

**STATE OF NEW JERSEY  
SMALL EMPLOYER HEALTH  
BENEFITS PROGRAM**

**Financial Statements**

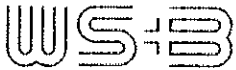
**June 30, 2009**

**With Independent Auditors' Report**

**State of New Jersey  
Small Employer Health Benefits Program  
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### Independent Auditors' Report

To the Board of Directors,  
State of New Jersey Small Employer Health Benefits Program

We have audited the accompanying statement of net assets of the State of New Jersey Small Employer Health Benefits Program (the "Program"), as of June 30, 2009 and the related statement of changes in net assets for the year then ended. These financial statements are the responsibility of the Program's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Program's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Program as of June 30, 2009, and the changes in its net assets for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The management's discussion and analysis as listed in the table of contents is not a required part of the basic financial statements but is supplemental information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation. However, we did not audit the information and express no opinion on it.

As discussed in Note 3 to the financial statements, the Program adopted the provisions of Statement of Financial Accounting Standards No. 157, *Fair Value Measurements*, as of July 1, 2008.

February 19, 2010

**State of New Jersey  
Small Employer Health Benefits Program  
Management's Discussion and Analysis  
June 30, 2009**

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The following narrative provides an overview and analysis concerning the New Jersey Small Employer Health Benefits Program's ("Program") financial performance of its activities for the fiscal year ended June 30, 2009.

**General Information**

In fiscal year 2009, the Program assessed carriers for budgeted expenses for fiscal year 2009 of \$282,300 and fiscal year 2010 of \$262,900.

Because of the downturn in the market and to avoid any loss of funds, the cash received for the 2009 and 2010 assessments were not invested in mutual funds as in the past, but were held by the Department of Banking and Insurance. The funds held by the Department were not interest bearing.

Program audits for the fiscal years ended June 30, 2006 through 2008 were completed.

**Financial Highlights**

The Program's assets totaled \$387,474, an increase of \$63,245 from the prior fiscal year, which is due primarily to an increase in cash. Cash increased by \$89,944 due to collection of the fiscal year 2009 and 2010 budgeted expenses, assessment reconciliations for fiscal years 2000 through 2008, offset by refunds to carriers for the 2000 through 2005 assessment reconciliations, and payment of operating expenses for the current year.

Liabilities also increased for the same reason above. The fiscal year 2010 assessment of \$262,900 represents a 3.2% increase over the fiscal year 2009 actual expenses, and was recorded as deferred income.

**Financial Analysis**

	2009	2008
Total Assets & Liabilities	\$ 387,474	\$ 324,229
Total Revenue & Expenditures	254,518	238,166
Total Budgeted Expenditures	282,300	254,600

Total expenses increased by \$16,352 from 2008 to 2009. Salaries and fringe benefits accounted for \$13,553 of the increase and \$2,000 for estimated audit costs.

Total budgeted expenses exceeded actual expenses by \$27,782 for fiscal year 2009 due primarily to less than expected salaries and fringe benefits, legal fees and printing expense. The excess amount will be refunded to the carriers upon completion of the program audit.

For fiscal year ended June 30, 2009, salaries and fringe accounted for 86.7% of total expenditures and legal fees accounted for 7.3%, as compared to 87.0% and 5.5%, respectively, for fiscal year ended June 30, 2008.

**Contacting the Program Board**

This financial report is designed to provide the Small Employer Health Benefits Program Board and the member carriers with a general overview of the Program's finances and to demonstrate the Board's accountability for the administrative assessment funds received. If there are any questions about this report or need additional information, contact the State of New Jersey Small Employer Health Benefits Program at 20 West State Street, 11<sup>th</sup> floor, PO Box 325, Trenton, New Jersey 08625-0325.

**State of New Jersey  
Small Employer Health Benefits Program  
Statement of Net Assets  
June 30, 2009**

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**Assets**

Cash and cash equivalents	\$	334,766
Accounts receivable		
Accounts receivable - members (billed)		22,782
Due from IHC program		<u>29,926</u>
Total accounts receivable		<u>52,708</u>
	\$	<u>387,474</u>

**Liabilities and net assets**

Liabilities

Accounts payable - members	\$	107,310
Accounts payable		1,367
Accrued expenses		15,897
Deferred income		<u>262,900</u>
Total liabilities		387,474
Net assets		<u>--</u>
	\$	<u>387,474</u>

The Notes to Financial Statements are an integral part of these statements.

