



CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY

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BOARD OF DIRECTORS A G E N D A

Wednesday, April 29, 2009, at 10:05 a.m.

All portions of this meeting will be conducted by teleconference in accordance with Government Code Section 54953 (b). The Teleconference locations are as follows:

Bickmore Risk Services, 1750 Creekside Oaks Drive, Suite 200, Sacramento, California

City of Angels Camp, 584 S. Main Street, Angels Camp, California

City of Arvin, 200 Campus Drive, Arvin, California

City of Atwater, 750 Bellevue Road, Atwater, California

City of Avenal, 919 Skyline Boulevard, Avenal, California

City of Ceres, 2720 Second Street, Ceres, California

City of Chowchilla, 130 S. Second Street, Civic Center Plaza, Chowchilla, California

City of Clovis, 1033 Fifth Street, Clovis, California

City of Corcoran, 832 Whitley Avenue, Corcoran, California

City of Delano, 1015 Eleventh Avenue, Delano, CA

City of Dinuba, 405 East El Monte Way, Dinuba, California

City of Dos Palos, 1546 Golden Gate, Dos Palos, California

City of Escalon, 1854 Main Street, Escalon, California

City of Exeter, 137 North "F" Street, Exeter, California

City of Farmersville, 909 W. Visalia Road, Farmersville, California

City of Firebaugh, 1575 Eleventh Street, Firebaugh, California

City of Fowler, 128 S. Fifth Street, Fowler, California

City of Gustine, 682 Third Street, Gustine, California

City of Hanford, 319 North Douty, Hanford, California

City of Hughson, 7018 Pine Street, Hughson, California

City of Huron, 36311 S. Lassen Ave, Huron, California

City of Kerman, 850 South Madera, Kerman, California

City of Kingsburg, 1401 Draper Street, Kingsburg, California

City of Lathrop, 16775 Howland Road, Suite 1, Lathrop, California

City of Lemoore, 119 Fox Street, Lemoore, California

City of Lindsay, 251 East Honolulu Street, Lindsay, California

City of Livingston, 1416 "C" Street, Livingston, California

City of Los Banos, 520 "J" Street, Los Banos, California

City of Madera, 205 W. Fourth Street, Madera, California

City of Maricopa, 400 California Street, Maricopa, California

Northern Region

Angels Camp
Atwater
Ceres
Escalon
Gustine
Hughson
Lathrop
Livingston
Newman
Oakdale
Patterson
Ripon
Riverbank
Sonora
Sutter Creek
Tracy
Turlock
Waterford

Central Region

Chowchilla
Clovis
Dinuba
Dos Palos
Firebaugh
Fowler
Huron
Kerman
Kingsburg
Los Banos
Madera
Mendota
Merced
Orange Cove
Parlier
Reedley
San Joaquin
Sanger
Selma

Southern Region

Arvin
Avenal
Corcoran
Delano
Exeter
Farmersville
Hanford
Lemoore
Lindsay
Maricopa
McFarland
Porterville
Shafter
Taft
Tehachapi
Tulare
Wasco
Woodlake



* = Agenda Item Enclosed A = Action Item I = Information Item

City of McFarland, 401 West Kern Avenue, McFarland, California
City of Mendota, 643 Quince Street, Mendota, California
City of Merced, 678 West 18th Street, Merced, California
City of Newman, 1162 Main Street, Newman, California
City of Oakdale, 280 North Third, Oakdale, California
City of Orange Cove, 633 Sixth Street, Orange Cove, California
City of Parlier, 1100 E. Parlier Avenue, Parlier, California
City of Patterson, 1 Plaza, Patterson, California
City of Porterville, 291 N. Main Street, Porterville, California
City of Reedley, 845 “G” Street, Reedley, California
City of Ripon, 259 N. Wilma Avenue, Ripon, California
City of Riverbank, 6707 Third Street, Riverbank, California
City of San Joaquin, 21900 Colorado, San Joaquin, California
City of Sanger, 1700 7th Street, Sanger, California
City of Selma, 1710 Tucker Street, Selma, California
City of Shafter, 336 Pacific Avenue, Shafter, California
City of Sonora, 94 N. Washington Street, Sonora, California
City of Sutter Creek, 18 Main Street, Sutter Creek, California
City of Taft, 209 East Kern, Taft, California
City of Tehachapi, 115 S. Robinson Street, Tehachapi, California
City of Tracy, 333 Civic Center Drive, Tracy, California
City of Tulare, 411 E. Kern Avenue, Tulare, California
City of Turlock, 156 S. Broadway, Suite 230, Turlock, California
City of Wasco, 764 “E” Street, Wasco, California
City of Waterford, 312 “E” Street, Waterford, California
City of Woodlake, 350 North Valencia Boulevard, Woodlake, California

