34765	1.40192	1.22095	1.28895
1/1/2014 - 12/31/2014	0.00000	1.84575	1.66130	1.43813	1.06501
1/1/2015 - 12/31/2015	0.00000	1.64865	1.64527	1.35753	1.09476
1/1/2016 - 12/31/2016	0.00000	2.42395	1.51306	1.12617	
1/1/2017 - 12/31/2017	0.00000	1.73054	1.56209		
1/1/2018 - 12/31/2018	0.00000	1.74066			



40% Increase in LDF

Public Entity

PRICING

Property, Auto and Excess Liability pricing has experienced the largest overall increase in recent months, increases unseen in three decades. For Excess Liability, many markets are imposing renewal increases between 30% and 500%. Carriers are focusing on underwriting discipline, including sexual abuse, social inflation and increased litigation costs. Executive risk lines such as Public Officials / Employment Practices Liability and Cyber are also experiencing pressure due to heightened loss experience nationwide.

COVERAGE

From a coverage standpoint, the market is relatively stable, but some hardening is occurring. Existing programs are experiencing minimal contraction of coverage or terms. Exception to this is found in the property arena, where certain insurers may seek to contract limits in CAT exposed locations (i.e. Flood, Named Storm). Carriers continue to introduce new policy forms and endorsements in an effort to stay current with the marketplace, and gain a competitive advantage against competitors.

DEDUCTIBLES

Many insureds are maintaining their existing program structures, however there has been push for increases on clients with adverse loss development on Property, Excess Liability, Workers' Compensation and Cyber. Overall, retentions and deductibles on other lines of coverage remain per expiring.

CAPACITY

The final months of 2019 witnessed certain insurers leave the Casualty market, including some reinsurers getting out of the United States altogether. Almost all insurers remaining in the space refuse to offer more than \$5m in limits; this is primarily due to restrictions to reinsurance treaties and adverse loss experience. Capacity has contracted in most other lines. The majority of market share is still placed with a few Carriers that maintain a keen focus on the Public Entity Industry.

CHALLENGES

Sexual Abuse / Molestation legislation, Cancer Presumption legislation, Medical Marijuana, Cyber incidents and the effects of the COVID-19 pandemic continue to pose challenges for public entities across the state of New Jersey.



Emerging Risks

- Social Inflation
- Pandemic Risk
- Sexual Abuse and Molestation Claims
- Statutory Presumption Acts
- Post Covid-19
- Aging Infrastructure
- Non CAT Property Loss
- Climate & Weather
 - Storm Surge Risk;
 - Shortening and Intensifying Winters
 - Increased Precipitation and Resulting Inland Flooding
 - Intensifying Droughts
- Internet of Things (IoT)
 - Telematics and Connected Vehicles
 - Connected Buildings/Cities
 - Cybersecurity
 - Cyber-attacks are now seen as one of the most serious economic and national security challenges now facing governments around the world.
- Autonomous Vehicles
- Nanotechnology
- Marijuana Legalization & Workers Compensation

Analysis

An iceberg floating in the ocean. The small tip above the water is labeled 'INSURANCE PREMIUMS'. The much larger part of the iceberg submerged below the water is labeled 'SELF-INSURED LOSSES'. A red arrow points from the text 'those costs' in a callout box to the tip of the iceberg. A green arrow points from the text 'these costs' in another callout box to the submerged part of the iceberg. On the right side of the slide, a vertical blue bar contains the text 'TOTAL BUSINESS COST'.

INSURANCE PREMIUMS

Why focus on just reducing **those** costs.....

.....when **these** costs are 3Xs larger?

**SELF-INSURED
LOSSES**

TOTAL BUSINESS COST

■ Benefits of NJCE's Approach

PERMA has over **30 years** of success with the MEL & NJCE JIFs

Loss Rate Reduction

65%

Total Taxpayer Savings

\$3.1BB



Full financial **transparency** and **control**

Significant **economies of scale** and **buying power**



Risk sharing with fellow county members in NJCE community



Challenging exposures are easily addressed



Long-Term **Stability** & **Predictability**

Total Cost of Risk Analysis

Methodology

- Analyzed three of our county members over past three years (2018 to present)
- Included the combination of premium savings and rate delta versus the marketplace
 - Premium savings are based on premium savings members found upon joining the NJCE
 - Rate changes are based upon the previously displayed marketplace data

Results

- On the low end, we saw 5% savings versus the marketplace, which represented about \$1.4m
- On the high end, we saw 36% savings versus the marketplace, which represented about \$4.4m
- Combining all three counties, we saw 15% to 23% savings, representing \$4.0m - \$6.7m

Savings	Low	High	Low	High
Per County	\$1.4m	\$4.4m	5%	36%
Combined	\$4.0m	\$6.7m	15%	23%

■ Total Cost of Risk Analysis

What Was Not Contemplated in the Analysis?