**State of New Jersey**  
**Small Employer Health Benefits Program**  
**Statement of Changes in Net Assets**  
**For the Year Ended June 30, 2009**

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Revenues		
Administrative Assessment	\$	254,518
Expenditures		
Salaries		162,381
Fringe benefits		58,307
Legal fees		18,637
Audit fees		12,000
Other expenditures		2,870
Bank fees		323
		<hr/>
Total expenditures		254,518
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Change in net assets		--
Net assets - beginning of the year		--
Net assets - end of the year	\$	--
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The Notes to Financial Statements are an integral part of these statements.

**State of New Jersey  
Small Employer Health Benefits Program  
Notes to Financial Statements  
June 30, 2009**

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**1. Organization and Purpose**

The State of New Jersey Small Employer Health Benefits Program (the "Program") was created pursuant to L.1992, c.162 (N.J.S.A. 17B:27A-17 et seq.), and has been amended by subsequent acts of the legislature. It has as its members all insurance companies, health service corporations, hospital service corporations, medical service corporations and health maintenance organizations that issue or have in force health benefits plans in New Jersey. The purpose of the Program is to assure the availability of standardized health benefits plans to New Jersey small employers, their eligible employees and the dependents of those eligible employees, on a guaranteed issue basis. Small employers are considered any person, firm, corporation, partnership, or political subdivision that is actively engaged in business that employed an average of at least two but not more than fifty eligible employees on business days during the preceding calendar year and who employs at least two eligible employees on the first day of the plan year, and the majority of the eligible employees are employed in New Jersey. The Program is tax-exempt.

**2. Basis of Presentation and Accounting Policies**

The Program's financial statements are prepared in accordance with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board ("GASB"). The Program follows the pronouncements of all Financial Accounting Standards Board Statements and Interpretations, Accounting Principles Board Opinions and Accounting Research Bulletins on Accounting Procedures issued on or before November 30, 1989, unless they conflict with or contradict GASB pronouncements. In addition, all financial records are kept in accordance with the State of New Jersey's prescribed policies and procedures.

**Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**Cash and Cash Equivalents**

Cash and cash equivalents include cash held in banks, and cash held by the State of New Jersey. The Program's total cash and cash equivalents were \$334,766 at June 30, 2009. The Program's bank balances were \$7,279 at June 30, 2009, all of which were insured by the Federal Deposit Insurance Corporation held in the Program's name by the Program's financial institutions or agents.

Due to the downturn in the market and to avoid any loss of funds, the cash collected for the administrative assessments for the fiscal year 2009 and 2010 Program expenditures was not invested in mutual funds as in the past, but were held by the Department of Banking and Insurance.

Cash held by the State of New Jersey, Department of Banking and Insurance (DOBI) includes funds used for payment of Program expenses, such as staff salaries, fringe benefits, and other miscellaneous expenditures that were provided through State sources.

Cash and cash equivalents consist of:

Commercial Checking	\$ 7,279
NJ State - S.E.H. DOBI - Admin	327,487
Total Cash and Cash Equivalents	<u>\$ 334,766</u>

**State of New Jersey**  
**Small Employer Health Benefits Program**  
**Notes to Financial Statements**  
**June 30, 2009**

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**Accounts Receivable**

Accounts receivable – members (billed) consisted of amounts invoiced to member carriers for an administrative assessment reconciliation of the fiscal years ended June 30, 2006, 2007 and 2008 based on final audited expenditure amounts in accordance with N.J.S.A 17B:27A-32d, and the Plan of Operations set forth at N.J.A.C. 11:21-2.8. Member carriers share a portion of the administrative expenditures of the Program on a basis of each carrier's Small Employer health benefits plan earned premiums as compared to the total of the Small Employer health benefits plan earned premiums of all member carriers. No allowance for doubtful accounts was recorded since any amount that cannot be collected from a carrier due to inability to pay is redistributed among other carriers pursuant to N.J.A.C.11:21-2.8(c)4.

