

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

October 2, 2012

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, October 2, 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., Richard M. Riebeling, *Rita Roberts-Turner and Clyde D. Smith.

W. Todd Henry was unable to be present.

Others present: Shannon B. Hall, Metro Human Resources, Ted Morrissey, 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 September 4, 2012. With no corrections, nothing further was noted and Ann Butterworth moved for approval. Christine Bradley 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 stated that there is also a late item disability pension request.

Dr. Celia Goodson reported to the Board that she recommends approval of the disability pension new requests, items 1 through 4, for the length of time as recommended. Ann Butterworth moved for approval of the recommendation to approve the disability pension new requests, items 1 through 4 for the length of time as recommended. Clyde Smith 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 5 through 17 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 5 through 17 for the length of time as recommended. Thomas Curtis seconded and the Board approved without objection.

On item 18, Dr. Celia Goodson reported to the Board that she is recommending the individual be placed on the return to work list. After discussion of any salary supplements, Clyde Smith moved for approval of the recommendation on item 18 to place the individual on the return to work list. Charles Clariday seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that on item 19, she recommends continuing the disability pension as a medical disability for the length of time as recommended. She stated that the individual's in line of duty injury has improved and her current medical conditions are not in line of duty. Clyde Smith moved for approval of continuing item 19 as a medical disability for the length of time as recommended. Charles Clariday seconded and the Board approved without objection.

On item 20, Dr. Celia Goodson reported to the Board that she is recommending removing the individual from the return to work list and continue the disability pension for the length of time as recommended. Ann Butterworth moved for approval of the recommendation to remove the individual from the return to work list and continue the disability pension for the length of time as recommended. Thomas Curtis seconded. After some discussion of how long the individual was on the return to work list, a vote was taken on the motion to remove the individual from the return to work list and continue the disability pension for the length of time as recommended and was approved without objection.

On the late item, Dr. Celia Goodson reported to the Board that she recommends approval of the disability pension request for the length of time as recommended, along with case management assistance. Clyde Smith moved for approval of the recommendation on the late item to approve the disability pension request for the length of time as recommended along with case management assistance. Charles Clariday seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
1.	James M. Burns	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (February 2013), with re-exam at that time.
2.	Patricia D. Gardner	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for six months, (April 2013), with re-exam at that time.
3.	Melinda W. Lakota	Parks	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (February 2013), with re-exam at that time.
4.	Chris D. Parker	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for six months, (April 2013), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
5.	Deborah A. Berryhill	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for six months, (April 2013), with re-exam at that time.
6.	Tina C. Frazier	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (April 2013), with re-exam at that time.
7.	William B. Hitchcox	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (February 2013), with re-exam at that time.
8.	LV Jackson	Fire	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (February 2013), with re-exam at that time.
9.	Thomas R. Jones, Jr.	Police	Medical	As moved, seconded and approved, this disability pension was continued for one year, (October 2013), with re-exam at that time.

10.	Teresa R. Kemper	Juvenile Court	Medical	As moved, seconded and approved, this disability pension was continued for four months, (February 2013), with re-exam at that time.
11.	Jerry D. Lee, Jr.	Fire	In Line of Duty	As moved, seconded and approved, this disability pension was continued for one year, (October 2013), with re-exam at that time.
12.	Tiwana G. Lumpkin	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (February 2013), with re-exam at that time.
13.	Debra L. Matthews	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (April 2013), with re-exam at that time.
14.	Deborah D. Stanfill	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for nine months, (July 2013), with re-exam at that time.
15.	Rebecca L. Taylor	Fire	Medical	As moved, seconded and approved, this disability pension was continued for one year, (October 2013), with re-exam at that time.
16.	David Vanderpool	Fire	In Line of Duty	As moved, seconded and approved, this disability pension was continued for one year, (October 2013), with re-exam at that time.
17.	J. C. Walton, Jr.	Sheriff	Medical	As moved, seconded and approved, this disability pension was continued for one year, (October 2013), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
18.	Phyllis Y. Boyd	Sheriff	Medical	As moved, seconded and approved, the individual was placed on the return to work list.

OTHER:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
19.	Sylvia S. Cobbins	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension was changed to a <i>medical</i> disability pension and continued for one year, (October 2013), with re-exam at that time.

OTHER: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
20.	Neil M. Cook	Police	In Line of Duty	As moved, seconded and approved, the individual was removed from the return to work list and the disability pension was continued for six months, (April 2013), with re-exam at that time.

