

Benefits Trust Document Comparison and Recommendations

3/19/2013

1 Summary

Trust Documents Compared:

Maricopa County Benefits Trust (2011)
Maricopa County Risk Mgmt. Trust (2011)
Chandler Health Care Benefits Trust (2012)
Cochise Combined Trust (2010)
Gilbert Self-Insured Trust Fund for Health Insurance Benefits (2010)
City of Mesa Prop. and Public Liability and Emp. Benefits Self-Ins. Trust Funds (2012)
Northern Arizona Public Employees Benefits Trust (2006)
Pinal County Employee Benefits Trust (2012)
Yuma county Employee Benefits Trust (1999)
Pima County Health Care Benefits Trust (2013)

Issues:

- 2 Powers and duties of the Trustees - General
- 3 Frequency Board of Trustees Meetings
- 4 Approval of benefits plans
- 5 Approval of benefit premiums and employer/employee contribution to premiums
- 6 Establishing appropriate levels for fund reserves
- 7 Approval for provision for stop-loss insurance
- 8 Investment of Trust fund assets
- 9 Approval of premium rebates
- 10 Appeal of benefits claims decisions
- 11 Settlement authority for subrogation claims
- 12 Appointment of auditor
- 13 Approval of benefit plans
- 14 Procurement of benefit vendors

2 Powers and Duties - General

Maricopa County Benefits Trust (2011)	No <u>general</u> statement; specific powers and duties listed.	
Maricopa County Risk Management Trust	The business affairs of the Trust shall be conducted by a Board of Trustees.	1.8.1
Chandler Health Care Benefits Trust (2012)	The Trustees shall have the power to perform all acts, to take all proceedings, and to exercise all rights and privileges, although not specifically mentioned herein, as the Trustees deem necessary or advisable to administer and manage the Trust so as to carry out the purposes of this Trust Document and the Plan.	4.01
	The Trustees shall have exclusive authority and responsibility with respect to the custody and management of the Trust, except to the extent any such authority has been assigned elsewhere by this Trust Document or has been delegated by the Trustees pursuant to this Trust Document.	4.03 a
	<p>The Trustees shall have no authority or responsibility for:</p> <ul style="list-style-type: none"> (a) Designing, adopting, amending, or terminating the Plan; (b) Ensuring that the Plan complies with state or federal laws mandating the terms of the Plan; (c) Selecting or engaging service providers for the Plan; (d) Determining what portion of Plan premiums should be paid by Participants and Beneficiaries; (e) Collecting premiums from Participants or Beneficiaries; or (t) Prosecuting or defending actions, claims, or proceedings necessary or advisable for the protection of the Trust. <p>Authority and responsibility for the foregoing items in this Section are assigned to the Council, which may delegate this authority and responsibility to a third party.</p>	4.06
Cochise Combined Trust (2010)	No general statement.	
Town of Gilbert	The Trustees may exercise all rights or privileges granted to them by statute, this Agreement and the provisions of the Plan and may agree to any alteration, modification, or amendment of the Plan. The Trustees may take any action to implement the Plan or the benefits provided under the Plan which may be necessary or advisable.	Article 6, Section 6
City of Mesa (2012)	The Trustees shall make recommendations to the Council regarding the financial viability of the trusts and perform such other duties as may be delegated by the Council from time to time.	3.02
Northern Arizona Public Employees (1995)	The Trust shall be governed by a Board of Trustees . . .	5.1
	General Powers. The Board of Trustees shall be responsible for the general management, control and direction of all the business affairs and activities of the Trust. The Trustees shall have full power to transact all Trust business and shall have all right, poer, and authority within all applicable state and federal laws to do all those things which, in the opinion of the Trustees, shall be necessary or desirable for the administration and operation of the Trust and the accomplishment of the Trust purposes . . .	5.8

2 Powers and Duties - General (cont.)

Pinal County Employee Benefits Trust (2012)	The Trust shall be administered by the Board of Trustees who shall be selected and shall serve as provided in Article III.	4.01
Yuma county Employee Benefits Trust (1999)	Provide general oversight of YEBGT. The Trustees and the Board of Supervisors shall designate an Administrator to carry out the policies established by the Board of Trustees and the Board of Supervisors.	3.1.1
Pima County Health Care Benefits Trust (2013)	The Trustees will provide general oversight of the Trust and serve in an advisory capacity to the Board of Supervisors. The Trustees will cooperate with County staff and officials who provide the day-to-day management and administration of the Fund, and with any third-party administrators under contract with the County.	4.1