The analysis was very conservative, therefore it does not include many important items, which could significantly increase the savings.

- Surplus and dividends were not included
 - Surplus and dividends are generated out of our self-insured retentions (Insurance Commissions and NJCE JIF) via risk control efforts reducing our loss profile, beating expected losses
- The market rates are general across the entire insurance marketplace, so there was no direct contemplation for the public entity space
 - Since 2019, public entities saw 15% - 20% increases in Property premiums and 30% - 300% increases in Liability premiums
 - Since 2019, public entities saw their retentions increase over 100%, which come at additional self-insured costs
- The NJCE provides significant risk control and claims services within its assessment, which would come at significant additional cost outside the JIF

All of these additional costs and savings could inflate the NJCE's savings presented on the previous slide by another \$6m - \$19m.



Public Sector Risk Control Program



NEW JERSEY COUNTIES
EXCESS JOINT INSURANCE FUND

J.A. Montgomery
CONSULTING

Result-Oriented Comprehensive Risk Control Program

- All of the following are part of the risk control program for New Jersey Counties Excess Joint Insurance Fund (NJCE JIF) public sector clients, of J. A. Montgomery Consulting:
 - Risk Control Consultation Visits
 - Training Programs
 - Safety Director Bulletins
 - Claims Review and Follow Up
 - Leadership Training for Supervisors
 - Law Enforcement Risk Control
 - Customized Training
 - Safety Committee Attendance

Result-Oriented Comprehensive Risk Control Program

- Risk Control Consultation Visits
 - One on one, on-site consultation including a review of facilities and current conditions
 - Includes job site observations
 - A report is generated with findings and recommendations for each visit
 - J. A. Montgomery conducts over 1,300 risk control visits for public sector clients each year.
 - Assistance with PEOSH compliance inspections, customized training and citation abatement.

Training and Education

- Training and Education

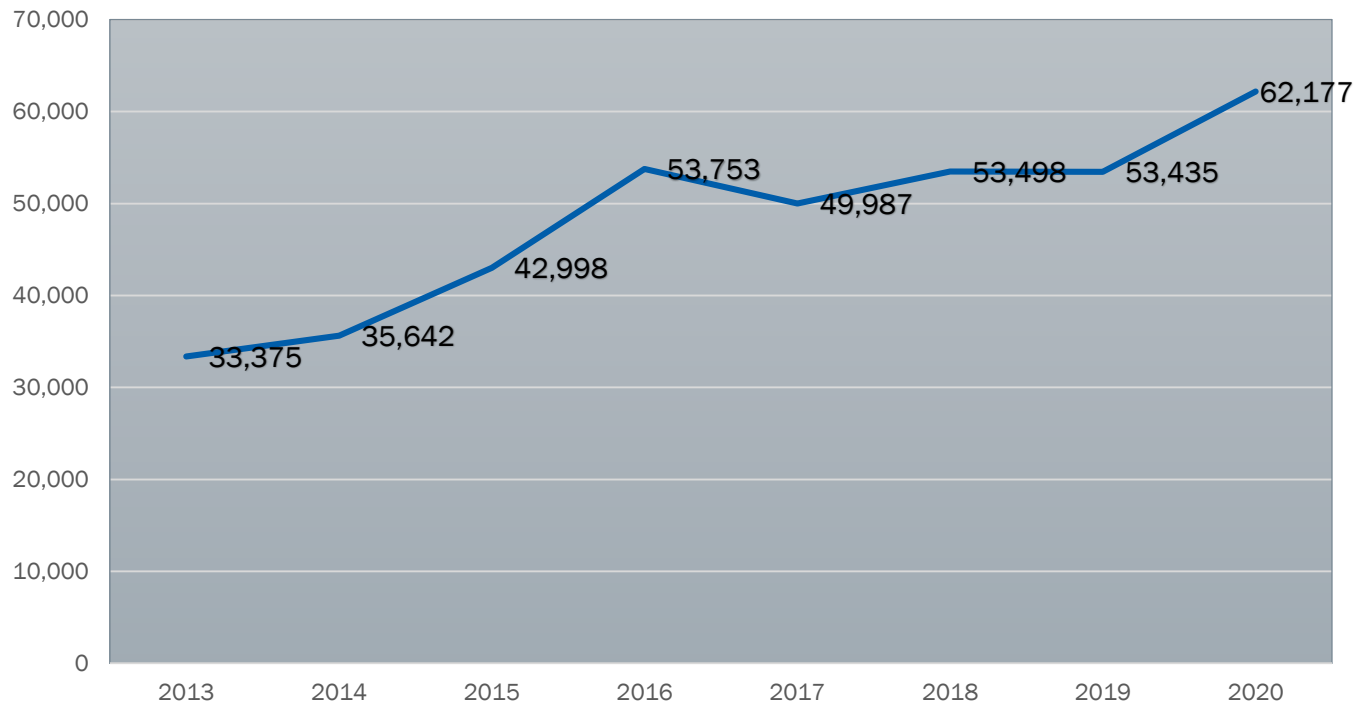
- Training Formats (All training course material is written by J.A. Montgomery):