LATE ITEM(S):

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
21.	Billy W. Osteen	Parks	Medical	As moved, seconded and approved, this disability pension was approved for four months, (February 2013), 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. Thomas Curtis seconded and the Board approved without objection.

Item	Name	Department	Review Originated From	Case Mgmt Rec for Referral	CSME Rec for Referral	Comments
1	Alford, Joanne	MNPS	Pension Approval	No	No	SSDI filed-Atty
2	Bacon, Natasha	MNPS	Pension Approval	No	No	Younger Worker
3	Bunch, Michael	Fire	Pension Approval	No	No	Younger Worker
4	Hayes, Kenneth	Police	Pension Approval	No	No	Younger Worker
5	Henry, Jesse	Health	Pension Approval	Yes	Yes	Evaluation
6	Horn, Edward	Public Works	Pension Approval	No	No	D/N SSDI duration or severity
7	Johnson, James W	MNGH	Pension Approval	Yes	Yes	Evaluation
8	Martin, Deberth	MNPS	Pension Approval	Yes	Yes	Evaluation
9	Napier, Gerald	Info Systems	Pension Approval	Yes	Yes	Meets SSDI criteria
10	Richer, Donald	Police	Pension Approval	No	No	Younger Worker
11	Wilson, Stephany	Police	Pension Approval	No	No	D/N meet SSDI duration or severity

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

Richard Riebeling moved for approval of the pensions. Clyde Smith seconded and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Barbara Loring	County Clerk	License Inspector 1	B	08/28/2012	09/01/2012
Steven R. Meador	Fire	Deputy Chief	B	08/29/2012	09/28/2012

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Judy M. Davidson	Gen. Hospital	Medical Secretary	B	08/29/2012	08/11/2012
Sandra K. Ray	Public Defender	Admin Svcs Manager	B	08/29/2012	12/01/2012
Virginia A. Abbott	Trustee's Office	Deputy- Tax Accounting	B	08/29/2012	10/01/2012
Arthur D. Lewis *	Assessor of Property	Admin Svc Manager	B	08/29/2012	11/01/2012
James Farley *	Public Works	Refuse Collector	A	08/29/2012	08/01/2011
Shirley A. Johnson	MNPS	Bus Driver	B	08/29/2012	08/04/2012
Phillip S. Nickins	MNPS	Bus Driver	B	08/10/2012	08/03/2012
Ann E. Bowling	Gen. Hospital	Medical Technologist	B	09/05/2012	10/10/2012
Terry G. Demonbreun	Fire	Fire Engineer	B	09/05/2012	10/09/2012
Michael Holden	Gen. Hospital	Env. Svc. Floor Tech.	B	09/05/2012	12/01/2012
Robbie M. Lane	Gen. Hospital	Medical Social Worker	B	09/05/2012	09/28/2012
Darlene C. Duncan	Sheriff	Prisoner Process Spec.	B	09/05/2012	11/01/2012
Cheri L. Langlet	Health	Anim. Care & Con. Off 3	B	09/05/2012	09/01/2012
Timothy L. Agent	Juvenile Court	Court Administrator	B	09/05/2012	10/19/2012
Danny Driskell	Police	Lieutenant	B	09/05/2012	09/20/2012
Lillian E. Ray	Gen. Hospital	LPN	B	09/12/2012	11/01/2012
Betty A. Stanley	BLTC	Nursing Asst-Cert. 2	B	09/12/2012	09/14/2012
Richard D. Duncan Jr.	Finance	Finance Officer 3	B	09/12/2012	10/10/2012
Charles H. Coe Jr.	Fire	Fire Fighter 2	A	09/12/2012	09/28/2012
John P. Stephens	Sheriff	Correctional Officer 1	B	09/19/2012	11/01/2012
Rose L. Hooper	Gen. Hospital	Registered Nurse	B	09/19/2012	10/01/2012

* Deferred Benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Phillip Meador	Police	B	09/01/2012
Carol Wheeler	Police-cv	B	09/01/2012
Linda K Thompson	MNPS	B	09/01/2012
Jeff S. Marcum	Police	A	09/01/2012
Lucy Igharo	Bordeaux	B	09/01/2012