3 Frequency of Meetings

Maricopa County Benefits Trust	The Trustees shall meet as frequently as they shall determine necessary and appropriate, but not less than quarterly. Meetings may be conducted by teleconference, video-conference, or by other electronic means of communication.	3.3.1
Maricopa County Risk Management Trust	The Trustees shall meet as frequently, but not less than quarterly, as they shall determine necessary and appropriate.	1.9.4
Chandler Health Care Benefits Trust (2012)		2 3.09
Cochise Combined Trust (2010)	The Trustees shall determine the time and place of the regular meetings which shall be held at least quarterly.	4.13
Town of Gilbert	Any action taken by the Trustees under this Agreement shall be taken by a majority vote of the Trustees. Each Trustee shall have one vote on all matters in any meeting of the Trustees. The Chair or any two trustees may call a meeting of the Trustees at any time by giving at least seven (7) days written notice of the time and place of the meeting to the remaining Trustees. At all meetings of the Trustees, a majority of the Trustees then serving shall constitute a quorum for the transaction of business.	Art. 6, Sec. 8
City of Mesa (2012)	The Board of Trustees shall meet periodically as determined by the Self-Insurance Board of Trustees Chair. Such meetings shall comply with the Arizona Open Meetings Act.	3.01
Northern Arizona Public Employees (1995)	The Trustees shall hold regular meetings as soon as practical after being appointed and regular meetings shall be held semi-annually after the first regular meeting.	5.15.4
Pinal County Employee Benefits Trust (2012)	The Board of Trustees shall determine the time and place of the regular meetings which shall be held at least quarterly.	4.14
Yuma county Employee Benefits Trust (1999)	Trustees shall hold regular meetings on a quarterly basis.	5.1
Pima County Health Care Benefits Trust (2013)	The Trustees will meet no less than four times per Plan Year.	3.7

RECOMMENDATION: *No changes recommended.*

4 Benefit Plans

Maricopa County Benefits Trust	The Board of Trustees shall consult with the Board of Supervisors, County Manager, and Administrator on financial and other issues relating to the Health and Welfare Benefits Program, including appropriate premiums and rates for participants.	5.11
Maricopa County Risk Management Trust	Not mentioned.	
Chandler Health Care Benefits Trust (2012)	Responsibilities Not Assigned to the Trustees. The Trustees shall have no authority or responsibility for: (a) Designing, adopting, amending, or terminating the Plan;	4.06
Cochise Combined Trust (2010)	The Trustees may, subject to their discretion and the continuing right to change, obtain for the Beneficiaries of the Trust forms of employee benefits which include, but are not limited to, the following: (a) Long and Short Term-Disability; (b) Accidental Death and Dismemberment; (c) Dental Benefits; (d) Vision Benefits; (e) Life Insurance; (f) Hospital, surgical, professional, in-patient, out-patient, prescription drug and other group medical products customarily made available to employee groups; and (g) Employee Wellness Programs, Employee Assistance Programs, utilization review programs, claims management programs and other programs intended to improve Employee health, reduce costs to the Trust and Employees and otherwise manage losses.	4.05
Town of Gilbert	The Town Council shall adopt the Plan and any amendments, modifications or restatements of the Plan.	IV (1)
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	establish the terms and conditions of coverage within the Trust including exclusion from coverage;	5.6.1
Pinal County Employee Benefits Trust (2012)	Establish terms and conditions of coverage within the Summary Plan Description including the exclusions of coverage consistent with applicable federal or state statutes, laws or regulations applicable to employee benefit plans offered by the County to the Beneficiaries.	4.03(e)
Yuma county Employee Benefits Trust (1999)	Make written recommendations to the Board of Supervisors related to benefit terms, conditions, eligibility and structure; levels of risk retention and transfer; funding levels and benefits falling under the Trust. All such recommendations shall be subject to the review and approval of he Board of Supervisors.	3.1.2
Pima County Health Care Benefits Trust (2013)	The Plan will be administered by the Plan Administrator; the Trustees do not have the authority to engage third parties to provide services for the Plan, nor do they have authority or responsibility for the following, which will be done by the Board or the Plan Administrator as appropriate:	4.6
	Designing, adopting, amending or terminating the Plan;	4.6.1
	Ensuring that the Plan complies with state or federal laws mandating the terms of the Plan;	4.6.2.

