

**AMENDED AND RESTATED  
CITY OF HENDERSON  
SELF-FUNDED HEALTH INSURANCE COMMITTEE  
BY-LAWS**

These Amended and Restated Self-Funded Health Insurance Committee ("Committee") Bylaws do hereby supersede and replace all prior amendments or versions of the operating bylaws for the Committee effective upon the approval of the Committee and the City Manager of the City of Henderson.

**I. PURPOSE OF COMMITTEE.**

The Committee was established to administer the City of Henderson Self-Funded Employee Health Insurance Plan (the "Plan") adopted by the City Council and made effective July 1, 1992. The City Manager, by executing these Amended and Restated Bylaws, delegates management and administration of the Plan under Henderson Municipal Code Section 2.10.040 to the Committee, except as otherwise specifically provided in Section V(5) below.

**II. GUIDING PRINCIPALS.**

1. Committee members ("Members") will act as fiduciaries for the Plan and always work in the interests of the beneficiaries (participating members of the Plan). Members shall balance the beneficiaries' interests in a manner to ensure continued financial viability of the Plan.
2. By accepting appointment to the Committee, Members acknowledge their obligation to continued education and training in the issues associated with operating the Plan and will participate in annual training that will complement their ability to act as fiduciaries as described above. The cost of such training is an appropriate and important expense that will be borne by the Plan and paid from its resources.
3. Open communication and dialogue among the Members is critical to effective decision-making. Each Member is obligated to understand the fundamental nuances of the Plan and is empowered to ask for clarification and understanding before voting on any issue before the Committee. Members commit to active listening and respectful, robust debate to facilitate the overall effectiveness and financial solvency of the Plan.

**III. MEMBERSHIP.**

1. The Committee shall consist of eight voting (8) members, as follows:
  - a) Two (2) Members shall represent the interests of the Henderson Police Officers Association ("HPOA");
  - b) One (1) Member shall represent the interests of the Henderson Police Supervisors Association ("HPSA");
  - c) One (1) Member shall represent the interests of the International Association of Firefighters Local 1883 ("IAF 1883"); and
  - d) Four (4) Members shall be appointed by the City Manager from employees who are enrolled in the Plan, one of which shall be the Director of Human Resources for the City of Henderson.

2. The president or designee of HPOA, HPSA and IAFF 1883 (each a "Public Safety Labor Group") shall each appoint its representative(s) and communicate to the Committee Chair, in writing, the name of their respective Public Safety Labor Group Member(s).
3. Public Safety Labor Group Members shall serve until they resign or until replaced by their respective Public Safety Labor Group president or, in the case of Members appointed by the City Manager, until they resign or, other than the Director of Human Resources, are replaced by the City Manager.
4. A Member may resign upon thirty (30) days written notice to the Committee Chair. The City Manager shall appoint a replacement Member if the resigning Member is not a Public Safety Labor Group Member. If a Public Safety Labor Group Member resigns, then a replacement will be appointed by the relevant Public Safety Labor Group president.
5. If a Member ceases to participate in the Plan, whether by termination of employment or otherwise, the Member shall no longer be eligible to serve on the Committee. The City Manager shall appoint a replacement Member if the ineligible Member is not a Public Safety Labor Group Member. If a Public Safety Labor Group Member becomes ineligible, then a replacement will be appointed by the relevant Public Safety Labor Group president.
6. The City Manager and each Public Safety Labor Group may appoint one (1) alternate per Member ("Alternate"). Alternates are not voting Members unless seated as a voting Member in place of the Member for which they are the Alternate. Alternates may participate in the discussion, but they cannot vote on any matter unless they are acting as a voting Member in place of an absent Member. Grounds for seating of an Alternate may be personal or family illness, vacation, training or work assignment that causes a Member to be absent from a Committee meeting. If the Member is going to be absent for a Committee meeting, it is the Member's responsibility to ensure that an Alternate is able to attend in his/her place.

#### **IV. OFFICERS AND DUTIES.**

1. Elections shall be held annually at the first regular meeting of the calendar year or as soon as feasible thereafter, for the positions of Committee Chair and Vice-Chair. The newly elected Committee Chair and Vice-Chair shall take office at the next meeting following their election.
2. The Committee Chair and Vice-Chair will each serve for one (1) calendar year terms, with both positions alternating annually between a Member appointed by the City Manager and a Member appointed by one of the Public Safety Labor Groups. In years when the Chair is a Member appointed by the City Manager, the Vice-Chair shall be a Member appointed by a Public Safety Labor Group and vice versa.
3. The Chair shall preside at all Committee meetings, be responsible for calling and setting meeting dates and times, review and approve the agenda for meetings, and present all reports concerning the financial condition and status of the insurance program to the City Manager and City Council.

