

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2005

Legislative Actuarial Note

HEALTH BENEFITS

BILL NUMBER: House Bill 289 (First Edition)

SHORT TITLE: State Health Plan: No Abortion Covg. Except.

SPONSOR(S): Representative LaRoque

SYSTEM OR PROGRAM AFFECTED: Teachers' and State Employees' Comprehensive Major Medical Plan.

FUNDS AFFECTED: State General Fund, State Highway Fund, other State employer receipts, premium payments for dependents by active and retired teachers and State employees, premium payments for coverages selected by eligible former teachers and State employees, premium payments for coverages selected by firefighters, rescue squad workers, members of the National Guard, certain County local governments, and the North Carolina Symphony Society, Inc.

BILL SUMMARY: The bill excludes coverage as a maternity benefit under the Teachers' and State Employees' Comprehensive Major Medical Plan for all medical or surgical abortion procedures except in cases of rape or incest or when, in the written opinion of the attending physician, failure to terminate the pregnancy endangers the life of the mother. Only employees and enrolled spouses are eligible for maternity benefits under the Plan.

EFFECTIVE DATE: When it becomes law.

ESTIMATED IMPACT ON STATE: Both the consulting actuary for the Teachers' and State Employees' Comprehensive Major Medical Plan, Mellon Consultants, and the consulting actuary for the General Assembly's Fiscal Research Division, Hartman and Associates, project the bill to have a net cost savings for the Plan's self-insured indemnity program. A comparison of the net cost savings is as follows:

Mellon Consultants projects the cost savings of the bill to be \$1.7 million for fiscal year 2005-06 and \$2.4 million for fiscal year 2006-07 based the number of abortions excluded from coverage.

Hartman and Associates projects cost savings of the bill to be within the ranges reflected below by fiscal year based upon a combination of the number of abortions excluded from coverage and the number of foregone abortions expected to result in additional deliveries and newborn care of babies:

<u>Delivery Percentage</u>	<u>Fiscal Year 2005-2006</u>	<u>Fiscal Year 2006-2007</u>
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25%	\$1,056,063	\$1,368,658
50%	778,602	1,009,068
75%	501,140	649,477

ASSUMPTIONS AND METHODOLOGY: The Comprehensive Major Medical Plan for Teachers and State Employees is divided into two programs: a self-insured indemnity type program and a prepaid program of coverage by health maintenance organizations. The benefits of the self-insured indemnity type of program are spelled out in Part 3 of Article 3 of Chapter 135 of the North Carolina General Statutes (i.e., \$350 annual deductible, 20% coinsurance up to \$1,500 annually, etc. paid by the program's members). From October, 1982, through June, 1986, the Plan only had a self-funded indemnity type of program which covered all employees, retired employees, eligible dependents of employees and retired employees, and eligible former employees and their eligible dependents authorized to continue coverage past a termination of employment other than for retirement or disability purposes. A prepaid program of coverage by health maintenance organizations (HMOs) was offered in July 1986, as an alternative to the Plan's self-insured indemnity program. HMOs are required to offer benefits that are comparable to those provided by the self-insured indemnity program. Beginning in July 2000, firefighters, rescue squad workers, and members of the National Guard and their eligible dependents were allowed to voluntarily participate in the Plan on a fully contributory basis, provided they were ineligible for any other type of group health benefits and had been without such benefits for at least six months. In July 2004, the North Carolina Symphony Society, Inc., a non-profit corporation, was included as an employing unit under the Plan for the purpose of providing health benefits to the Symphony Society's employees and employees' families. The Symphony Society provides health benefits for its employees and employee family members through a labor contract with the Professional Musicians Association, a local of the American Federation of Musicians. Coverage under the Plan will be on a partially contributory basis for Symphony Society employees and enrolled spouses and dependent children. The amount of contributions provided by the Symphony Society and by their employees is determined periodically in accordance with the labor contract. The Plan's Executive Administrator and Board of Trustees are required to set premium rates for Symphony society employees and their families separate from those charged to active and retired teachers and state employees and their dependents enrolled in the Plan. Retired employees of the Symphony Society are not eligible for health benefits under the Plan since they are not members of the State Retirement Systems. Also beginning in July 2004, the North Carolina county local governments of Bladen, Cherokee, Rutherford, Washington, and Wilkes counties were authorized to become employing units under the Plan for the purpose of providing health benefits to their respective employees, retired employees, and their employee's eligible spouses and dependent children. If these local governments elect to participate in the Plan, they must by legal resolution approved by the Plan elect such participation and agree to make any contributions required by the Plan. A local government must allow all of its eligible employees and their eligible spouses and dependent children to enroll in the Plan on a non-contributory, partially contributory, or fully contributory basis. All enrolled employees, retired employees, and their family members will be required to participate in disease management, case management, and all other cost containment measures implemented by the Plan. If a local government elects to enroll its retired employees, and their eligible spouses and dependent children, the election is irrevocable. Local government employers

