



**COVERAGE, CLAIMS & LITIGATION COMMITTEE
Meeting Minutes**

**Thursday, February 8, 2018
IRMA Office – 1:30 p.m.**

PRESENT: Julia Cedillo, Chair
Greg Van Dahm
Barbara Maziarek
Kate Croteau
Doris Hamon-Warren
Bryon Vana
John DuRocher

ALSO PRESENT: Margo Ely
Donna Sluis
Susan Garvey
Mike Metzger

ABSENT: Patrick Brennan
Kevin Wachtel
Peter Vadopalas

I. CALL TO ORDER

Chair Cedillo called the meeting to order at 1:35 p.m., roll was taken and a quorum declared. Cedillo welcomed Peter Vadopalas and John DuRocher to the committee.

II. APPROVAL OF MINUTES

Cedillo asked if anyone had any questions and/or comments on the minutes of September 7, 2017. Hearing none, a motion was made by Vana and seconded by Hamon-Warren to approve the minutes of September 7, 2017. A voice vote was called and the motion carried.

III. WELCOME TO THE 2018 COVERAGE, CLAIMS & LITIGATION COMMITTEE

Cedillo mentioned the first meeting of the year we review various documents and gave a brief overview of each of the items. On page 9 is the Coverage, Claims & Litigation Committee Statement of Responsibility and requires a vote. The action being requested by staff is to approve 2 modifications to our statement of responsibility, which are items 1 and 9. Item 1 is regarding our responsibility for reviewing and approving contractual services in excess of \$15,000. The reason for that is because if these types of services are needed they would be assigned to the claim that is being reviewed. Cedillo asked if anyone had any questions or comments regarding this recommendation. One of our members that could not be here today expressed some concerns because this expenditure cost was assigned to a claim, this person did not see the need to eliminate this from one of our areas of responsibility. Ely commented the claims department uses investigators, nurses, and sometimes in liability cases we retain experts. It's different from the other 3 items. We wanted to have a discussion of what you feel like you need to oversee and have a little more clarity. Harmon-Warren commented she did not understand this and asked if the committee has ever looked at a \$15,000 claim. Ely commented that she is not aware of the committee ever reviewing any support services for

claims regardless of the price. Cedillo asked what is the policy for IRMA when they are going to consider a support service contract for claims? Are all contracts reviewed by committee and the board? Ely commented the Budget Policy says over \$25,000. This is not consistent with what our Budget policy says for when we have to approval for contract. After much discussion, it was agreed that this really doesn't belong at the Committee level. There was 1 descent.

Cedillo mentioned Item 9 involves responsibilities providing to the committee to review selected cases involving reservation of rights letters to gain an understanding of the coverage. Cedillo asked if staff could explain a little bit about why looking at reservation of rights letters would be brought back to this committee. Garvey commented this was put in the policy 5 or 6 years ago because the committee was getting questions about reservations of rights letter and declinations of coverage and the committee had asked to review them once in a while to have a better understanding of the coverage. Garvey indicated that the Committee would see any coverage issues through appeals or staff recommendations of changes so there wasn't a need to continue to bring these letters to the Committee. After much discussion, a motion was made by Harmon-Warren and seconded by Maziarek to approve the modifications to the Committee's Statement of Responsibility. The motion carried.

IV. CLAIMS & LITIGATION REPORTS

Cedillo mentioned starting on page 16 are the Claims & Litigation reports. Cedillo asked if anyone had any questions or comments on the New Litigated Claims report. Harmon-Warren commented so much of the new claims are trip and fall cases. Garvey mentioned there is a sidewalk inspection policy that we encourage our members to put in place, so it notes the ones that need to be repaired. It doesn't mean that if it doesn't need to be repaired that somebody is not going to trip and file a suit, but we have some tort immunity.

Cedillo mentioned on page 17 are the Closed Litigated Claims by Firm and if anyone had any questions or comments. Hearing none, Cedillo went to the Litigation Management Report on page 20 and asked if there were any questions or comments on that report. Harmon-Warren commented about the 2 cases with the amount paid of \$20,919.90 and wanted to know what the \$20,919.90 meant. Ely commented that those are the attorney fees.

