MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

March 6, 2012

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, March 6, 2012 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:30 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: Ann V.

Butterworth, Charles D. Clariday, Sr., G. Thomas Curtis, B.R. Hall, Sr., James H. Johnson, Richard M. Riebeling, Rita Roberts-Turner and Clyde D. Smith.

Others present: Shannon B. Hall, Metro Human Resources, Nicki Eke, Attorney, Metro Legal

Department and Dr. Celia Goodson, Civil Service Medical Examiner.

A. MINUTES: Chair Edna Jones called the meeting to order and said the first order of business was to

determine if there were any amendments, corrections or questions of the minutes from the last regular meeting held on March 6, 2012. With two corrections, nothing further was noted and Ann Butterworth moved for approval. Thomas Curtis seconded and the Board approved without

objection.

B. APPEAL ANNOUNCEMENT:

Shannon Hall announced the process and timeframe for appealing a decision made by this Board.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)

The terms of the approval or extension of the items listed in the motions are specifically stated in these minutes.

Edna Jones noted that there are three late items and they will be acted upon accordingly.

Dr. Celia Goodson reported to the Board that she recommends approval of the disability pension new requests, items 1 through 12, for the length of time as recommended and requested vocational case management on items on items 4 and 11. Ann Butterworth moved for approval of the recommendation to approve the disability pension new requests, items 1 through 12 for the length of time as recommended and case management on items 4 and 11. Thomas Curtis seconded and the Board approved without objection.

On the disability pension new request item 13, Dr. Celia Goodson reported that she recommends denial of the request.

There was some discussion of the individual's current accommodations and restrictions and the basis for the denial. There was also some discussion of the current medical condition, future surgery and how to handle accommodations/restrictions for this individual going forward.

After some discussion of family medical leave, short-term disability and the individual being able to re-apply, Nicki Eke clarified that an individual can always re-apply on a subsequent medical condition/surgery. She stated that they would be applying based on the new medical condition that was not present when the initial application was considered.

After some discussion of the disability pension process, accommodations and the Americans with Disabilities Act, (ADA), Clyde Smith moved to deny the disability pension new request, item 13, based on current reasonable accommodations and non prejudicial on the employee re-applying. Charles Clariday seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 14 through 21 for the length of time as recommended. Clyde Smith moved for approval of the recommendation to continue the disability pension reexaminations, items 14 through 21 for the length of time as recommended. Christine Bradley seconded.

After discussion of noting the nature of the injury on the injury on duty requests, a vote was taken on the motion to continue items 14 through 21 for the length of time as recommended and the Board approved without objection.

On the disability pension re-exams, items 22 through 25, Dr. Celia Goodson reported that she is requesting deferral for one month. Ann Butterworth moved for approval of the request to defer items 22 through 25 for one month. Christine Bradley seconded.

After some discussion of the functional job description and results of the functional capacity evaluation on item 24, a vote was taken on the motion to defer items 22 through 25 and the Board approved without objection.

Dr. Celia Goodson reported to the Board that on the late items, she recommends approval for the length of time as recommended. Ann Butterworth moved for approval of the late items for the length of time as recommended. Rita Roberts-Turner seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
1.	Shirley C. Adams	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2012), with reexam at that time.
2.	Frankie E. Collier	Public Works	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (September 2012), with re-exam at that time.
3.	Marsha D. Hardemon	Metro Action Commission	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for one year, (March 2013), with re-exam at that time.
4.	Jesse W. Henry	Health	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (September 2012), with re-exam at that time.
5.	Jane M. Hettermann	Health	Medial	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam at that time.
6.	Thomas B. Hobson	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2012), with reexam at that time.
7.	Brenda H. Irwin	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (July 2012), with reexam at that time.
8.	James W. Johnson	General Hospital	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for five months, (August 2012), with reexam at that time.