4 Benefit Plans (cont.)

RECOMMENDATION:

Trust Administrator shall develop benefits plans.

The Board of Trustees shall review plans developed by the Trust Administrator, and may recommend approval to the Board of Supervisors (with exceptions as noted for premiums).

The Board of Supervisors approves benefitr plans.

5 Benefit Premiums

Maricopa County Benefits Trust	The Board of Trustees shall consult with the Board of Supervisors, County Manager, and Administrator on financial and other issues relating to the Health and Welfare Benefits Program, including appropriate premiums and rates for participants.	5.11
Maricopa County Risk Management Trust	Not mentioned.	
Chandler Health Care Benefits Trust (2012)	(i) The Trustees shall determine the total premium that shall be required to participate in the Plan at each coverage level. In determining premiums, the Trustees shall consult with the risk management consultant or insurance administrator engaged to assist the Trust and shall also consult with an actuary familiar with the Trust and the Plan. [...] (ii) The Council may determine that a portion of the premium should be paid by Participants and Beneficiaries.	5.01 (a) (i-ii)
Cochise Combined Trust (2010)	In order to effectuate the purposes of the Trust, each Participating Entity shall contribute to the Fund an amount determined by the Trustees to be necessary to pay for the benefits provided hereunder to the Employees and other persons covered by the Employee Benefit Program. [...]	5.01
	Employees may be required to contribute a portion of the Entity Premium in amounts to be determined by each Participating Entity as appropriate for the benefits to be provided hereunder.	5.04
Town of Gilbert	The Town Council shall adopt the Plan and any amendments, modifications or restatements of the Plan.	IV (1)
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	establish the terms and conditions of coverage within the Trust including exclusion from coverage;	5.6.1
Pinal County Employee Benefits Trust (2012)	Establish terms and conditions of coverage within the Summary Plan Description including the exclusions of coverage consistent with applicable federal or state statutes, laws or regulations applicable to employee benefit plans offered by the County to the Beneficiaries.	4.03(e)
Yuma county Employee Benefits Trust (1999)	Make written recommendations to the Board of Supervisors related to benefit terms, conditions, eligibility and structure; levels of risk retention and transfer; funding levels and benefits falling under the Trust. All such recommendations shall be subject to the review and approval of he Board of Supervisors.	3.1.2

5 Benefit Premiums (cont.)

<p>Yuma county Employee Benefits Trust (1999) (cont.)</p>	<p>Based on the recommendations of the Trustees, the Board of Supervisors shall specify the amount of money the County will pay toward the cost of coverage for Eligible Employees and Eligible Dependents. Similarly, the Board of Supervisors shall establish the amount of Employee Contributions to the coverages afforded through the Trust.</p>	<p>6.1</p>
<p>Pima County Health Care Benefits Trust (2013)</p>	<p>The Trustees will make recommendations as they deem appropriate regarding such things level of risk retention and transfer (reinsurance); funding levels; investment of the Fund; and reserve requirements and management of the Fund, including such things levels of risk retention and amounts.</p>	<p>4.1</p>
	<p>The Plan will be administered by the Plan Administrator; the Trustees do not have the authority to engage third parties to provide services for the Plan, nor do they have authority or responsibility for the following, which will be done by the Board or the Plan Administrator as appropriate:</p>	<p>4.6</p>
	<p>Determining what portion of Plan premiums should be paid by Participants or the County;</p>	<p>4.6.4.</p>
	<p>The Board will approve the total premium that will be required to participate in the Plan at each coverage level (e.g., individual coverage, family coverage). In determining total premiums, the Plan Administrator will consult with the Trustees, the insurance administrator engaged to assist the Trust, and the actuary familiar with the Trust and the Plan. In determining the total premiums, the Plan Administrator will consider all reasonable factors, including but not limited to the amount of reserves in the Trust, the claims experience of the Plan and Trust, market conditions, and cost trends. The Plan Administrator, in conjunction with the Trustees, will determine the total premiums no less frequently than annually, and make recommendations to the Board for approval.</p>	<p>5.1.1</p>
	<p>The Board will approve what portion of the premium should be paid by Participants and what portion by the County</p>	<p>5.1.2</p>