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact Ms. Reilly at (800) 541-4591, ext. 4616 or (916) 244-1198 (fax). Requests must be made as early as possible and at least one-full business day before the start of the meeting.

Documents and material relating to an open session agenda item that are provided to the CSJVRMA Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection and copying at: 1750 Creekside Oaks Drive, Suite 200, Sacramento, CA 95833. The documents are also available on CSJVRMA’s website, www.csjvrma.org.

1. CALL TO ORDER

2. INTRODUCTIONS

3. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

A

4. PUBLIC COMMENTS – This time is reserved for members of the public to address the

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Board relative to matters of the Central San Joaquin Valley Risk Management Authority not on the agenda. No action may be taken on non-agenda items unless authorized by law. Comments will be limited to five minutes per person and twenty minutes in total.

5. MEDICARE / MEDICAID & STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP) EXTENSION ACT 2007 (MMSEA)

- Pg *A. Resolution Authorizing the CSJVRMA Administrator to Serve as the Authorized Representative of the CSJVRMA for the Purpose of Registering with CMS for Mandatory Medicare Reporting **A**

Recommendation: Staff recommends the Board of Directors approve the Resolution authorizing the CSJVRMA Administrator to Serve as the Authorized Representative of the CSJVRMA for the Purpose of Registering with CMS for Mandatory Medicare Reporting.

6. CLOSING COMMENTS

This time is reserved for comments by Board members and/or staff and to identify matters for future Board business.

- A. Board
- B. Staff

7. ADJOURNMENT

NOTICES:

- The next two regular meetings of the Executive Committee are scheduled for Thursday, May 28, 2009, at 10:00 a.m. at the McDermont Field House in Lindsay, CA, and Thursday, June 25, 2009, at 2:00 p.m., at the Piccadilly Inn – Shaw, Fresno.
- The next regular meeting of the Board of Directors is scheduled for Friday, June 26, 2009, at 9:30 a.m., at the Piccadilly Inn - Shaw, Fresno.
- The next scheduled regional meetings will be held as follows:

Northern Region:

June 26, 2009, Fresno, 9:00-9:30 a.m.

Central Region:

June 26, 2009, Fresno, 9:00-9:30 a.m.

Southern Region:

June 26, 2009, Fresno, 9:00-9:30 a.m.

April 29, 2009

**MEDICARE / MEDICAID & STATE CHILDREN'S HEALTH INSURANCE
PROGRAM (SCHIP) EXTENSION ACT 2007 (MMSEA)**

SUBJECT: Resolution Authorizing the CSJVRMA Administrator to Serve as the Authorized Representative of the CSJVRMA for the Purpose of Registering with CMS for Mandatory Medicare Reporting

BACKGROUND AND STATUS:

At the March 27, 2009, Board of Directors' meeting, staff reported on new legislation effective July 1, 2009, requiring all liability, no-fault, and workers' compensation insurers, self insurers, and self-insured groups, as well as group health plans, to determine whether any individual claimants/applicants are entitled to Medicare benefits. Although the regulations are still evolving, it appears at the present time that all individuals who are age 62 ½ or older, those on Social Security Disability, those with renal failure, and those with Lou Gehrig's disease are included in the class of "Medicare eligible". After July 1, 2009, all judgments, settlements, and awards for individuals within this class are required to be reported, and the present and future financial interests of Medicare are to be protected. The civil penalty to the payer for failure to report is the sum of \$1,000 per day per claimant for each day of noncompliance.

Beginning May 1, 2009, and continuing through June 30, 2009, all insurers, self-insureds, and group self-insureds are required to register with the Centers for Medicare and Medicaid Services (CMS). In order for staff to assist the CSJVRMA with this new reporting requirement, a Resolution authorizing staff to register the CSJVRMA with CMS will need to be approved.

