MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

***April 2, 2013***

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, April 2, 2013 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., W. Todd Henry,\*Richard M. Riebeling, and \*\*Rita Roberts-Turner.

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 5, 2013**.** With no corrections, nothing further was noted and Christine Bradley moved for approval. Rita Roberts-Turner 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.

Dr. Celia Goodson reported to the Board that she recommends approval of the disability pension new requests, items 1 through 2, for the length of time as recommended. Thomas Curtis moved for approval of the recommendation to approve the disability pension new requests, items 1 through 2 for the length of time as recommended. 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 3 through 11 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 3 through 11 for the length of time as recommended. Rita Roberts-Turner seconded and the Board approved without objection.

On items 12 through 18, Dr. Celia Goodson reported to the Board that she requests a deferral for one month. Todd Henry moved for approval of the request to defer for one month on items 12 through 18. Charles Clariday seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that on the disability pension re-examination, item 19, she is recommending a return to work. She also noted that her prior recommendation was the same but there was difficulty with placement.

Michael Taylor, Public Works, reported to the Board that there is not a position within the department that can accommodate the individual’s restrictions and skill level.

Paula Krebs, Eckman/Freeman, reviewed the vocational rehab assessment, her findings and the limitations with returning the individual to work in another department with the Board. She also noted that they may have more opportunities outside of Metro.

Christine Bradley moved to remove the individual from the return to work list and remain on a medical disability pension. B.R. Hall seconded.

Shannon Hall clarified that the individual is currently on a medical disability pension and that the proper motion would be to leave the individual on a disability pension with a new re-exam date.

After clarification that the motion should be to continue the individual on a disability pension without the stipulation of a scheduled re-exam and discussion of the likelihood that the individual can not return to work due to their restrictions, a vote was taken on the motion to continue the disability pension without stipulation of scheduled re-exam and was approved without objection.

Dr. Celia Goodson reported to the Board that on the disability pension re-examination, item 20, she is recommending a return to work.

Michael Taylor, Public Works, stated that the department can accommodate the individual’s restrictions, however, their salary will need to be supplemented because their previous position is currently not available.

After some discussion of turnovers for that position, Rita Roberts-Turner moved for approval of the recommendation of return to work on item 20. B.R. Hall seconded and the Board approved without objection.

Item 22 was taken out of order.

Dr. Celia Goodson reported to the Board that on the return to work request, item 22, she recommends approval.

Michael Taylor, Public Works, stated that the department can return the individual to work, however, their salary will need to be supplemented because their previous position is currently not available.

There was some discussion of the Code provision regarding salary supplements and placing the employee back in their original position when it becomes available.

Nicki Eke, Legal Department, also addressed the Code provision regarding salary supplements and job placement. She stated that job placement is under the jurisdiction of the Civil Service Commission and the Board technically cannot compel placement in a particular position, but the Code does encourage the department to place the person in their current position when it becomes available.

After further discussion regarding placement, Ann Butterworth moved for approval of the recommendation of return to work on item 22. Rita Roberts-Turner seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that on the return to work request, item 21, she recommends approval. Ann Butterworth moved for approval of the recommendation of return to work on item 21. Rita Roberts Turner seconded and the Board approved without objection.

**NEW REQUESTS:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 1. | Patrick D. Armstrong | Fire | In Line of Duty | As moved, seconded and approved, this disability pension request was approved for four months, (August 2013), with re-exam at that time. |
| 2. | Timothy J. Simmons | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this disability pension request was approved for four months, (August 2013), with re-exam at that time. |

**REEXAMINATIONS:**

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| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 3. | Deborah A. Berryhill | Police | In Line of Duty | As moved, seconded and approved, this disability pension was continued for six months, (October 2013), with re-exam at that time. |

**REEXAMINATIONS: (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 4. | Tina C. Frazier | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued for one year, (April 2014), with re-exam at that time. |
| 5. | Debra L. Matthews  | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued for one year, (April 2014), with re-exam at that time. |
| 6. | Lynette L. Oaks | General Hospital | Medical | As moved, seconded and approved, this disability pension was continued for one year, (April 2014), with re-exam at that time. |
| 7. | Chris D. Parker | Sheriff | In Line of Duty | As moved, seconded and approved, this disability pension was continued for six months, (October 2013), with re-exam at that time. |
| 8. | Carol L. Smith | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued for one year, (April 2014), with re-exam at that time. |
| 9. | Gregory S. Sullivan | Fire | In Line of Duty | As moved, seconded and approved, this disability pension was continued for one year, (April 2014), with re-exam at that time. |
| 10. | Kimberly A. Towers | Police | In Line of Duty | As moved, seconded and approved, this disability pension was continued for two months, (June 2013), with re-exam at that time. |
| 11. | Ricky G. Weatherly | Public Works | In Line of Duty | As moved, seconded and approved, this disability pension was continued for three months, (July 2013), with re-exam at that time. |
| 12. | Neil M. Cook | Police | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |
| 13. | Bryan A. Doersam | Police | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |
| 14. | Robert C. Hooberry | Water | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |

