

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207



Meeting Agenda

Thursday, February 25, 2021

6:00 PM

Held Remotely

Personnel Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES

CURRENT BUSINESS:

2. AUTHORIZING AN AGREEMENT WITH AETNA TO ADMINISTER THE MEDICARE ADVANTAGE PLAN FOR MEDICARE ELIGIBLE RETIREES
3. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO RECOGNIZE JUNETEENTH AS A COUNTY HOLIDAY
4. AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION

County of Albany

*Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207*



Meeting Minutes

Thursday, January 28, 2021

6:00 PM

Held Remotely

Personnel Committee

PREVIOUS BUSINESS:

- Present:** Legislator Gilbert F. Ethier, Legislator Jeffrey D. Kuhn, Dustin M. Reidy, Raymond F. Joyce, Sean E. Ward, Merton D. Simpson, Lynne Lekakis and Mark E. Grimm
- Excused:** Todd A. Drake

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

CURRENT BUSINESS:

2. CONFIRMING THE APPOINTMENT OF A MEMBER TO THE ALBANY COUNTY AIRPORT AUTHORITY

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

3. AUTHORIZING THE OFFICES OF THE PUBLIC DEFENDER AND ALTERNATE PUBLIC DEFENDER TO CONSIDER OUT-OF-COUNTY APPLICANTS FOR THE POSITIONS OF ASSISTANT ALBANY COUNTY PUBLIC DEFENDER AND ASSISTANT ALTERNATE ALBANY COUNTY PUBLIC DEFENDER

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

Albany County

Department of **HUMAN RESOURCES**

Daniel P. McCoy, Albany County Executive

Jennifer Skelly Clement, Commissioner

MEMORANDUM

TO: Hon. Andrew Joyce, Chairman, Albany County Legislature

CC: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel

FROM: Jennifer Skelly Clement, Commissioner of Human Resources

DATE: 02/11/2021

RE: RLA: Medicare Advantage Plan

Attached please find the RLA to approve the contract with Aetna as the Administrator for the Medicare Advantage Plan for Medicare Eligible Retirees.

Due to a significant increase in rates proposed for 2021, Albany County issued an RFP. Aetna was the selected bidder through the RFP process. Attached please find the recommendation from our benefits consultant, which includes the RFP score charts and summary analysis.

Please feel free to contact me with any additional questions you may have.



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NY 12207

Legislation Text

File #: TMP-2305, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization with Aetna as the Administrator for the Medicare Advantage Plan for Medicare Eligible Retirees

Date:	2/12/21
Submitted By:	Jennifer Clement
Department:	Human Resources
Title:	Commissioner
Phone:	518-447-5690
Department Rep.	
Attending Meeting:	Jennifer Clement

Purpose of Request:

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Liz Sampo, Sales Vice President
Aetna Life Insurance
151 Farmington Avenue
Hartford, CT, 06156

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.

Scope of Services: Administration of a Medicare Advantage Plan for Albany County
Retirees

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes No
If Mandated Cite Authority: Albany County

Is there a Fiscal Impact: Yes No
Anticipated in Current Budget: Yes No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.
Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: Click or tap here to enter text.
County: 100%
Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.
Length of Contract: 3 years

Impact on Pending Litigation

If yes, explain: Yes No
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

The Department of Human Resources respectfully requests legislative action to enter into a three year contract with Aetna to serve as the Administrator for the Medicare Advantage Plan for Medicare Eligible Retirees. Due to a significant increase in rates proposed for 2021, Albany County issued an RFP and Aetna was the selected bidder.

LOCEY & CAHILL, LLC

ARMORY SQUARE
250 SOUTH CLINTON ST., SUITE 340
ARMORY SQUARE
SYRACUSE, NY 13202

MEMORANDUM

DATE: FEBRUARY 11, 2021

FROM: LOCEY & CAHILL, LLC

**TO: JENNIFER CLEMENT, COMMISSIONER
COUNTY OF ALBANY DEPARTMENT OF HUMAN RESOURCES**

**RE: 2021 MEDICARE ADVANTAGE PROGRAM
REQUEST FOR PROPOSAL (RFP) ANALYSIS AND RECOMMENDATION**

Locey & Cahill, LLC has been asked to provide a review of the Medicare Advantage Request for Proposal (“RFP”) responses received from six different Medicare Advantage Plans.

