

HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
Minutes of the Special Meeting of the Board of Trustees
Monday, August 25, 2008

TRUSTEES PRESENT

Ms. Marie Laderta, Chairperson
Ms. Barbara Annis, Vice Chairperson
Ms. Elizabeth Ho, Secretary-Treasurer
Mr. Darwin Ching

Mr. George Kahooohanohano
Mr. Gerald Machida
Mr. Lawrence Reifurth
Mr. Stanley Shiraki

TRUSTEES ABSENT

Mr. Guy Fujio
Mr. John Radcliffe

ATTORNEY

Mr. Russell Suzuki, Deputy Attorney General

EUTF STAFF

Mr. James Williams, Administrator
Mr. Lawrence Nishihara
Ms. Maria Quartero

Mr. Mark Fukuhara, Consultant
Ms. Joni Tamayo-Wilson, Consultant

OTHERS PRESENT

Ms. Sandra Benevides, Kaiser Permanente
Ms. Elaine Fujiwara, HDS
Ms. Bonny Kahelewai, Standard Insurance

Mr. Charles Khim
Ms. Valerie Trechter, Kaiser Permanente

I. CALL TO ORDER

The special meeting of the Board of Trustees was called to order at 2:05 p.m. by Trustee Marie Laderta, Chairperson, in EUTF Conference Room, 201 Merchant Street, Honolulu, Hawaii, on Monday, August 25, 2008.

Chair Laderta introduced Russell Suzuki, Deputy Attorney General.

II. OTHER REPORTS - None

III. UNFINISHED BUSINESS - None

IV. NEW BUSINESS

A. Everson Lawsuit – Response to Decision by Judge Hifo
This item will be addressed in Executive Session.

B. Retiree Plan Benefits

This item will be addressed in Executive Session.

C. Retiree Plan Rates

This item will be addressed in Executive Session.

V. COMMUNICATIONS FROM THE PUBLIC AND INPUT FROM ATTENDEES

Mr. Charles Khim requested that the Board not appeal the decision of the Everson lawsuit because the Circuit Court decided the constitutional issues are clear that the retirees are entitled to equal benefits as the active employees.

Before moving into Executive Session, discussion held by Trustees, deputy attorney general and Mr. Charles Khim regarding request by Mr. Khim to address the Board again stating it is a new agenda item. Chair Laderta stated that the Board is following the agenda and is ready to move into Executive Session. Mr. Russell Suzuki informed Mr. Khim that he was advised that he could give public testimony on any matters on the agenda and was given the opportunity to do so and is now out of order. Mr. Khim stated he is entitled to address each agenda item. Mr. Suzuki stated Chair Laderta in discussing the agenda item already covered (the Everson lawsuit) in conjunction with the Executive Session and told Mr. Khim he already made his comments and excused him. Mr. Khim stated that the Board cannot vote on the issue in Executive Session and reminded the Board that he had submitted a letter at the last Board meeting. Mr. Suzuki informed Mr. Khim that he is incorrect and if he were to read the Standing Committee reports on the sunshine law when it was amended there was a commentary that says "if the Board cannot deliberate or make a decision in an Executive Session on matters in which they have jurisdiction to do so, it defeats the purpose of the Executive Session of the Sunshine Law". Mr. Suzuki offered to send Mr. Khim a copy of that report and added that a copy was already sent to Mr. Paul Alston when this issue was brought to their attention before (see Standing Committee report).

VI. FUTURE AGENDA ITEMS AND NEXT MEETING DATE

Board meeting is scheduled for Thursday, September 25, 2008, 9:00 a.m., EUTF conference room, 15th floor.

VII. EXECUTIVE SESSION

MOTION was made to go into Executive Session at 2:15 p.m. for the reasons stated on the agenda. (Ching/Annis) The motion passed unanimously. (Employer Trustees-5/Employee-Beneficiary Trustees-3)

Executive Session ended at 3:51 p.m.

The Chair reported that the Board has taken the following actions in Executive Session:

1. Approval to Appeal the Everson Lawsuit of Judge Hifo's Decision.
2. Approval of CMS Approved Benefit Changes (new fitness and no copayment for hepatitis B) for Kaiser Medicare Retirees Effective 1/1/09 with no change in rates through June 30, 2009.

VIII. ADJOURNMENT

There being no objections by the Trustees, the meeting adjourned at 3:52 p.m.

Respectfully submitted,

/s/

Elizabeth Ho, Secretary-Treasurer

APPROVED on September 25, 2008.

Documents Distributed:

1. Standing Committee Report 889 on Judiciary on S.B. No. 1413. (2 pages)