Cedillo commented on page 22 is the Litigation Management Summary and asked if anyone had any questions or comments. Ely commented most of these are workers' compensation claims. DuRocher asked how the effectiveness of the attorneys is measured. Garvey commented staff will be creating a new report that will give more specific information. At this point there is no concern on the performance of our attorneys.

Cedillo commented next is the Subrogation Report. Ely gave an overview of the report to the committee and commented that it will be revised so when we do our annual report, it will give an accurate subrogation collection. Harmon-Warren commented that this could be done as a pivot table. his can be done by year and percentage and it will make a lot more visually presentable.

Cedillo commented next is the Predictive Modeling Report that was distributed. Ely gave an overview of the report to the committee. This report will be distributed quarterly and annually. Cedillo commented that she thought this was a good report and looking forward to future reports. After some discussion, it was recommended to have Milliman do a presentation at the next meeting.

Cedillo mentioned next is the Attorney Performance Report that was distributed. Garvey mentioned these are the comments from Keena making the phone calls to the members and employees involved. Cedillo asked if any phone calls are made to those situations that are early intervention or is it only when it truly becomes a complaint. Garvey mentioned the early intervention is mine. I have not been calling anybody during the early intervention process. I do talk to the member throughout the process, but I'm not specifically asking them feedback on the attorney's. Cedillo mentioned it might be worth getting the feedback from the early intervention as well.

V. COVERAGE, CLAIMS & LITIGATION COMMITTEE 2017 GOALS & OBJECTIVES REPORT

Cedillo commented on page 23 of the packet are the 2017 Committee Goals and Objectives report and gave an overview of the accomplishments to the committee.

VI. 2018 COVERAGE, CLAIMS & LITIGATION COMMITTEE GOALS & OBJECTIVES REPORT

Cedillo commented on page 25 of the packet are the 2018 Committee Goals and Objectives. The one goal that was particularly notable was #4. Ely gave an overview of this item to the committee. There will be a draft of the policy at the next meeting. Cedillo asked if anyone had any questions or comments on the goals and objectives. Garvey mentioned that there will probably be some substantial recommended changes to coverage in a couple of areas this year and gave more of an explanation on the changes. A motion was made by Vana and seconded by Harmon-Warren to approve the 2018 Committee Goals and Objectives. The motion carried.

VII. NEW MEDICAL MANAGEMENT PILOT PROGRAM

Metzger gave an overview of the new medical management pilot program with eight of our IRMA members to the committee. Cedillo asked if there will be a report to see how well this program is working? Metzger commented we will ask Dr. Khanna to generate some savings report after one year in the program and bring it back to the committee in February 2019. Cedillo then asked if there is a way we should be looking at the patient experience? Metzger commented that he let the members know to make sure that this is an open process and to let us know if there is a problem. Cedillo commented that a couple of other points are we not just looking at this specific provider, but the model in general and capacity during the pilot period. A flyer was included in the packet. Ely also gave an overview of the safety first program to the committee.

VIII. LITIGATION SUCCESSES

Cedillo mentioned this is informational only.

IX. EXECUTIVE SESSION

A motion was made by DuRocher and seconded by Harmon-Warren to move into Executive Session to discuss matters of: review of closed session minutes and the Early Intervention Report pursuant to 5 ILCS 120/2(c)(21) and (11) respectively.

A roll call vote was called and the motion carried.

Back in regular session, a motion was made by Van Dahm and seconded by Harmon-Warren to approve the Executive Session Minutes of September 7, 2017. A voice vote was called and the motion carried.

XIII. CONFIRMATION OF NEXT MEETING

Cedillo reported that the next scheduled meeting of the CCLC would be Thursday, May 3, 2018 at 9:30 a.m. at the IRMA Office.

XIV. ADJOURNMENT

At 3:58 p.m., a motion was made by DuRocher and seconded by Harmon-Warren to adjourn the meeting. A voice vote was called and the motion carried.

Submitted by:

Accepted by:

Susan Garvey
Director of Legal Services

Julia Cedillo
Chair, Coverage, Claims & Litigation Committee