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Brown, Janice S.	Parks	Service	B	8/28/2012	Option B	3
Brown, Marvin T.	Fire	P&F Service	A	8/18/2012	Option D	3
Demonbreun III, Clarence	Health	Early Service	B	7/26/2012	Option A	
Dozier, Carol Y.	General Hospital	Service	B	9/1/2012	Option A	
Fanning, Mildred A	Health	Service	B	8/11/2012	Option B	
Fisher, Mannie Bell	MNPS	Service	B	8/2/2012	Normal	2
Frick, Peggy L	Sheriff	Service	B	9/1/2012	Normal	
Gilbert, Linda Laurrann	MNPS	Early Service	B	8/2/2012	Option D	
Goodson, Jackie L	Fire	P&F Service	A	8/10/2012	Option D	3
Gregory, Roberta L	MNPS	Service	B	9/1/2012	Option B	
Harris Jr, Franklin E	Fire	P&F Service	B	5/23/2012	Option E	2
Hornbuckle, Brenda L	Clerk and Master	Service	B	9/1/2012	Normal	3
Kirby, William F	Police	P&F Service	B	8/16/2012	Option F	2
Lee, Russell W	Mayor's Office	Service	B	9/1/2012	Option A	
Loftis, Henry C	Fire	P&F Service	B	8/1/2012	Normal	
Martin, Marsha U	Public Library	Early Service	B	7/17/2012	Normal	
Matthews, Ronald A.	Juvenile Court	Service	B	9/1/2012	Normal	
McCormick, William Carson	Fire	P&F Service	B	8/7/2012	Option E	

Options Elected (continued)

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
McWhirter, John A.	Sheriff	Service	B	8/1/2012	Option A	
Morris, Charlotte D	MNPS	Early Service	B	8/2/2012	Normal	
Neal, Esther W.	General Hospital	Service	B	8/5/2012	Option D	
Owsley III, Frank W	Public Works	Service	B	8/25/2012	Option E	2
Potts, Michael D	Metropolitan Clerk	Service	B	7/17/2012	Normal	
Powell, Robert L	MNPS	Service	B	9/1/2012	Normal	
Rucker, Richard F	Fire	P&F Service	B	8/31/2012	Option A	
Sekoral, Steven P	Fire	P&F Service	B	8/14/2012	Option E	
Smith, Sandra G.	State Trial Courts	Service	B	9/1/2012	Normal	
Spears, Judith O	MNPS	Service	B	8/3/2012	Normal	
Stockman, Vivian D.	Police	Service	B	9/1/2012	Option C	3
Stuteville, Gary W	Fire	P&F Service	B	8/15/2012	Option B	3
Thompson, Carl E	Fire	P&F Service	B	8/15/2012	Normal	
Thompson, James R	Farmer's Market	Service	B	8/10/2012	Option F	
Tomlin, Larry D	Water Services	Service	B	9/1/2012	Option B	
Tomlinson, Anthony E	Fire	P&F Service	B	8/14/2012	Normal	3
Ward, Judy E	Water Services	Service	B	8/18/2012	Normal	
Welch, Richard C.	Water Services	Service	B	9/1/2012	Option E	
Wiles, Janice D.	Finance	Service	B	9/1/2012	Option F	1
Williamson, Barbara A	Police	Early Service	B	8/18/2012	Normal	

Key Codes	
Options	Drop Elections
Normal Form - life annuity, no payments guaranteed	1 - 1 year drop
Option A - Joint and 100% to Survivor	2 - 2 year drop
Option B - Joint and 50% to Survivor	3 - 3 year drop
Option C - Level Social Security option	
Option D - Life Income, 120 payments guaranteed	
Option E - Joint and 100% to Survivor with popup	
Option F - Joint and 50% to Survivor with popup	

Survivor

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
Robert Caldwell	BOE	Dorothy Caldwell	B	09/01/2012
Charles Hulan	Public Works	Gladys Hulan	Closed	09/05/2012
Freda McDaniel	Hospital	Hope Edmondson	B	08/31/2012
Faye Cox	BOE	Richard Cox	B	09/04/2012
Thomas Taylor	Police	Glenda Taylor	B	09/10/2012
Evelyn Surles	BOE	William Surles	B	09/07/2012

BENEFIT BOARD ITEMS

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

1. Pension overpayment appeal – Disability pensioner from Parks Department.

Shannon Hall reported to the Board that during a recent review, the staff discovered that this individual's disability pension was not adjusted correctly (Division A versus Division B offset) upon receipt of Social Security disability benefits, which has resulted in an overpayment. She stated that in accordance with the Code, the disability pension adjustment has been corrected and the disability pensioner is seeking a waiver of the overpayment due to be assessed on the pension. Mrs. Hall reviewed the relevant Code section related to waiving pension overpayments.