**REEXAMINATIONS: (continued)**

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| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 15. | Ronald S. Kenney | Fire | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |
| 16. | Diane M. Nesbitt | Emergency Communications Center | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |
| 17. | Lisa M. White | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |
| 18. | Stephany R. Wilson | Police | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (May 2013), with re-exam at that time. |
| 19. | William A. Willey | Public Works | Medical | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam. |
| 20. | Edward R. Horn | Public Works | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |

**RETURN TO WORK:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 21. | Donzaleigh C. Artis | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this return to work request was approved. |
| 22. | Larry I. Trenary | Public Works | Medical | As moved, seconded and approved, this return to work request was approved. |

**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 Social Security referrals. Thomas Curtis seconded and the Board approved without objection.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Item** | **Name** | **Department** | **Review Originated From** | **Case Management Recommendation for Referral** | **CSME Recommendation for Referral** | **Comments** |
| 1 | Bacon, Natasha | MNPS | Pension Approval | No | No | Younger Worker |
| 2 | Batts, Eric | Bordeaux | Pension Approval | Yes | Yes | Client meets SSDI disability guidelines. |

**SOCIAL SECURITY REFERRALS: (continued)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Item** | **Name** | **Department** | **Review Originated From** | **Case Management Recommendation for Referral** | **CSME Recommendation for Referral** | **Comments** |
| 3 | Bentley, Joann | Bordeaux | Pension Approval | Yes | Yes | Client meets SSDI disability guidelines. |
| 4 | Davidson, Richard | Public Works | Pension Approval | Yes | Yes | Evaluation |
| 5 | Floyd, Rose | MNPS | Pension Approval | Yes | Yes | Evaluation and discussion of SSA RIB benefits |
| 6 | Goff, Kimberly | Library | Pension Approval | No | No | Client has filed for SSDI and has attorney |
| 7 | Hales, Wade | Sheriff | Pension Approval | No | No | Younger Worker |
| 8 | Jackson, Kimberly | MAC | Pension Approval | Yes | Yes | Evaluation |
| 9 | Rogers, Susie | MNPS | Pension Approval | Yes | Yes | Evaluation and discussion of SSA RIB benefits |
| 10 | Schager, Daniel | Police | Pension Approval | No | No | Younger Worker |
| 11 | Sessions, Syretha | Sheriff | Pension Approval | No | No | Client's impairment does not meet SSDI guidelines |
| 12 | Stone, William | Police | Pension Approval | Yes | Yes | Evaluation |

There was some discussion regarding the communications with disability applicants in order to make a determination/recommendation on the requests and getting them approved. There was also some discussion regarding the disability standard that was modified.

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

###### Rita Roberts-Turner moved for approval of the pensions. Todd Henry seconded and the Board approved without objection.

###### Service

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Employee | **Department** | **Classification** | **Plan A/B** | Application Date |
| Pamela R. Matlock | MAC | Teacher’s Asst | B | 03/06/2013 |
| Wayne Archibald \* | Water | Equipment Operator 3 | B | 03/06/2013 |
| Leon Townsend Jr. | Sheriff | Sheriff Case Worker 1 | B | 03/06/2013 |
| Terry L. Tannery | Convention Center | Dir. of Operations | B | 03/06/2013 |
| Teresa K. Campbell \* | Water | Video Prod. Specialist | B | 03/06/2013 |
| Linda A. Hazel \* | Public Defender | Law Clerk | B | 03/06/2013 |
| Margarete Keeling | MNPS | Pre-K Assistant | B | 03/20/2013 |
| James E. Whitlock | MNPS | Senior Worker | B | 03/20/2013 |
| Ella M. Smith | MNPS | School Library Clerk | B | 03/20/2013 |
| Freddie G. Ayers | MMNPS | Senior Painter | B | 03/20/2013 |
| Elizabeth Gundersen | MNPS | Gen School Assistant | B | 03/20/2013 |
| Mary H. Thompson | MNPS | Pre-K Assistant | B | 03/20/2013 |

