

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

JONATHAN L. YOUNG
NJAC President
Camden County Commissioner

JOHN G. DONNADIO, ESQ.
Executive Director

STATE HOUSE NEWS

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Over the past few months, NJAC has been meeting with State leaders to discuss our legislative goals for the remainder of the 2022/23 session with the following two matters concerning online legal notices and county reorganization meetings as our top priorities.

ONLINE LEGAL NOTICES

ISSUE: NJAC is urging State leaders to pass legislation that would provide local governing bodies with the opportunity to electronically publish legal notices in a newspaper's website or digital publication. In general, current law requires purchasing officials, clerks of the boards, planning departments, improvement authorities, and several others to publish onerous written information and legal notices in local newspaper publications. Such notices typically include contract awards, contract addendums, meeting notices, RFP and RFQ notices, election notices, and much more. Public officials have long decried that publishing these voluminous documents in print media is costly, time consuming, and outdated. Moreover, as the newspaper industry has become increasingly digitized and struggled to retain staff, resources, and publications, local officials have found it difficult to comply with the notice requirements under the law.

REMEDY: Title 35 of the Revised Statutes may be supplemented with the following language, in part, as well as amendments made to various sections of the statutory law that would permit local governing bodies *"to electronically publish legal notices in a newspaper's website or in a newspaper's digital publication."*

COUNTY REORGANIZATION MEETINGS

ISSUE: NJAC is also urging State leaders to enact legislation that would allow county governments to host reorganization meetings at a venue located within the county. Under current law, county governments must hold annual reorganization meetings at Superior Court and have often struggled to accommodate family members, the public, and press. Over the past several years, boards of county commissioners have been forced to conduct reorganization meetings at various locations within the county or host a ceremonial meeting followed by an official one. This initiative would provide county governments with the flexibility to host official reorganization meetings at larger and more convenient venues such as county colleges, county administration buildings, State facilities, and more.

REMEDY: The law may be amended under N.J.S.A. 40:20-75 as follows: *“The stated annual meeting of the boards of chosen freeholders shall be held [at the place of holding the Superior Court] in the county seat or at a county facility in the respective counties at 12 noon on either the first or second day of January or on some other hour on any day during the first week in January, annually, as the board, by resolution passed before said meeting, may determine. If the date so fixed shall fall upon a Sunday the meeting shall be held the following day, unless said resolution authorizes the meeting to be held on a Sunday.*

SHBP COMPETITION & TRANSPARENCY

On June 30th, both houses passed along partisan lines **S-3756** (*Scutari D-22/Sarlo D-36*)(*Schaer D-36/Wimberly D-35*), which would require the State Health Benefits Program (SHBP) and School Employees Health Benefits Program (SEHBP) to select more than one claims administrator for each plan and to provide claims data to public employers that participate in the programs.

In general, this legislation would require the State Health Benefits Commission and the School Employees’ Health Benefits Commission to choose at least two third-party administrators from among submitted responsive proposals within a competitive range. The commissions would be required to award the contracts based on which responsive proposal within the competitive range is the most advantageous to the State based on relevant factors including price, network breadth, member experience, the ability to engage in innovative approaches designed to slow the growth of health care costs, and any other factors that the commission may deem relevant. The commissions would be authorized to award a contract to the vendor with the bid that is most advantageous to the State based upon the evaluation factors, and to thereafter award another contract to one or more vendors with bids within the competitive range that can provide a comparable bid price and factors of the first awarded contract.

The bill would also require the Department of Treasury to provide, upon request, but not more frequently than twice in a plan year, to a participating employer, a standard report which contains the requesting employer’s de-identified aggregate data relating to the use of benefits by their employees, early retirees, and Medicare retirees, and their dependents, covered under the plans in the program. The report would include premiums paid by month for each month covered in the report and paid claims by month for the following categories of services: inpatient hospital; outpatient hospital; in network medical; out of network medical; prescription drugs; medical drugs; emergency room services; and behavioral health, each reported separately. The report shall cover both health and prescription benefits.