<p>RECOMMENDATION:</p>	<p><i>Administrator shall develop premium rates, based on actuarial analysis for self-insured plans.</i></p> <p><i>Trustees shall review and approve <u>total</u> premiums for self-insured plans.</i></p> <p><i>The Board of Supervisors approves distribution of premiums between employee and employee for all benefit plans.</i></p>
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6 Reserve Levels

Maricopa County Benefits Trust	The Administrator shall establish adequate and appropriate reserves for the Benefits Trust's self-insured retention program. The reserves may include an allowance for claims incurred but not reported.	7.3
Maricopa County Risk Management Trust	Any program established by the Administrator shall conform to the provision of this Trust and applicable law to insure: To establish adequate and appropriate reserves for any and all valid claims for legal liability arising from the release of contaminants or pollutants that are the obligation of the County.	2.2.2.15
Chandler Health Care Benefits Trust (2012)	The Trustees have the exclusive authority and responsibility to determine the appropriate amount of Funds that the Trust should hold as Restricted Reserve, provided that the Restricted Reserve shall be no less than the minimum amount recommended and attested by the actuary engaged by the Council to provide services to the Trust.	4.03 (d)
Cochise Combined Trust (2010)	The Trust shall maintain claim reserves in an amount at least equal to known incurred losses and reasonable estimates of claims incurred but not reported.	6.07
Town of Gilbert	Not mentioned.	
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	The Trustees shall obtain an appropriate actuarial evaluation of the claim reserves of the Trust including an estimate of the incurred but not reported claims.	5.15.8
Pinal County Employee Benefits Trust (2012)	Maintenance: The Trust shall maintain claim reserves in an amount at least equal to known incurred losses and reasonable estimates of claims incurred but not reported.	6.08
Yuma county Employee Benefits Trust (1999)	Make written recommendations to the Board of Supervisors related to benefit terms, conditions, eligibility and structure; levels of risk retention and transfer; funding levels and benefits falling under the Trust. All such recommendations shall be subject to the review and approval of he Board of Supervisors.	3.1.2
	Recommend a plan of risk management describing the operating plan for the Trust including levels of risk retention and transfer, insurance and/or reinsurance contracts, reserving philosophy and/or practices, and similar items which summarize the operations of the Trust for review and approval by the Boarad of Supervisors.	3.1.6
Pima County Health Care Benefits Trust (2013)	The Trustees will make recommendations as they deem appropriate regarding such things level of risk retention and transfer (reinsurance); funding levels; investment of the Fund; and reserve requirements and management of the Fund, including such things levels of risk retention and amounts.	4.1

RECOMMENDATION:

The Trust Administrator shall recommend adequate and appropriate reserves for self-insured programs. The reserves must at least be equal to estimated claims incurred but not reported.

The Board of Trustees shall review and approve recommended reserves.

