

RESOLUTION NO. 19-20

RESOLUTION REGARDING THE AUTHORITY OF THE HUMAN RESOURCES DIRECTOR TO ACT AS PLAN ADMINISTRATOR OF BOARD OF COUNTY COMMISSIONERS SPONSORED EMPLOYEE BENEFIT PLANS, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in the course of administering employment related benefit plans, the Director of Human Resources must make decisions regarding the management and implementation of Employee Benefit Plans; and

WHEREAS, such decisions allow the Board of County Commissioners sponsored benefit plans to be administered consistently and within approved budgets; and

WHEREAS, the Board of County Commissioners finds that the Director of Human Resources is the most appropriate official to make such decisions; and

WHEREAS, the Board of County Commissioners desires to confirm past practice and update its delegation of authority for such duties in the Director of Human Resources; and

WHEREAS, the Director of Human Resources shall formally present proposed changes to Employee Benefit Plans to the EAC, Appointing Authorities, and the Unified Personnel Board for review and feedback prior to the annual enrollment period with sufficient time for review and feedback; and

WHEREAS, the Board of County Commissioners recognizes that the Unified Personnel Board oversees the performance of the Human Resources Department and Director, and requests that the Unified Personnel Board formally agree and accept this resolution that delegates authority to the Director of Human Resources.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, at a duly assembled meeting held on April 23, 2019 that the authority of the Director of Human Resources to act as Plan Administrator on all Board of County Commissioners sponsored Employee Benefit Plans for the good of the County be updated as specified herein. The Director of Human Resources shall, exercise authority over the following:

- Contract administration for all third party administrator contracts;
- Implementation of programs offered through contracts, e.g. pharmacy management and consumer driven health plan options;
- Implementation and management of health and wellness incentives;
- Design of the Plans, including coverages, exclusions, co-pays, deductibles and maximums consistent with approved budgets;
- Overall management of the Plans, including claim review, unless otherwise contracted, and formal appeal authority on benefit denials;
- Implementation of changes to and overall management of retirement and other savings plans offered by the County; and

- Acting as designee of the Plan Sponsor on all HIPAA privacy and security issues; and
- Implementing any time-sensitive legally mandated changes.
- Approve and execute contracts and applications to participate in programs related to provision of benefits under existing contracts when there is no increase cost to the County or extension of the term of underlying benefit contracts approved by the Board of County Commissioners or County Administrator, including applications to participate in rebate, reimbursement and other money saving programs.
- Formal updates to appropriate stakeholders (EAC, Appointing Authorities, and the Unified Personnel Board) on proposed changes to Benefit Plans prior to annual enrollment with sufficient time for review and feedback.
- Provide the County Administrator with a quarterly report of actions taken under the delegated authority for placement on the Board of County Commissioners' meeting agenda.

In the event that a time-sensitive legally mandated change not within the designated authority of the Plan Administrator must be implemented prior to Board of County Commissioners' approval to protect the county or comply with legal obligations, such implementation will be brought to the BCC for ratification at the next available BCC meeting.

All other plan design changes or amendments, including those governing law requires the Plan Sponsor or governing body to approve, shall be approved by the Board of County Commissioners.

The discretion and delegation provided to the Director of Human Resources pursuant to this Resolution does not include authority to approve comprehensive, structural or other substantive changes to the Employee Benefit Plans without consultation with the EAC, Appointing Authorities, and the Unified Personnel Board.

EFFECTIVE DATE: This Resolution shall become effective April 23, 2019.

AYES: Seel, Gerard, Eggers, Justice, Long, Peters, and Welch.

NAYS: None.

ABSENT AND NOT VOTING: None.

APPROVED AS TO FORM

By: Carole Sanzeri
Office of the County Attorney