making this election to cover retired employees are also required to make additional contributions to the Local Governmental Employees' Retirement System for this purpose as do all other employers participating in the Plan that cover its retired employees. If a local government does not participate in the Local Governmental Employees' Retirement System, but has another formally established retirement plan, and elects to cover its retired employees, it is required to make premium contributions to the Plan as it may require. Local governments and their employees and retired employees will pay the same premium rates as those charged by the Plan for active and retired teachers and state employees and their dependents enrolled in the Plan. County local governments authorized to participate in the Plan may do so through June 30, 2006. Of the county local governments authorized to participate in the Plan, none have chosen to do so as of December 31, 2004. Employer-paid non-contributory premiums are only authorized for the self-insured indemnity program's coverage for teachers, state employees and retired employees. All other types of premium contributions in the indemnity program are fully contributory, except for job-sharing public school teachers who are authorized to pay partially contributory premiums at 50% of non-contributory rates. The Plan's Executive Administrator has set the premium rates for firefighters, rescue squad workers, and members of the National Guard and their families at 20% more than the comparable rates charged for teachers, state employees, retired employees, and their families. Similarly the Plan's Executive Administrator has set premium rates for members of the North Carolina Symphony Society, Inc. and their families at 51% more than the comparable rates charged for teachers, state employees, retired employees, and their families. Premiums paid by employers to HMOs are limited to like amounts paid to the indemnity program with employees and retired employees paying any HMO amounts above the indemnity program's non-contributory rates. Both types of program coverage continue to be available under the Plan; however none of the HMOs with certificates of authority to transact business in North Carolina have offered to participate in the Plan since September 30, 2001. The Plan's employees and retired employees select the type of program that they wish for themselves and their dependents during the months of August and September of each year for coverage beginning in October.

The demographics of the Plan as of December 31, 2004, include:

	<u>Self-Insured Indemnity Program</u>	<u>Alternative HMOs</u>	<u>Plan Total</u>
<u>Number of Participants</u>			
Active Employees	295,793	-0-	295,793
Active Employee Dependents	134,812	-0-	134,812
Retired Employees	127,074	-0-	127,074
Retired Employee Dependents	19,180	-0-	19,180
Former Employees & Dependents with Continued Coverage	2,278	-0-	2,278
Firefighters, Rescue Squad Workers, National Guard Symphony Members & Dependents	171	-0-	171
Total Enrollments	579,308	-0-	579,308
<u>Number of Contracts</u>			
Employee Only	339,047	-0-	339,047

Employee & Child(ren)	41,448	-0-	41,448
Employee & Family	42,372	-0-	42,372
Total Contracts	422,867	-0-	422,867

Percentage of Enrollment by Age

29 & Under	26.2%	-0-%	26.2%
30-44	20.6	-0-	20.6
45-54	20.0	-0-	20.0
55-64	17.9	-0-	17.9
65 & Over	15.3	-0-	15.3

Percentage of Enrollment by Sex

Male	37.9%	-0-%	37.9%
Female	62.1	-0-	62.1

Assumptions for the Self-Insured Indemnity Program: For the fiscal year beginning July 1, 2004, the self-insured program started its operations with a beginning cash balance of \$224 million. Receipts for the year are estimated to be \$1.687 billion from premium collections and \$7 million from investment earnings for a total of \$1.694 billion in receipts for the year. Disbursements from the self-insured program are expected to be \$1.667 billion in claim payments and \$56 million in administration and claims processing expenses for a total of \$1.723 billion for the year beginning July 1, 2004. For the fiscal year beginning July 1, 2004, the self-insured indemnity program is expected to have a net operating loss of approximately \$29 million for the year. The Plan's self-insured indemnity program is expected to have an available beginning cash balance of \$195 million for the fiscal year beginning July 1, 2005. The self-insured indemnity program is consequently assumed to not be able to carry out its operations for the 2005-2007 biennium without increases in its current premium rates or a reduction in existing benefits or payments to health care providers or both. This assumption is further predicated upon the fact that the program's cost containment strategies (hospital DRG reimbursements, discounts on hospital outpatient services, pre-admission hospital testing, pre-admission hospital inpatient certification with length-of-stay approval, hospital bill audits, case and disease management for selected medical conditions, mental health case management, coordination of benefits with other payers, Medicare benefit "carve-outs", cost reduction contracts with participating physicians and other providers, a prescription drug benefit manager with manufacturer rebates from formularies, and fraud detection) are maintained and improved where possible. Current non-contributory premium rates are \$217.66 monthly for employees whose primary payer of health benefits is Medicare and \$285.92 per month for employees whose primary payer of health benefits is not Medicare. Fully contributory premium amounts for employee and child(ren) contracts are \$135.46 monthly for children whose primary payer of health benefits is Medicare and \$178.22 monthly for other covered children, and \$324.88 per month for family contracts whose dependents have Medicare as the primary payer of health benefits and \$427.48 per month for other family contract dependents.