Staff at Bickmore Risk Services has spent a great deal of time on this issue and will make every effort to keep you fully-apprised and assist you with compliance.

Attached is a communication from the CMS regarding the Mandatory Medicare Reporting which provides an email address for voicing comments and concerns about this issue.

RECOMMENDATION:

Staff recommends the Board of Directors approve the Resolution authorizing the CSJVRMA Administrator to Serve as the Authorized Representative of the CSJVRMA for the Purpose of Registering with CMS for Mandatory Medicare Reporting.

REFERENCE MATERIALS ATTACHED:

- Resolution of the Board of Directors authorizing the CSJVRMA Administrator to Serve as the Authorized Representative of the CSJVRMA for the Purpose of Registering with CMS for Mandatory Medicare Reporting.
- CMS Communication dated April 10, 2009 – Opportunity to Comment on Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CENTRAL SAN JOAQUIN VALLEY RISK MANAGEMENT AUTHORITY
AUTHORIZING THE JPA ADMINISTRATOR TO SERVE AS THE AUTHORIZED
REPRESENTATIVE OF THE JPA FOR THE PURPOSES OF REGISTERING WITH CMS
FOR MANDATORY MEDICARE REPORTING**

WHEREAS, with new legislation, effective July 1, 2009, all liability, no-fault, and workers' compensation insurers, self insurers, and self-insured groups, as well as group health plans, will be required to determine whether any individual claimants/applicants are entitled to Medicare benefits,

WHEREAS, the Central San Joaquin Valley Risk Management Authority (CSJVRMA) must register as the Responsible Reporting Entity (RRE) on behalf of the CSJVRMA and its Members for the purpose of reporting claims, judgments, settlements, and awards for claimants who qualify for Medicare benefits,

WHEREAS, each RRE must assign or name an Authorized Representative to register the JPA as an RRE between May 1, 2009, and June 30, 2009,

WHEREAS the Authorized Representative must have legal authority to bind the organization to a contract and the terms of Medicare / Medicaid & State Children's Health Insurance Program (SCHIP Extension Act 2007 (MMSEA) Section 111 requirements and processing, and will have ultimate accountability for the RRE's compliance with Section 111 reporting requirements,

WHEREAS, CSJVRMA's Administrator, is an employee of Bickmore Risk Services and can be given authority to perform duties as needed on behalf of the CSJVRMA Board of Directors,

NOW, THEREFORE, BE IT RESOLVED THAT, this Resolution will serve as CSJVRMA's appointment of Bickmore Risk Services, and CSJVRMA's Administrator as the Authorized Representative of the CSJVRMA for the purpose of registering the CSJVRMA with the Centers for Medicare and Medicaid Services (CMS) in compliance with MMSEA requirements.

This Resolution is moved, seconded, and adopted by the Board of Directors at a regular meeting of the Board held _____, in _____, California by the following vote:

- AYES
- NOES
- ABSTAIN
- ABSENT

ATTEST:

PRESIDENT, BOARD OF DIRECTORS



Office of Financial Management/Financial Services Group

April 10, 2009

Opportunity to Comment on
Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007
(See 42 U.S.C. 1395y(b)(7)&(b)(8))

Ongoing informal opportunity:

The Secretary of the Department of Health and Human Services has implemented Section 111, by program instruction. The Secretary has published instructions at a website established for such purpose. The Centers for Medicare & Medicaid Services (CMS) is providing an opportunity for public comment as it moves forward with its implementation efforts.

Consequently, CMS has established the following e-mail address for comments:
PL110-173SEC111-comments@cms.hhs.gov

- Please make the title in the subject line of your comments as specific as possible (example: GHP data elements). Specificity will allow CMS to sort and address incoming e-mails more readily.
- If you have multiple issues, splitting your issues into multiple e-mails will again allow CMS to sort and address incoming issues more readily.
- Comments will be acknowledged through an automated reply but will not receive individualized responses.
- This e-mail address will allow CMS to receive the widest input possible. CMS will use the comments received, in part, in evaluating pending instructions and deciding if there are additional issues that CMS should address on the website containing instructions for Section 111 (www.cms.hhs.gov/MandatoryInsRep).