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

###### Service

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Employee | **Department** | **Classification** | **Plan A/B** | Application Date |
| Mary K. Creasy | MNPS | Bus Driver | B | 03/20/2013 |
| Randall E. Morrow | MNPS | Educational Assistant | B | 03/20/2013 |
| Orville Baker \* | Public Works | M & R Worker 1 | B | 03/20/2013 |
| Joel K. Jackson \* | MNPS | Educational Assistant | B | 03/20/2013 |
| Olivia Barker | MNPS | Educational Assistant | B | 03/20/2013 |
| Glendon Parrish | MNPS | Secretary/Bookkeeper | B | 03/20/2013 |
| Ectoria Redmond | MNPS | General School Asst | B | 03/20/2013 |
| Lizzie J. Huff | MNPS | Bus Driver | B | 03/20/2013 |
| Eunice Jennings | MNPS | Bus Driver | B | 03/20/2013 |
| Vanetta Donegan | MNPS | Manager II Food Service | B | 03/20/2013 |
| Linda Pearson | MNPS | Coord. Data Qual & Integ | B | 03/25/2013 |

###### Disability to service

|  |  |  |  |
| --- | --- | --- | --- |
| Employee | **Department** | **Plan A/B** | Effective Date of Conversion |
| Betty L Hicklen | MNPS | B | 01/01/2013 |
| Deborah Hall | General Services | B | 03/01/2013 |
| Margaret J Ray | MNPS | B | 04/01/2013 |
| Kenneth Mullins | Parks | B | 04/01/2013 |
| George T Wade | State Fair | B | 04/01/2013 |

###### Survivor

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Employee Name** | **Department** | **Survivor Name** | **Plan Membership** | Effective Date |
| Alvin Smith | BOE | Vinella Smith | A | 03/03/2013 |
| Stanton Easley | Hospital | Shirley Easley | B | 03/09/2013 |

###### Options Elected

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| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Abbott, Larry D | Fire | P&F Service | B | 1/28/2013 | Option A |  |
| Adkins, Larry J | Fire | P&F Service | B | 2/14/2013 | Option A |  |
| Apple, Nancy Sue | MNPS | Early Service | B | 2/13/2013 | Normal  |  |
| Archuleta, Vincent A. | Police | P&F Service | B | 12/12/2012 | Normal  |  |
| Baker, Gary L | Police | P&F Service | B | 3/1/2013 | Option E |  |
| Ballenger, Dorothy F. | Public Library | Service | B | 3/1/2013 | Normal  |  |
| Ballenger, Dorothy F. | Public Library | Service | B | 30113 | Normal  |  |
| Balthrop, William B | Fire | P&F Service | B | 2/14/2013 | Normal  |  |
| Barnes, Thomas T. | Bordeaux Long Term Care | Service | B | 2/10/2013 | Option F |  |
| Barrett, Lionel R. | Election Commission | Service | B | 3/1/2013 | Normal  |  |
| Battle, Roger W | Fire | P&F Service | B | 2/28/2013 | Option E | 3 |
| Beshearse, Ricky E. | Public Works | Service | B | 3/1/2013 | Option F |  |
| Bianconi, Joseph P. | Police | P&F Service | B | 3/1/2013 | Normal  | 3 |
| Biddle, Ronald G | Assessor of Property | Service | B | 2/16/2013 | Normal  | 3 |
| Binkley, John M | Fire | P&F Service | B | 3/1/2013 | Option B | 3 |
| Birdine, Ronald L | Water Services | Service | B | 3/1/2013 | Normal  | 2 |
| Black, Stanley | Police | P&F Service | B | 3/1/2013 | Option A | 2 |
| Blackburn, Shirley H | Parks | Service | B | 3/1/2013 | Normal  |  |
| Boseman, Patricia Belcher | Parks | Service | B | 2/1/2013 | Option C |  |