7 Approval for Provision for Stop-Loss Insurance

Maricopa County Benefits Trust	For each County self-insured liability covered by this Benefits Trust, the stop loss terms and amount determined by the Administrator and approved by the Board [of Supervisors] annually.	8.1
Maricopa County Risk Management Trust	Terms and amount of stop Loss shall be as provided in IGAs with Districts, or otherwise by the Board of Supervisors.	2.8
Chandler Health Care Benefits Trust (2012)	Prior to paying any Plan claims on a self-insured basis, the Trustees confirm that the City Council has procured stop-loss insurance for the Trust from an insurer authorized to do business in Arizona.	4.02 ©
Cochise Combined Trust (2010)	Specific stop-loss reinsurance shall be an integral part of any self-funded Medical benefit program established pursuant to this Trust Agreement. It is the intent of the parties to this Trust Agreement that stop-loss coverage, with such attachment points and policy limits as may be deemed necessary to protect the loss fund and allow complete and timely payment of benefits, be provided by an authorized carrier licensed to execute such contracts in the State of Arizona.	20.01
Town of Gilbert	The Town Council shall obtain and maintain stop-loss insurance to cover significant losses. The term "significant losses" shall be as defined from time to time by the Town Council, based on the recommendation of Trustees.	V (9)
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	Stop loss. If the Trustees choose to provide any self-funded benefits, the payment from the Fund of any and all benefits to or on behalf of each beneficiary shall be limited to a total sum to be established by the Trustees each fiscal year. The aggregate total payments for all the self-funded benefits to or on behalf of all beneficiaries shall be limited to an annual maximum calculated using an aggregate factor established through an aggregate stop-loss insurance policy selected by the Trustees.	8.5
Pinal County Employee Benefits Trust (2012)	Specific stop-loss reinsurance shall be an integral part of any self-funded benefit program established pursuant to this Agreement and Declaration of Trust. It is the intent of the parties to this Agreement and Declaration of Trust that stop-loss coverage, with such attachment points as may be deemed necessary by the Board of Trustee, based upon actual recommendation to protect the loss fund and allow complete and timely payment benefits provided by an authorized carrier, licensed to execute contracts in the State of Arizona.	12.05
Yuma county Employee Benefits Trust (1999)	The County shall procure appropriate aggregate stop-loss and specific stop-loss reinsurance for any benefits self-funded by the Trust. Stop-loss coverage will be provided by an authorized carrier licensed to execute contracts in Arizona. Any such stop-loss coverage shall be determined in sole discretion of the County, at the recommendation of the Board of Trustees.	4.12
Pima County Health Care Benefits Trust (2013)	The Trustees will make recommendations as they deem appropriate regarding such things level of risk retention and transfer (reinsurance); funding levels; investment of the Fund; and reserve requirements and management of the Fund, including such things levels of risk retention and amounts.	4.1

7 Approval for Provision for Stop-Loss Insurance (cont.)

RECOMMENDATION:

Trust Administrator shall recommend adequate and appropriate provision for stop-loss, contingent on maintaining reserves.

The Board of Trustees shall review and approve provision for stop-loss, contingent on maintaining recommended reserves.

8 Investment of Trust Fund Assets

Maricopa County Benefits Trust	The Board of Trustees shall use the monies deposited in the Benefits Trust Fund to administer, staff, manage, and fund the Health and Welfare Benefits Program for the Participants for any purpose permitted by law, including, without limitation, investment and payments (a) for losses or claims, (b) for insurance (c) for risk management consultations related to health and welfare benefits or this Declaration of Benefits Trust, (d) for stop loss insurance, (e) on behalf of the qualified Participants, (f) for vision and dental care wellness programs and any similar or related health and welfare plans or programs that may be administered under the Benefits Trust.	5.2
Maricopa County Risk Management Trust	Not mentioned.	
Chandler Health Care Benefits Trust (2012)	The Trustees have the authority and responsibility to determine what portion of the Funds shall be invested. [...]	4.04 (a)
Cochise Combined Trust (2010)	All corpus or portions of the Fund not expended pursuant to this Article IV may be deposited by the Trustee in the name of the Trust in such depository or depositories as the Trustee shall from time to time select, and any such deposit or deposits should bear interest. The Trustees are empowered to receive for the benefit of the Fund such interest as might accrue on the above deposits.	4.06
Town of Gilbert	Not mentioned.	
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	To enter into financial services agreements with and deposit Trust funds in such banks or financial institutions as shall be determined by the Trustees and approved by the Participants and to issue checks in the name of the Trust;	5.8.6
Pinal County Employee Benefits Trust (2012)	All corpus or portions of the Fund not expended pursuant to this Article IV shall be deposited by the Trustees with the Pinal County Treasurer and in any such deposit or deposits should bear interest. The Trustees are empowered to receive for the benefit of the Fund such interest as might accrue on the above deposits. [...]	4.06
Yuma county Employee Benefits Trust (1999)	The Yuma County Treasurer, shall be responsible for investing in the funds of the Trust, and making periodic reports to the Board of Supervisors and Board of Trustees.	6.6
Pima County Health Care Benefits Trust (2013)	The Fund will be held and invested by the County Treasurer pursuant to applicable law and County policies, separate from other County funds.	4.5

RECOMMENDATION:	<i>The County Treasurer is responsible for investing the funds of the Trust, and shall make periodic reports to the Board of Trustees.</i>
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9 Premium Rebates/ Holidays