1. Pension overpayment appeal – Disability pensioner from Parks Department. (continued)

Clyde Smith moved to waive the pension overpayment. Charles Clariday seconded.

After some discussion of what the Code states regarding overpayments and correcting that error, a vote was taken on the motion to waive the overpayment and was approved without objection.

*Denotes the arrival of Rita Roberts-Turner.

2. Committee Reports:

a. In Line of Duty Committee: (Chair: Christine Bradley; Vice-Chair: W. Todd Henry; Members: Richard Riebeling and Clyde D. Smith. Alternates: B.R. Hall, Sr. and Rita Roberts-Turner)

Shannon Hall reported to the Board that this is a follow up from the last Board meeting where the In Line of Duty Committee presented several recommendations from the meeting on Thursday, August 17, 2012. She stated that two of those recommendations were deferred for one month.

Shannon Hall stated that on item 2, the IOD disability pension request – Employee from the Police Department, the individual's attorney is requesting a deferral for another month, pending additional medical information. She also stated that on item 6, the IOD medical care request from the Fire Department, the individual has withdrawn the in line of duty medical care appeal.

Thomas Curtis moved for approval of the deferral for item 2, the IOD disability pension request – Employee from the Police Department for one month. Clyde Smith seconded and the Board approved without objection.

b. Pension Committee: (Chair Rita Roberts-Turner; Vice-Chair: W. Todd Henry; Members: Ann Butterworth and B.R. Hall, Sr. Alternates: Richard Riebeling and Clyde D. Smith)

Shannon Hall reported to the Board that the Pension Committee met on Friday, September 14, 2012 to deliberate on the requested information regarding the pension process. She stated that the minutes from this meeting are being presented for approval and the Committee has no recommendation(s) to report at this time.

Committee Chair Rita Roberts-Turner asked if there were any amendments, corrections or questions of the minutes from the September 14, 2012 Pension Committee meeting. With no corrections, Charles Clariday moved for approval of the Committee minutes. Ann Butterworth seconded and the Committee minutes were approved without objection.

Rita Roberts-Turner reported to the Board that the Committee requested that the consultants obtain information regarding best practices and the next Pension Committee meeting will be scheduled accordingly.

c. Medical and Life Committee: (Chair: Clyde D. Smith; Vice-Chair: Ann V. Butterworth; Members: Charles D. Clariday, B.R. Hall, Sr., Richard Riebeling and Rita Roberts-Turner. Alternates: Christine Bradley and W. Todd Henry)

Shannon Hall reported to the Board that the Medical and Life Committee met on Monday, September 17, 2012 to deliberate on a Blue Cross Blue Shield PPO plan appeal. She stated the minutes from the meeting are attached for approval. Ms. Hall stated that the Committee recommends that the Board approve coverage on this appeal for this device and related maintenance for this case only based on the specific facts of this case.

Committee Chair Clyde D. Smith asked if there were any amendments, corrections or questions of the minutes from the September 17, 2012 Medical and Life Committee meeting. With one correction, Charles Clariday moved for approval of the Committee minutes. B.R. Hall seconded and the Committee minutes were approved without objection.

2. Committee Reports: (continued)

c. Medical and Life Committee: (Chair: Clyde D. Smith; Vice-Chair: Ann V. Butterworth; Members: Charles D. Clariday, B.R. Hall, Sr., Richard Riebeling and Rita Roberts-Turner. Alternates: Christine Bradley and W. Todd Henry)

B.R. Hall moved for approval of the recommendation to approve coverage on this appeal for this device and related maintenance for this case only based on the specific facts of this case. Charles Clariday seconded and the Board approved without objection.

3. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts. (reported quarterly)
- d. BL2012-213.

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

Shannon Hall made note of item 3.-d. BL2012-213 regarding contact information for members of Commissions and Boards.

**Denotes Ann Butterworth leaving the meeting.

There was discussion of the progress on the ordinance regarding the benefit changes and the effective date.

It was also noted that there is another ordinance regarding Council members health insurance.

4. Reports for your information:

- a. Return to work.
- 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.
- h. Denial log from Alternative Service Concepts.

Items 4.-a. through 4.-f. were for information only and no action was required.

Shannon Hall made note of item 4.-g.

5. Late item(s):

Items listed under this section were reported at the meeting and have been incorporated into these minutes.

With nothing further presented, the meeting adjourned at 9:56 a.m.

ATTEST:

APPROVED:

**Mrs. Rita Roberts-Turner, Director
Human Resources**

**Ms. Edna J. Jones, Chair
Employee Benefit Board**