- As a result of the Pandemic Live, Instructor-Led Webinars were created and conducted to provide essential safety training to employees each month (40+ courses)
 - CEU credits available
 - All webinars are “interactive”
- In-Classroom training for small groups
- Online Digital Streaming Safety Library with over 170 titles, available 24/7 for all public sector clients
- Online Video Briefings (15-20 minute) on safety topics requested by public sector entities available 24/7, produced “in-house.”

Training and Education

- Training Program (All training attendance is tracked through a Learning Management System (LMS) administered by J.A. Montgomery)

2013-2020 J. A. Montgomery Total Training Participants:



Claims Review and Follow-Up

- J. A. Montgomery risk control consultants actively participate in all monthly claims review meetings with public sector clients. Through this process, we are able to identify safety and administrative issues that need to be addressed. We follow up on specific claims as requested and provide recommendations as needed.

Safety Committees

- J. A. Montgomery risk control consultants actively participate in all Safety and Accident Review Committee meetings with public sector clients. Through this process, we are able to identify safety, operations and training issues that need to be addressed. Agendas and minutes are prepared and distributed by J.A. Montgomery Consulting staff members

Law Enforcement Risk Control Program

- Training:
 - In-Person or Instructor Led Webinar Training for the following courses:
 - Preparing for the Unspeakable
 - Risk Management for Police and Fire Command Staffs
 - Risk Management for First-Line Supervisors
 - Below 100 "Train and Trainer" Program
 - Below 100 Training Seminars for Police Personnel
 - Practical Leadership Strategies/21 Irrefutable Laws of Leadership
 - Preparing for 1st Amendment Audits
 - Implicit Bias
 - Building Trust and a Constitutionally Sound Police Agency

Claims Management



Claims Management

- Serve as Claims Resource and Provide Technical Claims Support on all lines of coverage, including General Liability, Workers' Compensation, Property, Public Officials, Medical Malpractice and Cyber claims
 - Coordination with Excess Carriers and Litigation Manager for litigation strategy and settlement
- COVID-19
 - Coordination and management of COVID-19 claims throughout the NJCE
 - Engaged expert defense counsel to assist with management of claims
 - Distributed guidelines and resources for COVID-19 claims reporting and management
- TPA Summit – March 6, 2020
 - Brought all TPAs together to share information and foster uniformity throughout the NJCE counties/commissions

Claims Management – Past Successes

- Consolidation of Claims Oversight – PERMA Claims
- Origami Risk– Implementation of State of the Art Risk Management Information System
- Active Litigation Management working with Claims Committee, Excess Carriers, Commissioners and Judge Millard
- Managed Care Provider Network Strength Analysis
- Emergency Claims Response Protocols
- Formation of NJCE Claims Committee
- Property Claims Management – introduction of a TPA to handle all property claims.
- Coordination with Risk Control Services
- Aggressive Claims Advocacy
- Review & Analysis of Insurer Reserving Practices
- Claims Charter
- Coordinate Claims Audits and Reviews
- Assistance with Claim Reporting
- Coordination and Collaboration with the Municipal Excess Liability Joint Insurance Fund (MEL)
- Coordination between Commission TPAs and NJCE
- Utilization of NJCE Managed Care Network for improved Medical Cost Savings
- Partnership with Commissions’ Risk Managers
- Strategies to Maintain Effective Relationships with Medical Providers
- Loss Summaries/Trending Analysis
- Cyber Claims Reporting/ Coordination of Resources