4. The Vice-Chair shall perform the duties of Chair in the absence of the Chair.
5. The City Attorney shall name staff from the City Attorney's Office to act as legal counsel to the Committee. The Director of Human Resources shall name staff from the Human Resources Department to act as professional support to the Committee.
6. City Clerk's office shall keep the minutes of Committee meetings as directed by the Chair and in compliance with Nevada Revised Statutes (NRS) Chapter 241, concerning open meetings of public bodies.

**V. MEETING REQUIREMENTS.**

1. Committee meetings will be held at least quarterly or on a more frequent basis at the discretion of the Committee Chair.
2. Special meetings may be called upon the written request of two (2) or more Members submitted to the Chair.
3. All meetings will be held at the Henderson City Hall, 240 Water Street, Henderson, Nevada 89015 or such other appropriate location as specified by the Chair and noticed in accordance with NRS Chapter 241.
4. The presence of five (5) Members shall constitute a quorum to conduct business. In the absence of a quorum, the Committee may hold a meeting but may not deliberate toward a decision or take action on any matter other than to postpone or adjourn the meeting.
5. Motions and resolutions require a majority vote of the Members present, including the Chair. All agenda items shall be acted on by motion. A second to the motion, however, will not be required. The Chair can make motions and vote. A motion that receives an equal number of votes will be considered a tie and shall be considered unfinished business and placed on the next scheduled Committee meeting agenda for further consideration, unless it becomes moot as a result of a new motion made at that meeting. If, after a second vote on the same motion, the vote remains a tie, the item will remain as unfinished business and will be referred to the City Manager to act as a tie-breaker and shall be placed on the next scheduled Committee meeting agenda, unless the issue becomes moot as a result of a new motion made at that meeting. The City Manager, or his/her designee, shall attend the following meeting and shall act as the tie-breaker for the agenda item.
6. The Committee will utilize a prepared agenda published in accordance with NRS 241. Any items which will be discussed during the meeting must be submitted to professional support staff for inclusion in the agenda for the official meeting at least ten (10) calendar days prior to the meeting date. Appropriate backup materials should be submitted with the item if available.

7. In the event discussion of an agenda item raises an issue that, upon further discussion, could result in disclosure of a person's protected health information, the Committee may, pursuant to Nevada Revised Statutes 241.030(3), close the meeting upon a motion which specifies:
  - a. The nature of the business to be considered; and
  - b. The statutory authority pursuant to which the Committee is authorized to close the meeting.
  - c. Only the business identified in the motion may be discussed. The closed session must be recorded and minutes of the closed session must be kept.
8. If the Committee is aware in advance of the meeting that it will discuss a person's physical or mental health and that the meeting needs to be closed for such discussion, the Committee must place the item on the Agenda and follow the relevant procedures set forth in NRS 241.030 et seq.

**VI. APPEALS AND REQUESTS FOR A BENEFIT CHANGE.**

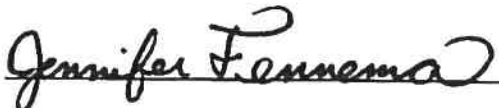
1. Any covered member who has a claim for benefits denied, may appeal the denial of coverage to the Plan Administrator in accordance with the Appeal process set forth in the current Summary Plan Description, as adopted by the City.
2. If the reason for the claim denial was the medical procedure was not a covered service under the Plan Document, the covered member may submit a request to the Committee to have the medical procedure added as a covered service in the Plan Document, but only after the member has exhausted the Appeals process set forth in the Summary Plan Description.
3. The Committee will take necessary steps to maintain confidentiality in connection with the request to have a medical procedure added as a covered service in the Plan Document. The Committee will not be told the identity of the claimant to preserve its impartiality. The claim review meeting may be a closed meeting as permitted by, and conducted in accordance with, NRS 241.030.

**VII. AMENDMENTS.**

Amendments to the by-laws of the Self-Insurance Health Plan Committee shall require a two-thirds (2/3) vote of the entire Committee membership.

Approved by the Committee: July 13, 2016

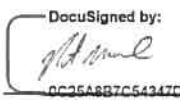
**SELF-INSURANCE COMMITTEE**

By: 

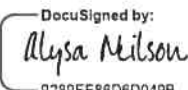
Name: Jennifer Fennema

Title: Committee Chair

**CITY MANAGER:**

By:   
ROBERT MURNANE, P.E.,  
City Manager

**ATTEST:**

By:   
ALYSA NEILSON  
Committee Secretary

**APPROVED AS TO FORM:**

  
JOSH M. REID  
City Attorney