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

###### Options Elected

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Bowers, Linda R | Health | Service | B | 3/1/2013 | Option F |  |
| Bozarth Iii, Charles | Sheriff | P&F Service | B | 2/20/2013 | Normal  |  |
| Bradley, Herbert E | Parks | Service | B | 3/1/2013 | Option C |  |
| Brewer, Dewey M | Water Services | Service | B | 3/1/2013 | Option E | 3 |
| Brock, Charles R | Police | P&F Service | B | 1/21/2013 | Option A | 1 |
| Brooks, Mickey S | Water Services | Service | B | 3/1/2013 | Option B |  |
| Brown, Karen Huffine | Circuit Court Clerk | Service | B | 3/1/2013 | Normal  |  |
| Brown, Keith L. | Public Works | Early Service | B | 3/1/2013 | Option B |  |
| Bryant, William L | Fire | P&F Service | B | 2/27/2013 | Option E |  |
| Buchanan Jr, Wilford H | Water Services | Service | B | 3/1/2013 | Option F | 3 |
| Callaghan, Kathleen A | Parks | Service | B | 3/1/2013 | Option F |  |
| Campanali, Nicholas F | Fire | P&F Service | B | 3/1/2013 | Normal  | 3 |
| Cantrell Jr, Robert M | Public Works | Service | B | 3/1/2013 | Option A |  |
| Carnahan, Robert N. | Water Services | Service | B | 3/1/2013 | Option F |  |
| Carr, Denise M. | Parks | Early Service | B | 3/1/2013 | Option E |  |
| Carson, Mark A | Bordeaux Long Term Care | Service | B | 2/1/2013 | Option B | 3 |
| Christopher, Julia F. | Circuit Court Clerk | Service | B | 3/1/2013 | Normal  |  |
| Clark, Jimmy W | Fire | P&F Service | B | 2/5/2013 | Option A | 3 |
| Clements, Gary R. | Police | P&F Service | B | 2/23/2013 | Option A |  |
| Cleveland, Ronald E | General Services | Early Service | B | 3/1/2013 | Option E |  |
| Coats, William M | Water Services | Service | B | 3/1/2013 | Option E |  |
| Cole, Larry E | Health | Service | B | 3/1/2013 | Option A |  |
| Colley, Connie S. | Circuit Court Clerk | Service | B | 3/1/2013 | Option E |  |
| Constant, Tony L. | Police | P&F Service | B | 3/1/2013 | Option A |  |
| Cooper, Joseph L. | Police | P&F Service | B | 3/1/2013 | Option E | 3 |
| Craft, Bobby R | Water Services | Service | B | 3/1/2013 | Option F | 3 |
| Crawford Jr, Lloyd C | Fire | P&F Service | B | 3/1/2013 | Normal  |  |
| Crawford, Phillip W. | Water Services | Service | B | 3/1/2013 | Option B | 3 |
| Cruse, Steve C | General Services | Service | A | 3/1/2013 | Option E |  |
| Curtis, Claudia D | Health | Service | B | 3/1/2013 | Normal  | 3 |
| Davenport, Robert W | Police | P&F Service | B | 3/1/2013 | Option F | 1 |
| Davis, Charles M | Fire | P&F Service | B | 2/28/2013 | Option E | 3 |
| Davis, Terry W | Police | P&F Service | B | 3/1/2013 | Option A |  |
| Dromgoole, Nancy R. | Public Library | Service | B | 3/1/2013 | Normal  |  |
| Eden, Barbara L. | General Sessions Court | Service | B | 3/1/2013 | Option F |  |
| Edgin, Mary A. | Public Library | Early Service | B | 3/1/2013 | Normal  |  |
| Erickson, Wayne L. | Water Services | Service | B | 3/1/2013 | Normal  | 1 |
| Farmer, Patricia C | Mayor's Office | Service | B | 3/1/2013 | Option F |  |
| Farnow, Larry J | Police | Service | B | 3/1/2013 | Option E |  |
| Farris Sr, David R | Information Technology Service | Service | B | 3/1/2013 | Normal  | 3 |
| Fields, Ruby C | Health | Service | B | 3/1/2013 | Option A |  |
| Fowler, Randall L | Police | P&F Service | A | 3/1/2013 | Option A |  |
| Fuqua, Brenda R | Water Services | Service | B | 3/1/2013 | Normal  |  |
| Fuqua, Donald R | Fire | P&F Service | B | 2/27/2013 | Normal  | 3 |

