



**Delaware Jockey's Health & Welfare Benefit Board
Minutes of Regular Meeting Held On
January 16, 2019**

The Delaware Jockey's Health & Welfare Benefit Board held a Regular Meeting on Wednesday, January 16, 2019, at 10:05 a.m., in the Secretary's Conference Room, Delaware Department of Agriculture, 2320 South duPont Highway, Dover, Delaware, t 19901.

The following Board members were present:

Edward J. Stegemeier, Chairman
Duncan Patterson, Ex-Officio Member, DTRC Chairman
John E. Mooney, Delaware Park, Executive Director of Racing
Heriberto Rivera Jr., Jockeys' Guild
Bessie Gruwell, DTHA Executive Director
Pedro Lizarzaburu, DJH & WBB Board Member

The following individuals also were present:

Henry Decker, DTRC, Commissioner
John F. Wayne, DTRC, Executive Director
Andrew Kerber, Deputy Attorney General
Robert E. Colton, Delaware Jockey's Association, Director
Kevin DeLucia, Delaware Park, Sr. Vice President & CFO, Racing-Administration
Samantha Cutrone, Premier Physical Therapy and Sports Performance, Athletic Trainer
Amanda Minutola, Premier Physical Therapy and Sports Performance, Athletic Trainer
Molly Church, DTRC (recording minutes)

1. WELCOME AND CALL TO ORDER

Chairman Edward Stegemeier called the meeting to order at approximately 9:59 a.m.

2. APPROVAL OF MINUTES (August 20, 2018)

Upon a motion duly made (Mooney) and seconded (Stegemeier), the minutes from the August 20, 2018 meeting were unanimously approved.

3. OLD BUSINESS

At this time, there was no old business to report.

4. NEW BUSINESS

A. State of the Fund

At this time, Mr. Robert Colton discussed the State of the Fund. The 2018 revenue less expense was a deficit of \$13,319.00. The 2019 projected revenue less expenses is a surplus of \$11,453.00. The 2019 revenue less expense year-to-date is a surplus of \$1,904.00. The 2019 state mandated contribution (deposited in July 2018) was \$461,030.00. This is a \$9,924.00 increase (2.2%) over the 2017 contribution of \$451,106.00.

As of January 1, 2019, there are currently 29 jockeys enrolled in health benefits. 12 of those jockeys are active and 17 are retired. There are currently 8 eligible non-participating jockeys, 4 of which are active and 4 of which are retired. 3 of the jockeys eligible for retired benefits have active jockey licenses and are not eligible to enroll until they retire from riding, with 1 enrolled for benefits. These jockeys have not reached the sufficient amount of mounts in 2018. There were 3 active jockeys who enrolled during open enrollment on January 1st from 2018 eligibility. There was 1 participating jockey whose status changed from active to retired.

Mr. Colton also informed the Board about 2 jockeys who were injured at Delaware Park and were therefore not able to reach the sufficient number of mounts there in 2018. These 2 jockeys are petitioning the Board for continuance of health benefits for 2019, under rule 2.1.1.1. Their names are David Amiss and Victor Carrasco.

David Amiss suffered a back injury that required surgery in October of 2017. Mr. Amiss has been totally disabled since his accident. He rode 140 races at Delaware Park in 2017 and was enrolled for benefits in 2018. He starts physical therapy in the beginning of the year, with hopes of returning to ride in mid-March of 2019.

Victor Carrasco suffered a leg injury that required surgery in September of 2017. Mr. Carrasco did not return to racing until June 17, 2018, however, he experienced pain with his implanted hardware and had a second surgery in late August of 2018, and was unable to ride for 3 weeks.

This matter was one of the scheduled items for the October 2018 meeting, but the Board did not hold a meeting in October, so the 2 jockeys are still enrolled.

Mr. Heriberto Rivera noted that he had seen Mr. Amiss in the previous week, and he looked better. He believes he will be able to race again in mid-to-late March. Mr. Rivera said that Mr. Amiss and Mr. Carrasco are both great jockeys.

Upon a motion duly made (Gruwell) and seconded (Mooney), the Board unanimously voted to grant eligibility for 1 year to each of the jockeys.

Next, Mr. Colton discussed 2019 insurance rates. Aetna health insurance agreed to a no-bid increase of 7.80%. In 2018, there was an increase of 7.75%. Guardian provides dental, vision, life, disability, and accidental death and dismemberment benefits. Vision premiums increased 3.0%. The 2019 aggregated premium increase for all Guardian benefits is 0.2%. The 2018 aggregated premium increase for all Guardian benefits was 2.7%.

The member monthly premiums for 2019 have greatly increased. With a fund deficit since 2016, 100% of the health insurance premium increases were passed directly to the member monthly premiums.