Maricopa County Benefits Trust	Not mentioned; must be approved by the Board of Supervisors.	
Maricopa County Risk Management Trust	Not Mentioned.	
Chandler Health Care Benefits Trust (2012)	The Trustees may recommend to the Council that Funds in excess of the Restricted-Plus-One Reserve be used to pay for a Premium Holiday. The Trustees shall not recommend a Premium Holiday, and the Council shall not approve a Premium Holiday, if the use of Funds for the Premium Holiday would cause the total Funds to fall below the level of the Restricted-Plus-One-Reserve.	4.03(e)(i)
Cochise Combined Trust (2010)	Not mentioned.	
Town of Gilbert	Not mentioned.	
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	establish the terms and conditions of coverage within the Trust including exclusion from coverage;	5.6.1
Pinal County Employee Benefits Trust (2012)	Establish terms and conditions of coverage within the Summary Plan Description including the exclusions of coverage consistent with applicable federal or state statutes, laws or regulations applicable to employee benefit plans offered by the County to the Beneficiaries.	4.03(e)
Yuma county Employee Benefits Trust (1999)	Make written recommendations to the Board of Supervisors related to benefit terms, conditions, eligibility and structure; levels of risk retention and transfer; funding levels and benefits falling under the Trust. All such recommendations shall be subject to the review and approval of he Board of Supervisors.	3.1.2
	Based on the recommendations of the Trustees, the Board of Supervisors shall specify the amount of money the County will pay toward the cost of coverage for Eligible Employees and Eligibile Dependents. Similarly, the Board of Supervisors shall establish the amount of Employee Contributions to the coverages afforded through the Trust.	6.1
Pima County Health Care Benefits Trust (2013)	The Trustees will make recommendations as they deem appropriate regarding such things level of risk retention and transfer (reinsurance); funding levels; investment of the Fund; and reserve requirements and management of the Fund, including such things levels of risk retention and amounts.	4.1

RECOMMENDATION:	<i>The Trust Administrator may propose premium holidays and/or rebates, which must not reduce Trust reserves below the recommended level. The Board of Trustees shall review and approve premium holidays and/or rebates</i>
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10 Claims Appeals

Maricopa County Benefits Trust	Not Mentioned	
Maricopa County Risk Management Trust	Not Mentioned	
Chandler Health Care Benefits Trust (2012)	Plan Claims. The Trustees have the exclusive authority and responsibility to decide the final-level appeal for any claim for benefits under the Plan. The Trustees may delegate this authority and responsibility to a third party, provided that such delegation must be in writing and accepted by the third party.	4.03 (f)
Cochise Combined Trust (2010)	Controversies related to denial of claims shall first be referred by moving parties to the Trust's claims administrator in the manner and according to the time lines included in the plan booklet. The claims administrator will, upon completion of the final review provided for in the plan booklet, issue a written Notice of Final Determination to the moving party. The notice of Final Determination shall include at least the section(s) of the plan booklet or Trust Document from which the dispute arises, the facts giving rise to the dispute and the proposed resolution of dispute.	7.02
Town of Gilbert	Not Mentioned.	
City of Mesa (2012)	Not Mentioned	
Northern Arizona Public Employees (1995)	Any dispute as to eligibility, type, amount, time or duration of benefits provided by the Trust as self-funded shall be decided by the Trustees, or an authorized appeals board, and all disputes shall be finally settled pursuant to Article IX.	8.3
Pinal County Employee Benefits Trust (2012)	Adjudicate appeals of Adverse Determination of benefits claims that are eligible for appeal and consistent with the appeal process set forth in the Summary Plan Description and as required by state and/or federal law.	4.03 f
	The Board of Trustees may, in its sole discretion, compromise or settle any disputed benefits claim controversy in such a manner as it deems appropriate and consistent with applicable law and regulations. Notwithstanding anything to the contrary stated herein, any Adverse Benefit Determination that is appealed shall be resolved pursuant to the appeal process as required by law and as set forth in the Summary Plan Description.	7.02
Yuma county Employee Benefits Trust (1999)	To hear appeals from contested claims as provided for under Article VII of this Trust Agreement.	3.1.7
	Controversies related to the Trust Agreement, the Plan Document and denial of claims shall first be referred by moving parties to the Trust's Administrator in the manner and according to the time lines included in the Plan Document. The Administrator will, upon completion of the final review provided for in the Plan Document, issue a written Notice of Final Determination to the moving party. The Notice of Final Determination shall include at least the section(s) of the Plan Document or this Trust Agreement from which the dispute arises, the facts giving rise to the dispute and the proposed resolution of the dispute.	8.2
Pima County Health Care Benefits Trust (2013)	The Plan will be administered by the Plan Administrator; the Trustees do not have the authority to engage third parties to provide services for the Plan . . .	4.6