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

###### Options Elected

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Gaines, David D | Fire | P&F Service | B | 2/14/2013 | Option B | 2 |
| Garner, Davis Eugene | MNPS | Early Service | B | 2/23/2013 | Normal  |  |
| Gilbert, Larry W. | Fire | P&F Service | B | 3/1/2013 | Option E | 3 |
| Gilley, Ronnie L. | Parks | Service | B | 3/1/2013 | Option A | 1 |
| Glasgow Jr, Curtis J | Fire | P&F Service | B | 3/1/2013 | Option A |  |
| Gober, Deborah L. | Police | Service | B | 3/1/2013 | Option F |  |
| Gooch, Shirley A | Fire | P&F Service | B | 3/1/2013 | Normal  | 3 |
| Goodwin, Martin T | Parks | Service | B | 3/1/2013 | Option E | 3 |
| Gore, James M. | Public Works | Service | B | 3/1/2013 | Option D |  |
| Graham, Linda M. | Bordeaux Long Term Care | Service | B | 2/2/2013 | Option F |  |
| Graves, Sandra D | County Clerk | Service | B | 3/1/2013 | Option F | 2 |
| Grissette, Marquinta D. | Bordeaux Long Term Care | Service | B | 2/9/2013 | Normal  |  |
| Haag, Jennifer J. | County Clerk | Service | B | 3/1/2013 | Option E | 3 |
| Hamley, Judi D | Fire | P&F Service | B | 3/1/2013 | Normal  | 3 |
| Hammond, Ann A | Planning Commission | Service | B | 3/1/2013 | Normal  |  |
| Hannah, Edward W | Parks | Service | B | 3/1/2013 | Normal  | 3 |
| Harris, Mary A | Health | Service | B | 3/1/2013 | Normal  |  |
| Hasty, Charles L. | Public Works | Service | B | 3/1/2013 | Option F |  |
| Hatcher, Calvin B | Parks | Service | B | 2/9/2013 | Option D |  |
| Herrell, Kenneth W. | Fire | P&F Service | B | 2/27/2013 | Option E | 3 |
| Hewitt, Christine | Police | P&F Service | B | 3/1/2013 | Option F |  |
| Himes, James D | Public Works | Service | B | 3/1/2013 | Option F | 1 |
| Holloway, Walter L. | Police | P&F Service | B | 2/16/2013 | Option D | 3 |
| Holmes, Audrey E | Sheriff | Service | B | 2/1/2013 | Normal  |  |
| Howell, Edward T | Sheriff | P&F Service | B | 3/1/2013 | Normal  |  |
| Huggins Jr, Frederick L. | Health | Service | B | 3/1/2013 | Option F |  |
| Hughes, Donnie L | General Services | Service | B | 3/1/2013 | Option A |  |
| Jackson, Marie C | General Hospital | Early Service | B | 3/1/2013 | Normal  |  |
| James, Jerry W | Fire | P&F Service | B | 2/28/2013 | Option E | 3 |
| Jenkins, Ralph E | Water Services | Service | B | 3/1/2013 | Option B |  |
| Jennings, Thomas N | Fire | P&F Service | B | 3/1/2013 | Option F |  |
| Johnson, Andre S | Police | P&F Service | B | 12/8/2012 | Normal  |  |
| Johnston, Mary E | Law | Early Service | B | 3/1/2013 | Option F |  |
| Jones, William R | Fire | P&F Service | B | 2/1/2013 | Option B | 3 |
| Jordan, Beverlyn Y | Police | Service | B | 3/1/2013 | Normal  | 3 |
| Karponai, Stephen J P | Parks | Early Service | B | 3/1/2013 | Option F |  |
| Kelly Sr, Henderson | Parks | Service | B | 3/1/2013 | Option B | 1 |
| Kittrell, Phillip E | Sheriff | Service | B | 3/1/2013 | Normal  | 1 |
| Lamb, Michael W | Water Services | Service | B | 3/1/2013 | Option F | 3 |
| Lane, Barbara L | Health | Service | B | 3/1/2013 | Option E |  |
| Lankford, Gail C | Fire | Service | B | 3/1/2013 | Normal  |  |
| Lawhorn Jr, Walter L. | Public Works | Service | B | 3/1/2013 | Option E |  |
| Layda, Gary | General Services | Service | B | 3/1/2013 | Option A |  |
| Lee Jr, James L. | Finance | Service | B | 2/16/2013 | Normal  |  |
| Lee, Roy Michael | Police | P&F Service | B | 2/1/2013 | Option C | 3 |
| Leigh, Larry R | Water Services | Service | B | 2/23/2013 | Option F |  |
| Lewis, Gregory A | Parks | Service | B | 3/1/2013 | Option D | 2 |
| Lockhart, Ricky L | Fire | P&F Service | B | 2/18/2013 | Option F |  |