Mr. Colton explained that the Delaware Jockeys' Health and Welfare Benefits Board falls under the umbrella of the California Jockey Welfare Corporation. Ms. Gruwell asked what other jurisdictions were in this plan, other than California. Mr. Colton answered that Presque Isle, New York, and New Jersey are all under the umbrella also.

At this time, Mr. Colton discussed the athletic trainer program. The 2019 athletic trainer program expense was \$13,669.00. The 2019 projected athletic trainer program expense is \$31,100.00. The 2018 meet included 203 hours of athletic trainer services at \$60.00 per hour and \$1,519.00 in supplies. Most of the supply expenses were for a treatment table and a hydrocollator for heating pads. The 2019 projected expenses includes \$30,600.00 for 85 days of racing and \$500.00 for supplies. The service fee will remain at \$60.00 per hour, and the projected expenses are based on 6 hours of service per race day.

The major focus of the athletic trainer program in 2019 will be to implement concussion protocols and to work on track communication. The athletic trainer, Ms. Sam Cutrone, explained that she has been discussing this with Dr. Kelly Ryan from the Maryland Jockey Club, and they are working on developing uniform concussion protocols

for the Mid-Atlantic region. The following day, she and Mr. Colton will be meeting with Dr. Ryan at Laurel Park.

In 2018, all jockeys licensed by the Delaware Thoroughbred Racing Commission needed to sign a Consent for Treatment form as well as an Authorization for Disclosure of Personal Health information form. For 2019, the release form has been incorporated into the DTRC license application. Mr. Colton presented a copy of this license application to the Board Members.

Ms. Amanda Minutola of Premier Physical Therapy and Sports Performance expressed that the Consent to Treatment form is very crucial to providing the best care for jockeys as soon as possible. Ms. Cutrone stated that in the beginning of the meet, EMTs were hesitant to share any information with her about jockeys' injuries, which was difficult. Ms. Minutola asked the Board for their support in trying to get jockeys the help they need.

Mr. Patterson asked Ms. Cutrone how her presence was received by the jockeys when she first started at Delaware Park. Ms. Cutrone answered that at first, they were confused about why she was there. She took some time to explain to them all of the services she could provide to them.

Chairman Stegemeier asked Ms. Cutrone to please keep Mr. Colton updated on the participation and acceptance of the jockeys.

Mr. Patterson asked Ms. Cutrone if she spoke any Spanish. Ms. Cutrone answered that she is not fluent but she knows some key words and phrases that she learned in high school. Ms. Minutola informed the Board that Premier does have its own translators that she can use if she needs to.

Mr. Colton noted that most of the jockeys do understand and speak English fairly well. There are only a few who are not very fluent in English.

Next, Mr. Colton discussed the state of retired members in the program. The number of retired riders is greatly surpassing the number of active riders and it is beginning to cause a budgetary concern.

The Fund has been able to sustain this increase for now, but the Board may soon have to review this.

The average age of the retired group is 51.6 years old, with the youngest 29 and the oldest 68. The average number of years for full benefit coverage until eligible for Medicare is 13.4 years. The Fund provides only gap benefit coverage for members eligible for Medicare or Medicaid.

Mr. Colton suggested perhaps setting different monthly premiums for each group, with each group receiving a set amount of funds for health benefits. The member monthly health premiums would be based upon the enrollment for each group.

He also suggested perhaps basing the retired benefit on a vesting scheme, for example, the number of years eligible times a percentage of the monthly premium. Mr. Colton expressed that this manner is not very urgent, and the Board has a while to think about this.

Chairman Stegemeier added that as more retired jockeys enter the program, their cost for care will go up. In order to make the plan work and remain solvent, standards for qualifications have had to be changed in the past. He asked Mr. Andrew Kerber if the Board can differentiate the premiums between a retired jockey and an active jockey. Mr. Kerber answered that he would look into it.

Mr. Patterson said it is also important to remember that some jockeys have different sources of income. Some make more than others so some can afford to pay more for healthcare and others cannot. Chairman Stegemeier agreed that he does not want to deny benefits to retired riders, but retired riders will make up most of the plan's demographic, so the cost of their premiums will have to be discussed.

At this time, Mr. Colton discussed jockey Jose Caraballo. Mr. Colton expressed that he is trying to get permanent disability benefits for Mr. Caraballo through Guardian. It is Guardian's responsibility to write the terms of the contract. Mr. Colton said it is possible that the Board may lose Guardian's premiums, however the Board has contracts in place and has been paying the premiums for over a decade.

Chairman Stegemeier asked Mr. Colton if he would be notifying the jockeys, retired and active, about the changes discussed at the meeting. Mr. Colton replied that he would.

5. **PUBLIC COMMENT**

There was no public comment at this time.

6. **ADJOURNMENT**

Upon a motion duly made (Gruwell) and seconded (Rivera), the meeting was adjourned at approximately 11:03 AM.