NEW REQUESTS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
9.	William K. Stone	Police	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (March 2013), with re-exam at that time.
10.	Larry I. Trenary	Public Works	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2012), with reexam at that time.
11.	Connie L. Whitley	Police	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for six months, (September 2012), with re-exam at that time.
12.	Stephany R. Wilson	Police	Medical	As moved, seconded and approved, this disability pension request was approved for five months, (August 2012), with reexam at that time.
13.	Mary S. Leath	Public Defender	Medical	As moved, seconded and approved, this disability pension request was denied.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
14.	JoAnne Alford	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (September 2012), with re-exam at that time.
15.	Bryan A. Doersam	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (July 2012), with re-exam at that time.
16.	Kimberly W. Goff	Library	Medical	As moved, seconded and approved, this disability pension was continued for one year, (March 2013), with re-exam at that time.
17.	Thomas R. Jones, Jr.	Police	Medical	As moved, seconded and approved, this disability pension was continued for six months, (September 2012), with re-exam at that time.
18.	Cheryl L. Nunley	Water	Medical	As moved, seconded and approved, this disability pension was continued for one year, (March 2013), with re-exam at that time.

REEXAMINATIONS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
19.	Carl W. Stocks	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for six months, (September 2012), with re-exam at that time.
20.	Gary R. Stone	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (September 2012), with re-exam at that time.
21.	Jeremy W. Stricklin	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for one year, (March 2013), with re-exam at that time.
22.	Michael W. Baltz	Fire	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (April 2012), with re-exam at that time.
23.	Sylvia S. Cobbins	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (April 2012), with re-exam at that time.
24.	Robert C. Hooberry	Water	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (April 2012), with re-exam at that time.
25.	Gregory S. Sullivan	Fire	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (April 2012), with re-exam at that time.

LATE ITEMS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
26.	Linton R. Evans	Water	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2012), with reexam at that time.
27.	Katherine D. Ladd	Sheriff	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2012), with reexam at that time.
28.	Nancy G. Starnes	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (September 2012), with re-exam at that time.

SOCIAL SECURITY REFERRALS:

Dr. Celia Goodson reported to the Board that she concurs with the case management recommendations on the Social Security referrals. Christine Bradley moved for approval of the referrals. Ann Butterworth seconded and the Board approved without objection.

Item	Name	Department	Review Originated From	Case Management Recommendati on for Referral	CSME Recommen dation for Referral	Comments
1.	Duncan, Eric	Sheriff	Pension approval	No	No	YoungerWorker
2.	Frazier, Tina	MNPS	Pension approval	No	No	YoungerWorker
3.	Foley, Richard	Police	Pension approval	No	No	YoungerWorker
4.	Hales, Wade	Sheriff	Pension approval	No	No	YoungerWorker
5.	Johnson, Eddie W.	Health	Pension approval	Yes	Yes	Evaluation
6.	Jones, Jr., Thomas	Police	Pension approval	No	No	YoungerWorker
7.	Matthews, Debra	MNPS	Pension approval	Yes	Yes	Evaluation
8.	Nesbitt, Diane	ECC-911	Pension approval	Yes	Yes	Evaluation
9.	Walton, J.C.	Sheriff	Pension approval	No	No	YoungerWorker
10.	White, Rita	Police	Pension approval	No	No	SSDA filed - Atty

D. PENSIONS: (service, disability to service, options elected and survivor)

Shannon Hall noted that David G. Blakenship needs to be removed from the service pension listing.

Clyde Smith moved for approval of the pensions as corrected. Rita Roberts-Turner seconded and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective
					Date
Joyce L. Sanders	Water	Office Support Spec 1	В	02/01/2012	02/01/2012
Linda G. Beard	MNPS	School Secretary	В	02/01/2012	03/01/2012
Robert W. Perry	Water	Industrial Mechanic 1	В	02/01/2012	03/01/2012
Mary E. Lee	Police	Sergeant	В	02/01/2012	03/07/2012
Arnold L. White	Sheriff	Offender Program Coord	В	02/01/2012	04/01/2012
Arthur W. Danner, Jr	Police	Police Officer 2	В	02/01/2012	03/01/2012
Edward E. King	Fire	Engineer	В	02/01/2012	03/01/2012
Norris G. Tarkington	Police	Police Officer 2	В	02/01/2012	04/01/2012
Cynthia L. Thompson	MNPS	Clerk- Guidance	В	02/08/2012	02/10/2012
William I. Robinson	MNPS	Mechanic	В	02/08/2012	02/17/2012
Phillip J. Valdez	MNPS	Library Sol. Tech Spec.	В	02/08/2012	03/02/2012
Patricia W. Novotny	Election Comm.	Finance Manager	В	02/08/2012	02/29/2012
William R. Smotherman	Fire	Fire Marshall Asst.	В	02/08/2012	03/01/2012
Carolyn D. Sanders	Farmer's Market	Office Support Rep. 2	В	02/08/2012	04/01/2012
Voncille S. Huddleston *	Election Comm.	Program Spec. 3	В	02/08/2012	04/01/2012
John C. Offutt	Chancery Ct.	Deputy Clerk & Master 1	В	02/08/2012	02/02/2012
Patricia A. Rucker	BLTC	LPN	В	02/15/2012	02/28/2012