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

###### Options Elected

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Majors, Katie M. | Public Library | Early Service | B | 3/1/2013 | Normal  |  |
| Mallard, Gladys I | MNPS | Service | B | 2/23/2013 | Normal  | 1 |
| Mann, Claude W | Police | P&F Service | B | 3/1/2013 | Normal  | 3 |
| Mattingly, Leonard D. | Water Services | Service | B | 3/1/2013 | Option B |  |
| Maxwell, Marian T | MNPS | Service | B | 2/1/2013 | Normal  | 3 |
| Mayo, Sharon D | Law | Service | B | 3/1/2013 | Normal  | 1 |
| Mccain, Lue E | Social Services | Service | B | 2/5/2013 | Option A |  |
| Mcclain, Missouria A | Police | Service | B | 2/23/2013 | Option E | 3 |
| Mcclanahan, Robert S | Fire | P&F Service | B | 2/23/2013 | Option A |  |
| Mccloskey, Sheila D | Health | Early Service | B | 3/1/2013 | Normal  |  |
| Mcdonald, Angelyn C. | Finance | Service | B | 2/20/2013 | Normal  | 1 |
| Mcmillin, Arlene M | Finance | Service | B | 1/19/2013 | Option F |  |
| Melton, Thomas D | Water Services | Service | B | 3/1/2013 | Option A |  |
| Mickle Sr, Anthony W | Water Services | Service | B | 3/1/2013 | Option F |  |
| Moyer Jr, Charles F | Fire | P&F Service | B | 2/28/2013 | Option A | 1 |
| Mundy, Ray D | Fire | P&F Service | B | 3/1/2013 | Option E | 3 |
| Murphy, Faye J | General Sessions Court | Service | B | 2/9/2013 | Normal  |  |
| Nance, Gloria J | Social Services | Service | B | 3/1/2013 | Normal  | 3 |
| Ortegon, Sandra E. | Public Works | Service | B | 3/1/2013 | Normal  | 1 |
| Ozment, Danny M | Fire | P&F Service | B | 2/28/2013 | Normal  | 3 |
| Parker Jr, Onna V | MNPS | Service | B | 3/1/2013 | Normal  |  |
| Perry, Harvey H. | Fire | P&F Service | B | 3/1/2013 | Option A | 3 |
| Peters, Herman L. | Public Works | Service | B | 3/1/2013 | Option E | 3 |
| Phillips, Robert C. | Water Services | Service | B | 2/17/2013 | Option A | 1 |
| Pillow, Douglas L | Fire | P&F Service | B | 3/1/2013 | Option E | 2 |
| Porter, Jeffery M. | Police | P&F Service | B | 3/1/2013 | Option E | 1 |
| Ray Sr, Tommy D | Convention Center | Service | B | 2/23/2013 | Option E |  |
| Reasonover, Michael D | Fire | P&F Service | B | 3/1/2013 | Option A |  |
| Reynolds, Willette J | Parks | Service | B | 3/1/2013 | Normal  |  |
| Russell, Brenda C. | Police | Service | B | 3/1/2013 | Normal  |  |
| Russell, George R. | Fire | P&F Service | B | 3/1/2013 | Option F | 1 |
| Russell, Robert E. | Police | P&F Service | B | 3/1/2013 | Normal  | 2 |
| Sandlin, Ronny L | Parks | Service | B | 3/1/2013 | Option A |  |
| Scott Jr, Myles W | Public Library | Service | B | 3/1/2013 | Option B | 2 |
| Scott Sr, Charles A | Fire | P&F Service | B | 3/1/2013 | Normal  | 3 |
| Scott, Brenda E T | Health | Service | B | 3/1/2013 | Option A |  |
| Sexton, Velma L | Sheriff | P&F Service | B | 3/1/2013 | Option B |  |
| Shea, Belinda J | Police | Early Service | B | 3/1/2013 | Option F |  |
| Shouse, Stephen R. | Water Services | Service | B | 2/23/2013 | Option D | 1 |
| Simmons, Richard C | General Services | Service | B | 3/1/2013 | Option E | 1 |
| Simmons, Walter J | Fire | P&F Service | B | 3/1/2013 | Option E | 3 |
| Smith, Clyde D | Water Services | Early Service | B | 3/1/2013 | Option F |  |
| Snell, Mildred L | General Hospital | Service | A | 2/1/2013 | Normal  |  |
| Soard, Mitchell J | Parks | Service | B | 3/1/2013 | Option B |  |
| Southall, Gloria V | Police | Service | B | 3/1/2013 | Normal  |  |
| Sparks, John S | Assessor of Property | Service | B | 3/1/2013 | Option E |  |
| Stanton, Malia C | Human Resources | Service | B | 3/1/2013 | Option E |  |

