

By Legislators Delehanty and Hebert

Intro. No. _____

RESOLUTION NO. _____ OF 2021

**AUTHORIZATION TO ENTER INTO SETTLEMENT AND RELEASE OF CLAIMS
AGREEMENT WITH EXCELLUS HEALTH PLAN, INC. D/B/A EXCELLUS BLUECROSS
BLUESHIELD**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Legislature hereby authorizes the settlement and release of the County's claims against Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield for the period July 1, 2016 through June 30, 2018 in exchange for \$250,000.

Section 2. The County Executive, or his designee, is hereby authorized to execute and deliver any and all documents necessary to effectuate such settlement.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; September 28, 2021 - CV: 11-0
File No. 21-0357

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

September 10, 2021

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No. **210357**

Not to be removed from the
Office of the
Legislature Of
Monroe County

Committee Assignment

WAYS & MEANS -L

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorization to Enter into a Settlement and Release of Claims Agreement with Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield

Honorable Legislators:

I recommend that Your Honorable Body authorize a settlement and release of claims agreement with Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield ("Excellus") pursuant to which Excellus will provide \$250,000 in account credits to the County. This settlement arises out of an audit of the County's self-insured medical and pharmacy claims expenses.

As a result of this audit activity and related discussions, Excellus will pay the County \$250,000, payable in the form of two account credits of \$125,000 each paid prior to the end of this calendar year, in exchange for the County's release of any claims related to the audit period of July 1, 2016 through June 30, 2018. Pursuant to Resolution 178 of 2018, as amended by Resolution 199 of 2021, the County's auditor, Stonebridge Business Partners, will receive 18% of this recovery.

The specific legislative actions required are:

1. Authorize the settlement and release of the County's claims against Excellus Health Plan, Inc. d/b/a Excellus BlueCross BlueShield for the period July 1, 2016 through June 30, 2018 in exchange for \$250,000.
2. Authorize the County Executive, or his designee, to execute and deliver any and all documents necessary to effectuate such settlement.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

This contract is revenue generating and no net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committees for favorable action by Your Honorable Body. I request that this referral be considered in Executive Session, pursuant to Public Officer's Law § 105(1)(d).

Sincerely,

Adam J. Bello
Monroe County Executive