**Accounts Payable – Member Carriers**

The balance represents amounts owed to the carriers as a result of the difference between the amounts billed for operating expenditures per the annual budget versus actual expenditures incurred less interest income earned on cash and investments. The amounts due will be refunded to the carriers as set forth in a final assessment reconciliation upon completion of the audit of the assessment years' financial transactions.

**Deferred Income**

The balance represents the amounts invoiced to member carriers for an administrative assessment for the fiscal year ending June 30, 2010 based on the budgeted amount for the Program for that fiscal year in accordance with N.J.S.A 17B:27A-32d, and the Plan of Operations set forth at N.J.A.C. 11:21-2.

**Revenues and Operating Expenditures**

Revenues and expenditures are related to the operation of the Program. Operating revenues are based on actual administrative expenditures of the Program, and are recorded when earned. Expenditures are recorded when incurred.

There are no net assets of the Program for pursuant to N.J.A.C. 11:21-2.8(a) a final reconciliation of the assessment for administrative expenditures shall be made upon approval of the final audited amount of expenditures. Members are credited for any money previously assessed and paid for that fiscal year.

**Related Party Transactions**

Although the Program and the Individual Health Coverage Program (IHC Program) are distinct State agencies and have separate Boards and regulations, the Programs share the staff, thus salaries, fringe benefits and other miscellaneous expenditures incurred through the Department of Banking and Insurance are split equally by each program. In 2009 charges to and from the IHC Program amounted to \$220,688 and \$1,517, respectively. As of June 30, 2009, the IHC Program owed the SEH Program \$29,926.

**Pensions**

The staff of the Program is covered under the State Health Benefits Plan, which includes health, dental, and prescription coverage.

The State offers seven defined benefit pension funds: Public Employees' Retirement System ("PERS"), Teachers' Pension and Annuity Fund ("TPAF"), Police and Firemen's Retirement System ("PFRS"), State Police Retirement System ("SPRS"), Judicial Retirement System ("JRS"), Consolidated Police and Firemen's Pension Fund ("CPFPP"), and the Prison Officers' Pension Fund ("POPF"). The staff of the Small Employer Health Benefits Program are members of the PERS.

The PERS was established in 1955 by New Jersey Statute and can be found in the New Jersey Statutes annotated, Title 43, Chapter 15A. Changes in the law can only be made by an act of the State legislature. Rules governing the operation and administration of the system may be found in Title 17,



**State of New Jersey**  
**Small Employer Health Benefits Program**  
**Notes to Financial Statements**  
**June 30, 2009**

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Chapters 1 and 2 of the New Jersey Administrative Code. The system was established to provide retirement, death and disability benefits, including post-retirement health care, to all full-time employees

of the State and any county, municipality, school district, or public agency provided the employee is not a member of any other state-administered retirement system. Membership is mandatory for such employees.

Vesting occurs after 8 to 10 years of service for pension benefits and 25 years for post-retirement health care coverage. Members are always fully vested in their own contributions and, after three years of service credit, become vested for 2% of the related interest earned on the contributions.

The PERS is a defined benefit plan administered by the New Jersey Division of Pensions and Benefits. Administrative expenses are paid by the PERS to the State of New Jersey, Department of Treasury.

Contributions include funding for basic retirement allowances, cost-of-living adjustments, noncontributory death benefits, and cost of medical premiums after retirement for qualified retirees.

The full normal employee contribution rate is 5.5% of base salary. The rate for members who are eligible for the Prosecutors Part of the PERS (Chapter 366, P.L. 2001) is 8.5% of base salary.

Employers are required to contribute at an actuarially determined rate. The annual employer contributions include funding for basic retirement allowances, cost-of-living adjustments, and noncontributory death benefits.

In accordance with the provisions of N.J.S.A. 43:15A, the contribution policy requires State-related employers and the State of New Jersey to contribute at an actuarially determined rate. The actuarial cost method is projected unit credit. The actuarial assumptions were: investment rate of return 8.25%, salary range 5.45%, cost-of-living adjustments of 60% of the assumed CPI increase of 3.0%. The asset valuation method is the five year average of market value.