The RFP was prepared and sent out due to severe increase in the premiums of the Medicare Advantage Plan under the current administrator, Empire BCBS. The monthly premiums increased from 2020 to 2021 from \$314.27 to \$446.50, a 42% increase and a \$2 million impact on the County’s Budget this year. The goal of the RFP was to identify if there are Medicare Advantage Plans available to the County that would maintain the same level of benefits and program performance at a more cost-effective price. As will be shown in this report, we believe that by transitioning over to Aetna from Empire BCBS, the County can implement a new Medicare Advantage Administrator while offering the retirees a better benefit package with access to a more effective and wiser network structure.

Quoted Premiums

Mindful that the primary purpose of this RFP Process was in reaction to the large premium increase, the first item of consideration in reviewing the proposals was the proposed premium rates for 2021:

2021 Albany County Medicare Advantage Responses						
2020 Premium	\$ 314.27	\$ 4,823,416				
Members	1,279					
	<u>MVP</u>	<u>CDPHP</u>	<u>Aetna</u>	<u>Empire</u>	<u>Humana</u>	<u>BlueShield (NE)</u>
2021 Proposed Monthly Premium:	\$344.25	\$347.16	\$308.00	\$446.50	\$348.00	\$750.00
% Increase	9.54%	10.47%	-2.00%	42.08%	10.73%	138.65%
Total Annualized Budget	\$ 5,283,549	\$ 5,328,212	\$ 4,727,184	\$ 6,852,882	\$ 5,341,104	\$ 11,511,000

Mindful of the proposed rates alone, it was easy to remove Empire and Blue Shield of Northeast NY as viable proposals even though Empire is the incumbent carrier. The other four carriers proposed reasonable premiums and were rightfully considered further in this process.

The next level of consideration lies in each of the four carriers ability to match the benefits that are available to members and present a provider network that would cause as little disruption as possible.

Benefit Structure

As for the benefits that are available to the members, all four of the carriers presented a plan of benefits that matched the current carriers' plan. In fact, all four of these proposals included new aspects of Medicare Advantage Plans that were not included in the previous plan. This includes a meal plan that is available to members after discharge from the hospital along with other customer support programs that are designed to keep people healthy and reduce stress.

One carrier did present a unique solution to a current problem that exists with the current plan. Aetna identified that the acupuncture benefit as it was currently structured presented a percentage-based payment system that was very difficult for the retirees to understand and budget for. They proposed structuring the benefit as a co-pay based plan to remove this uncertainty without any change to the proposed premium. This unique proposal added to our consideration of the Aetna Bid.

Provider Networks

The current Empire BCBS Plan is a provider network based program that offers a co-pay based program for those members that utilize the Empire BCBS Medicare Advantage Network. For those members that use a provider that does not participate with Empire, they have a deductible with co-insurance benefit. This is the same structure that was quoted by MVP and CDPHP.

This type of network structured plan presents great problems to the County with the transition from one Medicare Advantage Plan to another. It can be extremely confusing for Medicare aged members to understand the differences in networks and they are very averse to changing doctors. This was the single greatest challenge when the County switched from CDPHP to Empire BCBS four years ago.

Adding to this network problem is the regional focus of the networks associated with CDPHP and MVP. The County does have a sizeable membership that resides outside of the Capital District particularly in areas like Florida and Arizona. Historically, this diverse population distribution caused the retirees great problems regarding finding in-network providers.

Two of the carriers presented proposals that had a network structure that completely eliminated this problem. For the Aetna and Humana Proposals, there is not a network in place that retirees have to try to accommodate. Instead, so long as retirees used a provider that accepted Medicare as reimbursement, they would be covered under these plans subject to only a co-payment (that matches the current co-payment for in-network services) or the benefit would be paid in full. The retirees simply know that if their provider accepts Medicare as payment, they will be covered at little to no cost.

An item of note regarding those rare providers that do not accept Medicare as payment. These providers are not covered under the current plan and would also be excluded from all of the proposed plans. In these rare cases, providers are required to have their patients sign off, in advance, that they are aware that there would be no financial coverage for these services from Medicare and they would be responsible for the payment for the services that they receive.

This represents a significant enhancement of the benefits for the County of Albany's retired Medicare Population. This also greatly diminishes an administratively burdensome program for the County Administration to run and makes the conversion from the previous carrier to the new carrier a far simpler process.