Additionally, the measure would require not later than December 1st of each year, the Treasury to collect and analyze claims data within the SHBP and SEHBP to develop, and make publicly available, a claims trend report for each program in the following categories: inpatient hospital; outpatient hospital; in network medical; out of network medical; prescription drugs; medical drugs; emergency room services; and behavioral health. The claims trend report would also provide the information in segments including active, early retiree, and Medicare retiree for

each plan in SHBP and SEHBP. The Department would also make the report available on or before December 31st of each year to all majority representatives of public employees for collective negotiations purposes with which the State negotiates. The report would be posted on the Department of the Treasury's website in a prominent and accessible location not later than January 1st of the following calendar year.

NJAC supports this important and timely legislation as it would increase competition and transparency in the wake of SHBP approving unprecedented health benefit insurance rate hikes late last year. Of note, the Office of Legislative Services (OLS) "estimates that requiring the State Health Benefits Commission and the School Employees' Health Benefits Commission to contract with multiple claims administrators for each plan offered by the State Health Benefits Program and the School Employees' Health Benefits Program and requiring the programs to annually provide certain claims data to participating plan sponsors will potentially reduce combined State and local expenditures by five to 20 percent, or \$319 million to \$1.3 billion, given certain assumptions." In general, the Governor has 45 days to act on a passed bill or it becomes law. However, if the house of the bill's origin is in temporary adjournment as is currently the case, the Governor has until the day after the house of the bill's origin reconvenes to act accordingly. It's unclear if Governor Murphy will sign this legislation.

MENTAL HEALTH DIVERSION PROGRAM

Also on June 30th, both houses passed **S-524** (*Ruiz D-29/Cunningham D-31*)(*Quijano D-20/Mukherji D-33*), which would create a Mental Health Diversion Program (MHDP) to divert eligible persons away from criminal justice system and into appropriate case management and mental health services.

In general, this legislation would establish an MHDP for individuals with mental illness involved in the criminal justice system in three judicial vicinages located in the northern, central, and southern regions of the State. The intent of the program would be to divert eligible persons with serious mental illness who have committed certain offense away from the criminal justice system and into appropriate case management and mental health services. The goals of the program would be to: reduce incarceration rates for the appropriate target population through effective diversion away from the criminal justice system; increase the quality of life for the target population through efficient linkage to available social entitlements and community based mental health treatment providers, in conjunction with supportive monitoring to ensure compliance; increase community awareness and understanding through cross training of law enforcement and mental health communities; and, reduce recidivism and re-hospitalization rates for the target population leading to an increase in public safety.

The measure would define an "eligible offense" as a crime of the third or fourth degree that does not involve violence. Additionally, the bill would define an "eligible person" as is one who is mentally competent; allegedly committed an eligible offense and is not otherwise disqualified by the provisions of this act; and, has been diagnosed with a mental illness, either previously or

through a mental health evaluation conducted through the program, and there is a nexus between the person's mental illness and the commission of the alleged crime as determined by a certified mental health professional. The bill would require the Attorney General, in consultation with the Administrative Office of the Courts (AOC) to establish a MHDP in one vicinage in each of the northern, central, and southern regions of the State and to accept eligible persons accordingly. The legislation clarifies that similar programs in operation at that time may be deemed to comply with the requirements of this Act and may be selected for inclusion in the MHDP. It's unclear if Governor Murphy will sign this legislation into law.

UPCOMING EVENTS Don't forget to mark your calendars for NJAC's Year-End "Summit on Homelessness" set for Friday 12/15 at the historic Trenton Country club with additional details available on our website at www.njac.org.

THE FLEETING THOUGHTS THAT CROSS YOUR MIND WHEN YOU MAKE THE UNFORTUNATE DECISION OF BEING A PASSENGER IN THE CAR OF YOUR 82-YEAR-OLD UNCLE JOE WHO'S ON A MISSION TO BUY PORK CHOPS ON SALE AT COSTCO AND YOU'VE MADE HIM LATE.

7. I'm so scared but don't want to tell him to slow down or pay attention because he'll yell at me even more.
6. I'm so scared and wish he would pull over so I can breathe and go to the bathroom again.
5. I should have gone to church more often and not given Father Lester such a hard time in the 6th grade.
4. Those pork chops better be the best pork chops ever made and I'm taking some home.
3. I hope we get a great turnout for NJAC's Summit on December 15th.
2. I hope that wasn't a person he just ran over.
1. Where in the world did he learn all of those bad words.

"Don't judge each day by the harvest you reap, but by the seeds that you plant." Robert Louis Stevenson