Contributions during the fiscal year 2008 for the PERS amounted to approximately \$1.5 billion. The State of New Jersey's annual required contribution and actual contributions were \$557,237,789 and \$234,560,830, respectively.

The PERS had an actuarial accrued liability of \$16,028,875,601 as of June 30, 2007. The actuarial value of assets of \$11,024,255,608, at June 30, 2007, was less than PERS liabilities, resulting in a funding ratio of 68.8%, or \$5,004,619,993 in funding deficit. Covered payroll for employees under the PERS amounted to \$4,434,933,181, which translates into a funding deficit of 112.8% of covered payroll.

Retirement benefits for age and service are available at age 60. Employees who retire at the age of 60 are entitled to a retirement benefit determined to be 1/55th of the final average salary for each year of service credit. Final average salary equals the average salary for the final three years of service prior to retirement (or the highest three years compensation if other than the final three years). Members may seek early retirement after achieving 25 years of service credit or they may elect deferred retirement after achieving eight to ten years of service credit, in which case, benefits would begin the first day of the month after the member attains normal retirement age.

Financial statements for the State of New Jersey Public Employees' Retirement System are available by contacting the Division of Pensions and Benefits, P.O. Box 295, Trenton, NJ 08625-0295.

The information contained herein for the pension footnote is taken from the PERS report for the fiscal year ended June 30, 2008, because the report for the fiscal year ended June 30, 2009 is not available at the time of issuance of this audit report and the information contained in the note is not reflected in the financial statements for the Program for the fiscal year ended June 30, 2009.

**State of New Jersey  
Small Employer Health Benefits Program  
Notes to Financial Statements  
June 30, 2009**

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**3. Fair Value Measurements**

Effective July 1, 2008, the Program adopted Statement of Financial Accounting Standards (SFAS) No. 157, "Fair Value Measurements" ("SFAS 157"). In February 2008, the FASB issued FASB Staff Position No. FAS 157-2, "Effective Date of FASB Statement No. 157", which provides a one year deferral of the effective date of SFAS 157 for non-financial assets and non-financial liabilities, except those that are recognized or disclosed in the financial statements at fair value at least annually. Therefore, the Program has adopted the provisions of SFAS 157 with respect to its financial assets and liabilities only. SFAS 157 defines fair value, establishes a framework for measuring fair value under generally accepted accounting principles and enhances disclosures about fair value measurements. Fair value is defined under SFAS 157 as the exchange price that would be received for an asset or paid to transfer a liability (an exit price) in the principal or most advantageous market for the asset or liability in an orderly transaction between market participants on the measurement date. Valuation techniques used to measure fair value under SFAS 157 must maximize the use of observable inputs and minimize the use of unobservable inputs. The standard describes a fair value hierarchy based on three levels of inputs, of which the first two are considered observable and the last unobservable, that may be used to measure fair value which are the following:

- Level 1 – Quoted prices in active markets for identical assets or liabilities.
- Level 2 – Inputs other than Level 1 that are observable, either directly or indirectly, such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs that are observable or can be corroborated by observable market data for substantially the full term of the asset or liabilities.
- Level 3 – Unobservable inputs that are supported by little or no market activity and that are significant to the fair value of the asset or liabilities.

In accordance with SFAS 157, the following tables represent the Program's fair value hierarchy for its financial assets (cash equivalents) measured at fair value on a recurring base as of June 30, 2009:

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>
Cash and cash equivalents	<u>\$ 334,766</u>	<u>\$ --</u>	<u>\$ --</u>

Effective July 1, 2008, the Program adopted SFAS No. 159, *Fair Value Option for Financial Assets and Financial Liabilities* ("SFAS 159"). SFAS 159 allows an entity the irrevocable option to elect fair value for the initial and subsequent measurement for specified financial assets and liabilities on a contract-by-contract basis. The Program did not elect to adopt the fair value option under this statement.

**4. Subsequent Events**

The Program has evaluated subsequent events occurring after the statement of net assets through the date of February 19, 2010. Based on this evaluation, the Program has determined that no subsequent events have occurred, which require disclosure in the financial statements.