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

###### Options Elected

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Stapleton, Billy R | County Clerk | Service | B | 3/1/2013 | Option A |  |
| Starkey, Marsha L | Health | Service | B | 3/1/2013 | Option B |  |
| Sutherly, Karen G. | General Sessions Court | Service | B | 3/1/2013 | Normal  |  |
| Tarpy, James M. | Water Services | Service | B | 3/1/2013 | Option B | 3 |
| Taylor Jr, Wallace H. | Police | P&F Service | B | 3/1/2013 | Option E |  |
| Taylor, Harold R. | Police | P&F Service | B | 3/1/2013 | Option B | 3 |
| Thomas, William D | Fire | P&F Service | B | 3/1/2013 | Option E | 3 |
| Trotter, James W | Sheriff | Early Service | B | 2/5/2013 | Option A |  |
| Tuck, Delilah C | Parks | Service | B | 3/1/2013 | Option C |  |
| Uselton, Terry T. | Fire | P&F Service | B | 3/1/2013 | Option B | 3 |
| Washington, Bernice M | MNPS | Service | B | 2/16/2013 | Option E | 3 |
| Waters, Deborah C. | General Hospital | Service | B | 2/10/2013 | Option A | 2 |
| Weathers, Belinda P | MNPS | Service | B | 2/1/2013 | Option F |  |
| Webb, Pamela D. | Public Works | Service | B | 2/2/2013 | Normal  |  |
| Wells, Lynne J | Health | Early Service | B | 3/1/2013 | Normal  |  |
| Wilkerson, Patricia A. | Human Resources | Service | B | 3/1/2013 | Normal  |  |
| Williams, Edward K | Fire | Early Service | B | 3/1/2013 | Option E |  |
| Williams, Steven W. | Fire | P&F Service | B | 2/27/2013 | Option A | 3 |
| Williamson, George A. | Water Services | Service | B | 3/1/2013 | Option A |  |
| Wilson, Alvin D. | Water Services | Service | B | 3/1/2013 | Normal  |  |
| Wilson, Ricky H | Fire | P&F Service | B | 2/1/2013 | Option F | 3 |
| Winton Sr, Ronald W. | General Services | Service | B | 3/1/2013 | Option B |  |
| Woody, D Dwayne | General Services | Service | B | 3/1/2013 | Option B |  |
| Wordlaw, Joe | Water Services | Service | B | 3/1/2013 | Option A | 2 |
| Wright, Josephine E | Parks | Service | B | 3/1/2013 | 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 |   |
|  |

At this time, Edna Jones recognized the new consultant with Buck, Michael Murphy.

Shannon Hall reported to the Board that effective with the June Board meeting, meetings will be held at the Howard Office Building in the Sonny West Conference room.

## BENEFIT BOARD ITEMS

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

1. In line of duty death benefit for John L. Kelly, Jr.

Shannon Hall reported to the Board that this item was first considered by the Board at the February meeting. She stated that at that time, the Board requested legal clarification regarding its duty for in line

1. In line of duty death benefit for John L. Kelly, Jr. (continued)

of duty claims under the presumption and pre-employment physicals for this employee. Ms. Hall stated that the Board needs to determine whether this case qualifies for the in line of duty death benefit as outlined in the Code.

Nicki Eke, Legal Department, reviewed the prerequisites in order for the presumption to apply (passing a pre-employment physical and there being no evidence of any condition associated with the presumption). Ms. Eke stated that in this case there are two periods of employment and prior to re-employment in 2003, the pre-employment physical/medical record raises issues related to a condition associated with the presumption. Ms. Eke further stated that in order for the presumption to apply, the Board has to determine if the individual’s medical conditions occurred or developed during the first period of employment (1979-1991) as a firefighter. She also stated that currently no records have been provided that indicate any potential medical conditions for that timeframe.

There was discussion of the timeline/periods of employment and medical issues at the initial pre-employment physical in 1979 versus the one in 2003. Nicki Eke indicated that if the problem arose between 1979 and 1991, prior to the employee leaving the fire department as a firefighter then the presumption would apply. She stated that if there were any medical conditions/issues in 1979 pre-employment and after 1992 then it would not apply.

There was discussion of the individual’s occupation between 1991 and 2003 and Nicki Eke noted that the individual’s employment with Social Services would not apply as that classification does not fall under the presumption.

There was discussion of the in line of duty death benefit, applying the presumption and any information in the medical record in support of the presumption.

After some discussion of the medical records that were presented, Code provisions regarding the benefit, and whether or not sufficient medical information has been presented to make a determination,

Ann Butterworth moved to defer this item pending additional medical information for the 1979 through 2012 timeframe from the family in support of the claim. Rita Roberts-Turner seconded.

\*Denotes Richard Riebeling leaving the meeting.

After clarification on the timeframe for the medical records, a vote was taken on the motion and was approved with B.R. Hall and Charles Clariday opposed.

With respect to the legal memorandum provided clarifying the Board’s duty for in line of duty claims under the presumption, it was suggested that staff prepare a policy, with assistance of the Legal Department for the Board to consider.

\*\*Denotes Rita Roberts-Turner leaving the meeting.

Nicki Eke recommended having it reviewed by the appropriate Committee.

It was noted that the request for the in line of duty death benefit will be coming back to the Board and the matter of adoption of a policy governing presumption cases will go to the In Line of Duty Committee for a recommendation and then to the full Board.

1. Life insurance request for proposal (RFP).

Shannon Hall reported to the Board that Metro’s basic and supplemental life insurance contract currently held by Prudential will expire December 31, 2013. She stated that as a result, a request for proposals (RFP) will be issued in accordance with Metro’s procurement provisions. She also stated that if a Board member is interested in serving as a Board advisor on this RFP, please let staff know.

