

July 9 Self-Insurance Rule Making Work Session I Summary

SCOPE

- Create two rule chapters: one for local government and one for non-profits. These chapters will be substantially the same;
- Identify those unique requirements imposed by SB-5119 on non-profits.
- Identify other changes needed to clarify current rule. These changes will be similar for both chapters.

AT A GLANCE

- Laid out ground rules;
- Gained agreement on approach;
- NPIP provided a marked-up copy of current rule;
- Confirmed DES's commitment of "no surprises" to stakeholders:
 - Stakeholders would see proposed rule in advance of filing or adoption.

MEMBER SUGGESTED CHANGES AND CONCERNS

- Foundation agreement replaces interlocal agreement for non-profits;
- Concerns –
 - Need to simplify non-impact/non-substantive contract change methodology;
 - All members do not vote – yet rule requires a majority vote from all members;
 - Hard copy balloting is slow and cumbersome;
 - How to address board member vacancies between elections;
- Question –
 - Do sunshine laws apply to non-profits?
 - Is it OK to post meeting notices on line only versus notification by mail/email?
- Recommendations –
 - Add "members agree to future assessments or reassessments upon request";
 - Roll up the various notification sections into one rule section;
 - Simplify and make more practical elections;
 - Add a separate section addressing reassessments;
 - Strip out direct repeat of other statutory requirements. Simply point to the citation;
 - Make sure that the rules for local governments and the rules for non-profits have identical requirements where possible. Avoid unique requirements without a strong compelling reason.

PARKING LOT

- Substantive overhaul of current rule.

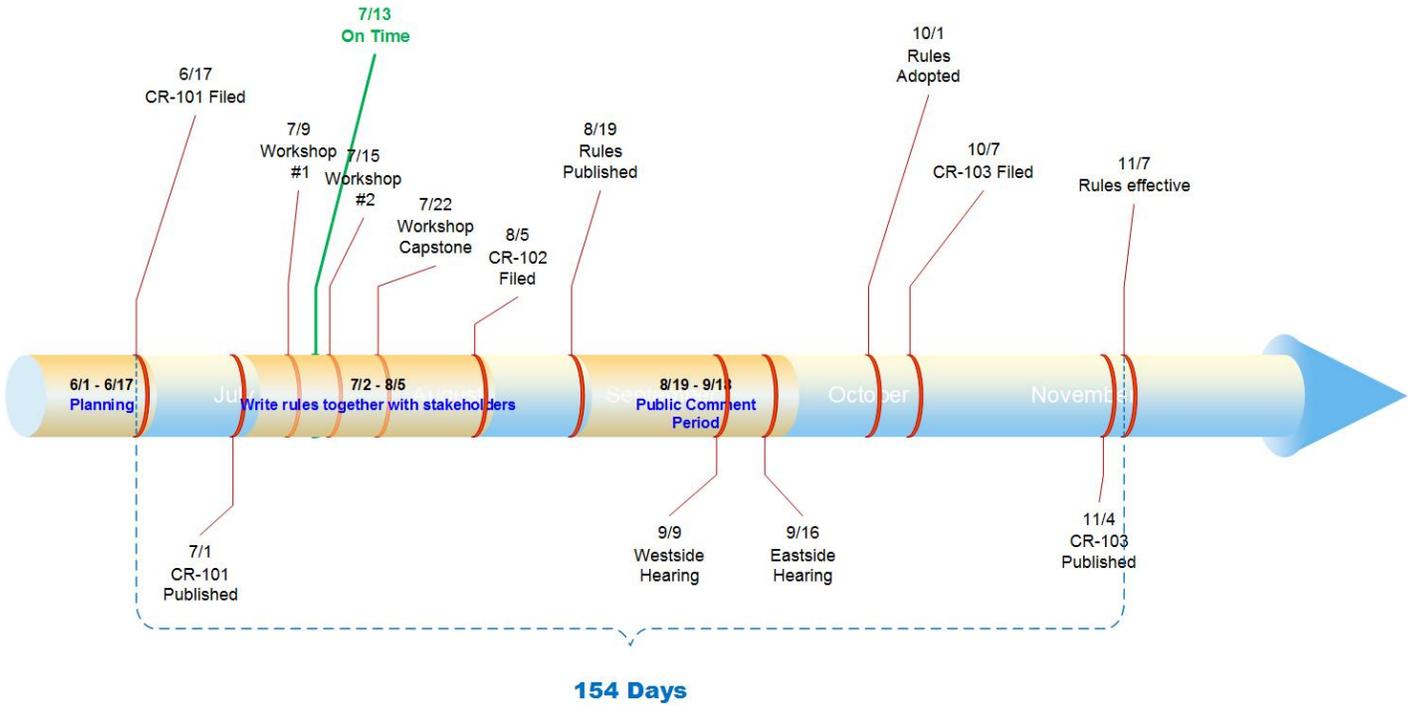
DELIVERABLE COMMITMENTS

- Provide a Meeting Summary to stakeholders;
- Provide initial drafts to stakeholders before next work session;
- Post both on the DES Rule Website.

CHALLENGES

Short time frame to get to finished product by July 22:

- Prior commitments by DES Team and Stakeholders alike presents challenges to actively participate;
- Resource limitations within DES creates a barrier to timely deliverable commitments to stakeholders;
- Discovering and addressing rule areas that would create a potential opposition to proposed rules.



- Assumptions:**
- Rulemaking is adequately staffed
 - Key reviewers and approvers are readily available
 - No substantive content changes to proposed rules