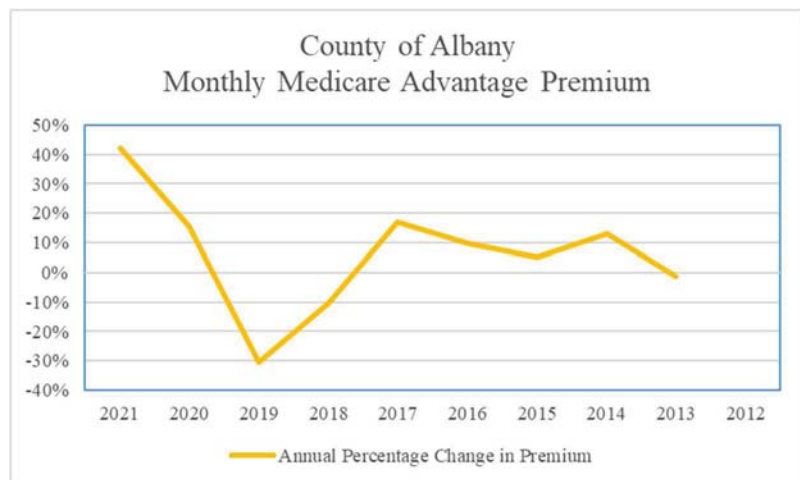
Summary and Recommendation

Based on Locey & Cahill's review of the six proposals:

- We were first able to remove from consideration the Empire & Blue Shield Proposals due to the quoted premiums.
- We then reviewed, in detail, the benefits offered by each of the remaining proposals and determined that they did match the benefit structure currently in place.
- We then noted problems that existed with the MVP and CDPHP Networks when compared to the current Empire BCBS Provider Network.
 - There are network differences that exist between the current network and the proposed networks that would cause significant stress for the retirees through the transitional process due to the disruption of a number of retirees.
 - There are also national issues that exist with retirees that reside outside of the Capital District trying to find access to in-network providers.
- The proposal by Aetna and Humana included access to all the providers throughout the Country that accepted Medicare as payment. Retirees would no longer have to consider whether a provider is in-network or out-of-network. Quite simply, so long as a provider participates with Medicare, which the overwhelming majority of providers and facilities throughout the Country do, they would be covered by this Plan and the member would simply have to pay a co-payment or receive benefits paid in full.

Due to the considerations listed above, we are strongly recommending the County of Albany move to transition their Medicare Advantage Plan over to Aetna as soon as possible. Converting over to Aetna means that the County would see their premiums decrease from the 2021 rates by 44%. The quoted rates from Aetna represent a 2% decrease from the rates that were in place in 2020.

In addition to the immediate savings associated with this proposal, Aetna was also able to provide rates for 2022 and 2023 this eliminating what has been a consistent problem for the County's Medicare Advantage Plan. As can be seen on the adjoined chart, the volatility of the rates for the Plan have been very problematic over the past 9 years. This culminated in the 44% rate increase for 2021. The three years of guaranteed rates provide the County a level of stability in this program that has not been in place for a number of years. This was the final piece of the puzzle that led to our recommendation of transitioning the County's Medicare Advantage Plan over to Aetna.



We hope you find our review and summary of the proposals received for the County's specialty pharmaceutical program helpful. As always, should you have any questions or concerns, regarding this information or any other issues facing the County of Albany from an employee benefits perspective, please feel free to contact our office at 315-425-1424.

RESOLUTION NO. 54

AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO RECOGNIZE JUNETEENTH AS A COUNTY HOLIDAY

Introduced: 2/8/21

By Mr. Clay, Ms. Chapman, Messrs. Efekoro, Fein, Ms. McLaughlin, Mr. Simpson, Ms. Willingham, Messrs. A. Joyce, Feeney, Beston, Bruschi, Cleary, Commisso, Ethier, R. Joyce, Ms. Lekakis, Mr. Mayo, Ms. McLean Lane, Messrs. Miller, O'Brien, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Smith and Ward:

WHEREAS, The news of liberation of slaves came to Texas more than two years after President Abraham Lincoln's Emancipation Proclamation went into effect on January 1, 1863, and

WHEREAS, African-Americans across the state were made aware of their right to freedom on June 19, 1865, when Major General Gordon Granger arrived in Galveston with federal troops to read General Order No. 3 announcing the end of the Civil War and that all enslaved people were now free, as well as to maintain a presence in Texas for the purpose of enforcement of emancipation among slave-owners throughout the state, and

WHEREAS, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures, and

WHEREAS, The faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race, and

WHEREAS, Slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865, and

WHEREAS, Over the course of its history, the United States has grown into a symbol of democracy and freedom around the world, and

