



**Delaware Jockey's Health & Welfare Benefit Board
Minutes of Regular Meeting Held On
June 15, 2016**

The Delaware Jockey's Health & Welfare Benefit Board held a Regular Meeting on
Wednesday, June 15, 2016, at 9:05 a.m., in the Horseman's Office, 1st Floor,
at Delaware Park, 777 Delaware Park Blvd, Wilmington, DE 19804

The following Board members were present:

Edward J. Stegemeier, Chairman
W. Duncan Patterson, Jr., DTRC Chair, Ex-Officio Member
Bessie Gruwell, DTHA Executive Director
Pete Lizarzaburu, Retired Jockey
Heriberto Rivera, Jr. Jockey's Guild
John E. Mooney, Delaware Park, Executive Director of Racing
Scott B. Spieth, Jockey

The following individuals also were present:

Andrew Kerber, Esq., Deputy Attorney General, Commission Counsel
Oliver Cleary, Deputy Attorney General, Steward Counsel
John F. Wayne, DTRC Executive Director
Robert E. Colton, Delaware Jockey's Association, Director
Richard A. Levine, Esq., DTRC Commissioner
Kevin DeLucia, Delaware Park, Sr. Vice President & CFO, Racing-Administration
Steven Bertrando, DTHA-DHAF
Pam Rash, DTRC (recording minutes)

1. WELCOME AND CALL TO ORDER

Chairman Stegemeier called the meeting to order at approximately 9:05 a.m.

2. APPROVAL OF MINUTES

Moved to after New Business.

3. OLD BUSINESS

A. Counseling Service Agreement

Mr. Colton indicated the contract was signed with a rate increase of \$10 (from \$35 to \$45) and a name change from Ms. Nan Freeman to Family Counseling Center of St. Paul's which is Ms. Freeman's employer.

B. Safety Helmets and Vests

Covered after the State of the Fund.

4. NEW BUSINESS

A. State of the Fund

I. State of the Fund

Robert Colton gave the following report:

The Year-to-Date Revenue Less Expenses as of May 31, 2015 is a surplus of \$4,998. The unencumbered balance for the fund is \$897,368. Projected 2015 Revenue Less Expenses is a surplus of \$71,199. The 2015 Estimated Revenue Less Expenses with full participation of all eligible members would be a deficit of \$205,179 (depending on health plan choices and number of dependents).

Mr. Colton indicated that the current riders are showing strong interest in joining; possibly because of the health care penalty (currently the cost for a family of 3 is a minimum of \$695 per person or 2% percent of taxable income). Our lowest family health plan with high deductible is \$60 per month or \$720 per year. He expects to see more participation this year. There should be members eligible in July & August. They become eligible at 50 mounts with no rides elsewhere or 100 mounts and can ride anywhere. There are also a lot of new jockeys.

Commissioner Stegemeier asked Mr. Colton to communicate with the Board as he sees any trends developing in case action needs to be taken. Mr. Colton stated he would communicate with monthly financial and participation statements.

The annual contribution from Delaware Park is expected in July.

Mr. Colton confirmed there are currently 16 eligible nonparticipating jockeys and 10 new jockeys that could join the program by the end of the meet.

3. OLD BUSINESS

B. Safety Helmets and Vests

Almost 100% of the helmets and vests coming into the Jockey's room are standard based. The riders are complying. The Stewards as well as Mr. Colton are looking at the equipment and he has not heard any complaints. The surrounding tracks (Pennsylvania, Maryland, New Jersey, New York) have mandated the use of standard based equipment.

Parx, New Jersey and Maryland had Horsemen subsidized programs for helmets and vests; mostly for individuals who are not jockeys.

4. NEW BUSINESS

A. State of the Fund

IV. Excess On-Track AD&D Increased Benefit

The AD&D benefit for Excess on-Track program was increased to \$200,000 beginning with the 2016 racing season. This raised the premium from \$92,340 to \$105,057. If a rider does get severely injured it should be enough to get them through to Medicare coverage.

V. Concussion Management Program

There was an announcement by the Jockey Club & Guild that they are going forward with a 3 Year Test Program Concussion Management Program. Mr. Colton spoke with several local concussion clinics. He has been speaking with Dr. Bradley Sandella about

a program that would utilize both Christiana Care and the University of Delaware and their respective facilities.

Duncan Patterson shared that with the National Steeplechase Association (NSA), Scott Palmer has mandated a safety clinic for all NSA jockeys riding in New York. They have a six hour program and this year they had a doctor who is associated with the University of Pittsburgh, that's done significant studies. There is a test that EMT's, paramedics, nurses, anyone with some medical background, can be trained to do it. It indicates whether a person has a concussion.

Bessie Gruwell shared a personal experience where the doctor was able to identify a concussion by looking at the movement of the eyes. Complete bed rest was required for recovery.

VI. Health Benefits for Medicare Eligible Members

Mr. Colton stated he was requesting that the Board take a strong look at this and come up with a resolution or rule change that would mandate only supplemental health plan coverage be provided to Medicare or Medicaid eligible members. This is consistent with what the State currently does and can significantly reduce the cost.

Medicare/Medicaid would primary and the supplemental would be secondary. Mr. Colton stated they do not fall under the Department of Labor. He has a copy of a letter sent to the Guild that they fall under state law as they are independent contractors. This excludes them from the established rules.

This was voted on at the last meeting, but it was not done by an official rule change. Mr. Colton will research and be sure that there are MediGap policies for Medicaid as well as Medicare eligible riders. Because it was not officially done with a rule change, etc., DAG Kerber will research what is allowed from the legal standpoint and will draft a regulation for Medicare or Medicaid eligible riders.

2. APPROVAL OF MINUTES

Upon a motion duly made (Gruwell) and seconded (Rivera), the minutes from January 13, 2016 were approved.

5. ADJOURNMENT

Upon a motion duly made (Gruwell) and seconded (Rivera), the meeting was adjourned at approximately 9:55 a.m.