10 Claims Appeals (cont.)

RECOMMENDATION: *No change; benefit claims appeals continue to be addressed by benefits vendors in accordance with plan documents.*

11 Subrogation Authority

Maricopa County Benefits Trust	With express authorization from the Board of Supervisors, the Administrator may prosecute actions for reimbursement of the cost of medical care and treatment. The Board delegates to the Administrator the authority to compromise demands or claims for reimbursement of the cost of medical care and treatment when the settlement amount is up to \$50,000 less than the amount that the County has demanded in reimbursement.	Sched. A
	The Board [of Supervisors] delegates to the Trustees the authority to compromise demands or claims for reimbursement of the cost of medical care and treatment when the settlement amount is between \$50,001 and \$100,000 less than the amount that the County has demanded in reimbursement.	Sched. A
	The Board of Supervisors must approve all settlements of actions, claims or proceedings for the protection of the assets of the Benefits Trust Fund, including claims for reimbursement of the cost of medical care and treatment, that are not within the authority granted to the Administrator and the Trustees above.	Sched. A
Maricopa County Risk Management Trust	Not mentioned.	
Chandler Health Care Benefits Trust (2012)	Not mentioned.	
Cochise Combined Trust (2010)	In addition, the Trustees shall have the right to commence and prosecute such suits, actions or proceedings as they may determine are necessary and proper in order to protect the interests of the Trust and Fund . . .	19.01
Town of Gilbert	Not mentioned.	
City of Mesa (2012)	Nothing in this Restatement of Trust is intended to confer the status of third party beneficiary on any person or expense.	1.07
Northern Arizona Public Employees (1995)	Not mentioned.	
Pinal County Employee Benefits Trust (2012)	Pursue subrogation against third-party tortfeasors in accordance with ARS § 12-962, or other applicable laws, and consistent with the right of subrogation set forth in the Summary Plan Description ("SPD").	4.03(l)
Yuma county Employee Benefits Trust (1999)	Not mentioned.	
Pima County Health Care Benefits Trust (2013)	The Trustees do not have authority or responsibility to prosecute or defend actions, claims, or proceedings necessary or advisable for the protection of the Trust.	4.1

11 Subrogation Authority (cont.)

RECOMMENDATION:

*The Trust Administrator shall approve settlement of subrogation claims for amounts up to \$50,000 less than the amount of the County has demanded in reimbursement.
[No change from current authority.]*

*The Board of Trustees shall approve settlement of subrogation claims for amounts up to \$200,000 less than the amount of the County has demanded in reimbursement.
[Increase Trustees' authority to settle from maximum of \$100,000 to \$200,000.]*

The Board of Supervisors shall approve settlement of subrogation claims for amounts greater than \$200,000 less than the amount of the County has demanded in reimbursement.