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective
					Date
Joyce E. Malone	Gen. Hospital	Registered Nurse	В	02/15/2012	03/25/2012
Michael R. Sawyers	Police	Police Officer 2	В	02/15/2012	03/31/2012
Randall D. Demumbra	Fire	Firefighter 3	В	02/15/2012	03/26/2012
Roy T. Bohannon Jr.	Circuit Court Clerk	Admin Svcs Officer 2	Α	02/15/2012	03/13/2012
Mary H. Grady	MNPS	Cafeteria Assistant	В	02/15/2012	02/24/20/12
Marquentas A. Deaderick *	MNPS	Secretary	В	02/15/2012	03/01/2010
Kennetha Sawyers	Police	Exe. Adminstrator Police	В	02/21/2012	03/15/2012
Janice A. Layne	District Attorney	Admin. Assistant	В	02/22/2012	04/30/2012
Charles P. Bruce	MNPS	Security Officer	В	02/23/2012	04/01/2012
William D. Wilson	Fire	Firefighter 3	В	02/23/2012	02/16/2012
Priscilla D. Skinner	Social Services	Homemaker	В	02/23/2012	05/31/2012
Jack L. Bridges	Gen Hospital	Bldg Op Mechanic	В	02/23/2012	03/02/2012
Gloria J. Petty	Gen Hospital	RNCC Team Leader	В	02/23/2012	04/01/2012
Ahmed M. Brifkani	MAC	Fam. Svc. Spec.	В	02/23/2012	03/23/2012

^{*} Deferred Benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
William H. Brooks, Jr	Police	Α	02/01/2012
Thomas E. Bush	Water	В	02/01/2012
William R. Noll	Public Works	В	02/01/2012
Virginia A Cherry	MNPS	В	05/01/2011
Bobbie Morgan	MNPS	В	02/01/2012
Jackie L. Hudson	Public Works	В	02/01/2012
David N. Helton	Fire	Α	02/01/2012
Bonnie Malone	Police	Α	02/01/2012
Leslie C. Carter	Parks	В	02/01/2012

Options Elected

Employee	Department	Pension	Plan	Effective	Option	DROP
		Type	A/B	Date		Election
Ayers, Malcolm Walter	MNPS	Early Service	В	12/31/2011	Option A	
Baker, William F	Fire	P&F Service	В	1/7/2012	Option A	
Bohnenstiel, Robert L.	MNPS	Service	В	2/1/2012	Option A	
Boyd, Larry J	MNPS	Service	В	1/7/2012	Option C	3
Carter, Marshall	Police	Service	В	2/1/2012	Normal	3
Cole, Janice D	MNPS	Service	В	12/17/2011	Normal	3
Davis, Sharonda Lave	MNPS	Early Service	В	1/28/2012	Normal	
Dortch, Evonne P	MNPS	Service	В	1/6/2012	Normal	
Eady, Mary Elizabeth	MNPS	Service	В	1/6/2012	Normal	3
Fielden, Mark S	Police	P&F Service	В	2/1/2012	Option C	3
Harlan, Earnestine	MNPS	Service	В	1/19/2012	Normal	
Hutchinson, Michael R	Parks	Service	В	12/1/2011	Option E	
Jetton, Mary Ann	MNPS	Service	В	12/31/2011	Option F	
Kahan, Leigh E	Information	Service	В	1/18/2012	Option E	
	Technology Service					
Knight, Regina L	Juvenile Court	Service	Α	2/1/2012	Normal	
Maxwell, Wade D.	Public Works	Service	В	2/1/2012	Normal	
Mcalister Jr, Kenneth	Police	P&F Service	В	1/7/2012	Option A	3
Morgan, James R	Water Services	Service	В	2/1/2012	Option F	
Nabors Iii, Thomas R	Fire	P&F Service	В	1/4/2012	Option E	3
Norris, David A	MNPS	Early Service	В	1/4/2012	Option C	