Claim cost trends are expected to increase at a rate of 12% annually. Total enrollment in the program is expected to increase less than 2% annually over the next few years. The number of enrolled active employees is expected to increase about 2.5% annually over the next few years, whereas the growth in the number of retired employees is assumed to be 5% per year. The program is expected to have a 1% decrease in the number of active employee dependents per year whereas the number of retiree dependents is expected to increase 1% per year. Investment earnings are based upon a 3.5% return on available cash balances. The self-insured indemnity program maintains a claim stabilization reserve for claim cost fluctuations equal to 7.5% of annual claim payments without reserving additional funds for incurred but unreported claims.

Assumptions for the Self-Insured Indemnity Program’s Coverage of Abortion Procedures: For the last three calendar years, the Teachers’ and State Employees’ Comprehensive Major Medical Plan has had the following claims experience (professional & institutional) for abortion procedures:

Calendar Year	<u>Total Abortions</u>				<u>Induced Abortions</u>			
	<u>No. of Cases</u>	<u>Billed Charges</u>	<u>Allowed Charges</u>	<u>Paid Claims</u>	<u>No. of Cases</u>	<u>Billed Charges</u>	<u>Allowed Charges</u>	<u>Paid Claims</u>
<u>2004</u>								
Employee	675	\$2,472,732	\$2,196,718	\$1,392,760	118	\$206,492	\$187,021	\$122,518
Spouses	61	\$231,625	\$206,463	\$129,616	2	\$4,335	\$3,971	\$2,816
Total	736	\$2,704,357	\$2,403,181	\$1,522,376	120	\$210,827	\$190,992	\$125,334
<u>2003</u>								
Employee	965	\$3,118,608	\$2,776,535	\$1,854,004	127	\$291,383	\$255,518	\$183,760
Spouses	108	\$348,311	\$301,932	\$203,299	11	\$8,227	\$26,019	\$19,228
Total	1,073	\$3,466,919	\$3,078,467	\$2,057,303	138	\$299,610	\$281,537	\$202,988
<u>2002</u>								
Employee	531	\$1,981,118	\$1,773,864	\$1,260,984	88	\$168,836	\$144,220	\$97,616
Spouses	69	\$284,409	\$262,823	\$143,807	12	\$34,907	\$32,571	\$16,645
Total	600	\$2,265,527	\$2,036,687	\$1,404,791	100	\$203,743	\$176,791	\$114,261

Total abortions include abortions induced purposefully by drugs or mechanical means and spontaneous abortions that have not been artificially induced. Spontaneous abortions include treatments for missed abortions, treatments for incomplete abortions, and treatments for septic abortions.

Hospital (DRG) claims for the Plan’s self-insured indemnity program for calendar year 2004’s delivery and newborn care reveal that normal vaginal deliveries and cesarean sections with and without complications and high risk vaginal deliveries and cesarean sections with and without complications had average charges of \$6,015, average allowed charges of \$3,917, and average paid charges of \$3,168 for 5,673 admissions. Hospital (DRG) claims for newborn care for the same period showed average charges of \$4,421, average allowed charges of \$2,256, and average paid

charges of \$2,125 for 5,233 admissions. Average professional charges for 5,563 inpatient hospital admissions vaginal deliveries and cesarean deliveries for fiscal year 04 in the Plan's self-insured indemnity program amounted to 63%-69% of the average amount of hospital charges.



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For the last three fiscal years, the Plan has had the following average quarterly number of females, aged 15 to 55, enrolled:

<u>Females Age 15 to 55</u>			
<u>Age (Years)</u>	<u>FY 2004</u>	<u>FY 2003</u>	<u>FY 2002</u>
15-19	14,846	14,744	15,025
20-24	17,325	16,992	16,112
25-29	20,545	19,907	18,791
30-34	23,647	23,469	22,167
35-39	25,409	24,523	23,451
40-44	29,831	29,503	29,600
45-49	35,588	35,857	36,444
50-54	40,841	39,993	38,011
Total	208,032	204,988	199,601

SOURCES OF DATA:

- Actuarial Note, Hartman & Associates, House Bill 289, March 21 2005, original of which is on file in the General Assembly's Fiscal Research Division.
- Actuarial Note, Mellon Consultants, House Bill 289, March 10, 2005, original of which is on file with the Comprehensive Major Medical Plan for Teachers and State Employees and the General Assembly's Fiscal Research Division.

TECHNICAL CONSIDERATIONS: The bill is open to confusion in that sections 2 and 3 of the bill exclude from coverage benefits and charges for all abortion procedures, except those involving pregnancy as a result of rape, incest, or when pregnancy, in the written opinion of the attending physician, endangers the life of the mother. However, section 1 of the bill maintains coverage for miscarriages, which are covered by the Plan as spontaneous abortions.

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DATE: April 14, 2005

Signed Copy Located in the NCGA Principal Clerk's Offices