12 Appointment of Auditor

Maricopa County Benefits Trust	Board of Trustees shall employ such other professionals as are necessary to accomplish the purposes of the Benefits Trust, including professionals to provide accounting and auditing services [...]	5.6
Maricopa County Risk Management Trust	The Trustees must consult with the Chief Financial Officer of the County to retain the services of auditors.	1.10.2
Chandler Health Care Benefits Trust (2012)	The Council shall engage an external auditor to perform an annual audit of the Trust.	4.02 (b)
Cochise Combined Trust (2010)	The Trustees shall have an annual audit and accounting of the Trust Fund by an independent Certified Public Accountant in accordance with generally accepted accounting practices, at the end of each fiscal year.	4.17
Town of Gilbert	The Trust shall be audited annually as part of the Town's annual audit by an external auditor.	V (10)
City of Mesa (2012)	Not mentioned	
Northern Arizona Public Employees (1995)	To retain legal counsel, actuaries, auditors, private consultants and advisors.	5.8.9
Pinal County Employee Benefits Trust (2012)	Develop and distribute, or provide for the development and distribution, and in conjunction with the Pinal County Procurement Department, or Requests for Proposals and/or competitive bid documents for products and services necessary for the efficient discharge of the obligations of the Trust. For all products purchased by the Trust, the Trust shall comply with the Pinal County Procurement Code, where applicable to such product or service, unless the Trustees decide by a vote of at least four of the five Trustees that to procure such product or service through the Pinal County Procurement Code is not practicable or timely enough to prevent a disruption and benefits or services to the Beneficiaries or to the operation and administration of the Trust. In such circumstance the Trustees will exercise their best judgment in procuring such goods or service.	4.03(j)
	Work with the Pinal County Purchasing and Procurement Department, and the Trust Administrator, to assist in the development and distribution of requests for proposals and/or bid documents for products and services being procured by the Trust and to decide, as set forth in Article 4.03(k) above, to obtain a service or product without compliance with the Pinal County Procurement Code.	4.04(a)
Yuma county Employee Benefits Trust (1999)	Make written recommendations to Board of Supervisors related to the award of professional services and other contracts or awards related to the Trust. All such recommendations shall be subject to the review and approval of the Board of Supervisors.	3.1.3
Pima County Health Care Benefits Trust (2013)	The Board will engage an external auditor to perform an annual audit of the Trust.	4.3

12 Appointment of Auditor (cont.)

RECOMMENDATION:

The County engages an external auditor to conduct an annual audit of the Trust through the Maricopa County Procurement Code.

The Board of Trustees shall review and accept the annual audit, and may request that specific items be reviewed in conjunction with the annual audit, or as a special audit.

13 Benefit Vendors

Maricopa County Benefits Trust	Board of Trustees shall employ such other professionals as are necessary to accomplish the purposes of the Benefits Trust, including professionals to provide accounting and auditing services, financial advisory services, health care claims services, investment services, and other advisory services.	5.6
Maricopa County Risk Management Trust	Not mentioned.	
Chandler Health Care Benefits Trust (2012)	Not mentioned.	
Cochise Combined Trust (2010)	Trustees shall have the right, power and authority to: enter into contracts, procure insurance policies, or provide such benefits through self-funding	4.04 (a)
Town of Gilbert	Not mentioned.	
City of Mesa (2012)	Not mentioned.	
Northern Arizona Public Employees (1995)	Trustees have the power to enter into contracts, procure insurance policies, or to provide such benefits through self-funding, and to place into effect and maintain the desirable Schedule of Benefits.	3.1
	The Trustees shall have the full obligation and responsibility for the general administration of the Plan, but may designate any person, firm, or corporation as its agent to act for it in administering the Plan, to carry out the policies established by the Trustees and to provide day-to-day management.	13.1
Pinal County Employee Benefits Trust (2012)	Develop and distribute, or provide for the development and distribution, and in conjunction with the Pinal County Procurement Department, or Requests for Proposals and/or competitive bid documents for products and services necessary for the efficient discharge of the obligations of the Trust. For all products purchased by the Trust, the Trust shall comply with the Pinal County Procurement Code, where applicable to such product or service, unless the Trustees decide by a vote of at least four of the five Trustees that to procure such product or service through the Pinal County Procurement Code is not practicable or timely enough to prevent a disruption and benefits or services to the Beneficiaries or to the operation and administration of the Trust. In such circumstance the Trustees will exercise their best judgment in procuring such goods or service.	4.03(j)
	Work with the Pinal County Purchasing and Procurement Department, and the Trust Administrator, to assist in the development and distribution of requests for proposals and/or bid documents for products and services being procured by the Trust and to decide, as set forth in Article 4.03(k) above, to obtain a service or product without compliance with the Pinal County Procurement Code.	4.04(a)
Yuma county Employee Benefits Trust (1999)	Make written recommendations to Board of Supervisors related to the award of professional services and other contracts or awards related to the Trust. All such recommendations shall be subject to the review and approval of the Board of Supervisors.	3.1.3
Pima County Health Care Benefits Trust (2013)	The Plan will be administered by the Plan Administrator; the Trustees do not have the authority to engage third parties to provide services for the Plan	4.6

13 Benefit Vendors (cont.)

RECOMMENDATION:

The County engages vendors through the Maricopa County Procurement Code to provide and administer benefits.

The Board of Trustees may recommend definition of scope of work, procurement strategies and specific contract provisions.