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Contained within the employee rules and regulations are the holidays observed by county employees, and

WHEREAS, NYS Governor Andrew M. Cuomo issued an Executive Order recognizing June 19, 2020 as Juneteenth, and declared that June 19, 2020 to be a holiday for state employees, and

WHEREAS, the County of Albany, being the Capital of the Empire State, has a proud history of being at the forefront in supporting, honoring and celebrating civil rights and freedoms, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County of Albany

(1) Designates June 19, 2021, as “Juneteenth”;

(2) Recognizes the historical significance of Juneteenth to the United States;

(3) Supports the continued nationwide celebration of Juneteenth to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States, and

(4) Recognizes that the observance of the end of slavery is part of the history and heritage of the United States, and be further

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

“ARTICLE VI: PAID LEAVES OF ABSENCE

H. Paid Holidays. The following days are observed by the County as paid holidays: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day, and Christmas Day. If such a holiday falls on a Saturday, it will be observed on the preceding Friday and if such a holiday falls on a Sunday, it will be observed on the following Monday.”

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this Resolution to the appropriate County Officials.

Referred to Personnel Committee – 2/8/21

RESOLUTION NO. 56

AMENDING THE RULES AND REGULATIONS FOR ALBANY COUNTY EMPLOYEES TO PROVIDE PAID LEAVE FOR THE PURPOSES OF RECEIVING A COVID-19 VACCINATION

Introduced: 2/8/21

By Ms. Lekakis, Messrs. Ethier, Kuhn, A. Joyce, Feeney, Beston, Bruschi, Burgdorf, Ms. Chapman, Messrs. Clay, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Fein, Grimm, R. Joyce, Langdon, Ms. Lockart, Messrs. Mauriello, Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Smith, Tunny, Ward, Mss. Whalen and Willingham:

WHEREAS, No greater threat to the health and safety of the employees of the County of Albany has been experienced than that which was brought by the COVID-19 global pandemic, and

WHEREAS, The goal of vaccination is paramount to the continued welfare of the employees of the County and the community as a whole, and

WHEREAS, It is inconceivable that employees of the County may have to decide between their income and their health and safety, and

WHEREAS, It is therefore necessary to ensure such decisions need not be contemplated by providing employees of the County of Albany with the necessary paid time-off so that they may receive the COVID-19 vaccine, and

WHEREAS, By Resolution No. 136-b for 1999, this Honorable Body adopted employee rules and regulations which are applicable to all non-union employees of Albany County, and

WHEREAS, Contained therein is Article VI: Paid Leaves of Absence for employees of the County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Employee Rules and Regulations, adopted pursuant to Resolution No. 136-b for 1999, as amended, are hereby amended to read as follows:

ARTICLE VI: PAID LEAVES OF ABSENCE

O. Special Paid Leaves (Excused Time).

9. Special Leave for COVID-19 Vaccination. An employee shall be granted up to four (4) hours paid leave per year for the purpose of being vaccinated for COVID-19. The employee will be required to report to work for the balance of the work day when such procedure requires less time than the employees scheduled work day.

- a. Such leave shall be charged in such increments as may be approved by the employee's supervisor but in no case shall such increments be less than one-quarter ($\frac{1}{4}$) hour.
- b. All requests to use special leave for COVID-19 vaccination must be submitted to an employee's supervisor as soon as the need to be absent from work for the purposes of being vaccinated for COVID-19 is known to the employee. Failure to provide proper notice may result in the denial of leave.
- c. Satisfactory proof that such vaccination was scheduled and/or administered may be requested by the supervisor of the employee or the Department of Human Resources.
- d. Submission of forged, fraudulent or altered documentation for satisfying subsection "c" herein shall be handled pursuant to subsection seven (7) of section I of this Article.

and be it further,

RESOLVED, that to the extent permissible under law, this grant of paid leave shall apply to both union and non-union employees, but nothing herein shall be deemed to impede, infringe, diminish or impair the rights of an employee under any law, regulation or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining agreement, and be it further,

RESOLVED, that this Resolution shall take effect immediately and apply retroactively to employees who can provide satisfactory proof that they used accruals for the purposes of receiving the COVID-19 vaccine on or after December 1, 2020, with such accruals previously used being restored to the employee in accordance with the terms of this Resolution, and be it further,

RESOLVED, that this Resolution shall expire and be deemed repealed on December 31, 2022, and be it further,

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this Resolution to the appropriate County Officials.

Referred to Health and Personnel Committees – 2/8/21