Options Elected (continued)

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Perry, Clarence C	MNPS	Service	В	1/7/2012	Option A	
Read, David F.	Police	P&F Service	В	1/3/2012	Option E	3
Reagan, Edward C	Water Services	Early Service	В	1/7/2012	Option B	
Sales, Willie P	MNPS	Service	В	1/28/2012	Normal	3
Sanders, Joyce L	Water Services	Early Service	В	2/3/2012	Option A	
Scott, Sadie H	MNPS	Service	В	1/17/2012	Normal	3
Seay Jr, James E.	Fire	P&F Service	В	1/18/2012	Option A	3
Townes, Donald S	Fire	P&F Service	В	1/4/2012	Option E	
Townes, Janet H.	Health	Service	Α	1/1/2012	Option D	
Townsend, Charles L	MNPS	Service	В	1/12/2012	Normal	
Tucker, Murray L	Water Services	Early Service	В	1/21/2012	Normal	
Welch, Fay F	Police	Service	В	1/18/2012	Normal	
Wilson, Gary W	Fire	P&F Service	В	1/4/2012	Option E	

Key Codes

Options

Normal - life annuity (no option elected)
Option A - Joint & Survivor - 100% to
surviving beneficiary
Option B - Joint & Survivor - 50% to
surviving beneficiary
Option C - Social Security
Option D - 120 payments certain and

life Option E - Joint & Survivor - 100% to surviving beneficiary with pop-up feature Option F - Joint & Survivor - 50% to surviving beneficiary with pop-up

Drop Elections

1 - 1 year drop2 - 2 year drop

3 - 3 year drop

Survivor

feature

Employee Name	Department	Survivor Name	Plan	Effective
			Membership	Date
William A Johnson	Parks & Rec	Sheila Johnson	Α	02/01/2012
Josephine Zirker	MNPS	Lancie Zirker	В	01/26/2012
James Adams	Water	Nannie Adams	В	02/11/2012
Charles Sutton	Police	Ora Sutton	Α	02/08/2012
Thomas Tatum	General Services	Alice Tatum	Α	02/08/2012
Joyce Jordan	Sheriff	Maurice Jordan	В	02/15/2012
Billy Raines	Water	Deborah Raines	В	02/21/2012
Vernon Sullivan	Water	Viola Sullivan	Α	02/21/2012
Russell Hackett	Police	Linda Hackett	В	02/22/2012
William Keener	Fire	Wanda Keener	В	02/20/2012

BENEFIT BOARD ITEMS

The Human Resources staff submitted the following for the Board's consideration and appropriate action:

1. In Line of Duty Committee report: Chair: Christine Bradley; Vice-Chair: James H. Johnson; Members: Richard Riebeling and Clyde D. Smith. Alternate members: B.R. Hall, Sr. and Rita Roberts-Turner)

There was clarification of the meaning of the wording used in some of the recommendations.

Shannon Hall reported to the Board the In Line of Duty Committee met on Tuesday, January 31, 2012 to deliberate on an IOD disability request and 11 IOD medical care requests. She also noted that the minutes from this meeting are being presented for approval. Ms. Hall stated the Committee deferred action on a few items pending additional information, but does have recommendations for the Board.

Committee Chair Christine Bradley asked if there were any amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting held on January 31, 2012. With no corrections,

1. In Line of Duty Committee report (continued)

nothing further was noted and Clyde Smith moved for approval of the In Line of Duty Committee minutes. James Johnson seconded and the Committee minutes were approved without objection.

Shannon Hall reviewed the Committee recommendations with the Board. She reported to the Board that on item 2, the IOD medical care request from the Fire Department, the Committee recommends that the Board cover this claim as IOD compensable.

It was noted that items 2 and 3 are for the same individual and 4 and 5 are also for another individual.

There was discussion of the claims being similar in nature and items 3 and 5 being denied based on Dr. Goodson's opinion. Or Dr. Goodson's opinion that even though historically high cholesterol has been included in the presumption, it is her opinion that high cholesterol should not be included.

It was noted that on October 9, 1989 the Benefit Board minutes indicate that the Committee concurred with Dr. Cobrin's analysis that under the heart and lung act the term heart should be interpreted to include the circulatory system including the heart proper and the network of associated blood vessels.

Richard Riebeling moved to approve the Committee's recommendations on item 2, the IOD medical care request from the Fire Department, to cover this claim as IOD compensable; item 3, the IOD medical care request from the Fire Department, to deny this claim as IOD compensable; item 4, the IOD medical care request from the Fire Department, to cover this claim as IOD compensable; and item 5, the IOD medical care request from the Fire Department, to deny this claim as IOD compensable.

Christine Bradley seconded.

There was clarification on distinctions of the recommendations for items 2 through 5.

Ann Butterworth offered an amendment to the motion to take all the recommendations from the Committee at once.

Richard Riebeling accepted the amendment to the original motion.

After some discussion of issues unanimity with voting, Ann Butterworth withdrew her amendment.

After some discussion of the previous action taken by the Board, unanimity and the opinion of the current medical examiner, a vote was taken on the motion to approve the Committee's recommendations on item 2, the IOD medical care request from the Fire Department, to cover this claim as IOD compensable; item 3, the IOD medical care request from the Fire Department, to deny this claim as IOD compensable; and item 5, the IOD medical care request from the Fire Department, to cover this claim as IOD compensable; and item 5, the IOD medical care request from the Fire Department, to deny this claim as IOD compensable and was approved with B.R. Hall, Charles Clariday, and Clyde Smith opposed and James Johnson abstaining.

Shannon Hall reported to the Board that on item 8, the IOD medical care request from the Health Department, the Committee recommends that the Board deny this claim as IOD compensable. Richard Riebeling moved for approval of the Committee recommendation on item 8 to deny this claim as IOD compensable. Christine Bradley seconded and the Board approved without objection.

Shannon Hall reported to the Board that on item 11, the IOD medical care request from the Police Department, the Committee recommends that the Board uphold the initial denial determination for the stress portion of this claim.

After noting unanimity with voting on items 11 and 12, Ann Butterworth moved to accept the Committee's recommendation on item 11, the IOD medical care request from the Police Department, to uphold the initial denial determination for the stress portion of this claim and item 12, the IOD medical care request from the Juvenile Court Clerk's Office, to uphold the initial denial determination for this claim. Christine Bradley seconded and the Board approved without objection.

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- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts. (reported quarterly)

Items 2.-a though 2.-c. were for information only and no action was required.

- 3. Reports for your information:
 - a. Return to work. (not available)
 - b. Social Security approvals.
 - c. Refund of pension contributions. (none to report)
 - d. Repayment of pension contributions.
 - e. Reports from Treasury. (reported quarterly)
 - f. Non-compliant disability pensioners. (none to report)
 - g. Pending litigations. (reported quarterly)
 - h. Denial log from Alternative Service Concepts.

Items 3.-a. through 3.-h. were for information only and no action was required.

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4.	Late item(s):						
	Items listed under this section were reported at the meeting and have been incorporated into these minutes.						
		NA/ith a athing from	h o z o z o o o o o o o	the consention of all	o d ot 40:40		
		With nothing furt	ner presentea,	the meeting ad	ourned at 10:13	a.m.	
АТ	TEST:				APPROVED:		
Mrs. R	ıta Robe	rts-Turner, Direc	ctor		Ms. Edna J. Jo	ones, Chair	

Employee Benefit Board

Human Resources