1. Benefit Board budget.

Shannon Hall stated that as discussed at the March Study Session, the proposed Benefit Board budget for fiscal year 2014 is being presented for review and approval.

Lannie Holland and Ginger Hall were present to address the Board’s questions regarding the budget.

Ann Butterworth moved for approval of the budget for the 2014 fiscal year. Christine Bradley seconded.

After some discussion related to an increase in salary adjustments related to benefits, a vote was taken on the motion to approve the budget and was approved without objection.

1. In Line of Duty Committee. (Chair: Christine Bradley; Vice-Chair: W. Todd Henry; Members Charles D. Clariday and Richard Riebeling. Alternate members: Edna J. Jones and Rita Roberts-Turner)

Shannon Hall reported to the Board that the In Line of Duty (IOD) Committee met on Wednesday, March 20, 2013 to deliberate on 5 IOD medical care requests. She stated that the minutes from this meeting are being presented for approval and noted one correction. Ms. Hall stated that there are recommendations for all five items and some individuals are present and one has requested a deferral.

Committee Chair Christine Bradley asked if there were any amendments, additional corrections or questions of the minutes from the March 20, 2013 IOD Committee meeting. With no additional corrections, nothing further was noted and Rita Roberts-Turner moved for approval. Thomas Curtis seconded and the Board approved the minutes without objection.

Shannon Hall stated that the Committee has the following recommendations for the Board:

Shannon Hall reported to the Board that on item 1, the IOD medical care request for the employee from Metro Nashville Public Schools, the Committee recommends that the Board uphold Alternative Service Concepts (ASC’s) determination to deny this IOD medical care claim.

Daniel Marshall, attorney, and the employee were present.

Tracy Petty, ASC, was also present.

There was some discussion of the treating physician’s opinion (hand specialist) and the second opinion physician (internal medicine) regarding the medical condition, job duties and causation.

There was some discussion of what information was sent to the second opinion physician.

After Tracy Petty reviewed the medical information that was provided to the second opinion physician, Christine Bradley moved to uphold the denial of this IOD medical care claim. Todd Henry seconded.

It was noted that one Board member has been a patient of one of the physicians referenced, and another Board member has done business with Heritage Medical and Tennessee Orthopedic Alliance, (TOA), but can be independent in judging this claim.

A vote was taken on the motion to uphold the denial of this IOD medical care claim and was approved with B.R. Hall and Charles Clariday opposed.

Shannon Hall reported to the Board that the IOD Committee also made a motion independent of this claim. She stated that the Committee recommends that the Board have Metro’s IOD third party administrator (currently ASC) use the new worker compensation statute on gradual injury claims as a loose guide for initial IOD medical care determinations.

After noting that using this as a guide would not affect the current process, Christine Bradley moved for approval of having Metro’s IOD third party administrator (currently ASC) use the new worker compensation statute on gradual injury claims as a loose guide for initial IOD medical care determinations. Todd Henry seconded.

1. In Line of Duty Committee. (Chair: Christine Bradley; Vice-Chair: W. Todd Henry; Members Charles D. Clariday and Richard Riebeling. Alternate members: Edna J. Jones and Rita Roberts-Turner) (continued)

There was some discussion of how this motion was related to an item on the agenda and it was noted that ASC was seeking guidance related to gradual injury claims

Tracy Petty reviewed the state law with the Board.

After some discussion of whether or not this was applied in this case, a vote was taken on the motion to have Metro’s IOD third party administrator (currently ASC) use the new worker compensation statute on gradual injury claims as a loose guide for initial IOD medical care determinations and was approved with B.R. Hall and Charles Clariday opposed.

Shannon Hall reported to the Board that on item 2, the IOD medical care request for the employee from the Fire Department, the Committee recommends that the Board uphold ASC’s determination to deny this IOD medical care claim.

Christine Bradley moved to uphold the denial of this IOD medical care claim. Ann Butterworth seconded

After some discussion of causation, a vote was taken on the motion to uphold the denial of this IOD medical care claim and the Board approved with B.R. Hall and Charles Clariday opposed.

Shannon Hall reported to the Board that on item 3, the IOD medical care request for the employee from the Police Department, the Committee recommends that the Board uphold ASC’s determination to deny ongoing IOD medical care for this IOD medical care claim.

Christine Bradley moved to uphold the denial of ongoing IOD medical care for this IOD medical care claim. Ann Butterworth seconded and the Board approved with B.R. Hall and Charles Clariday abstaining.

Shannon Hall reported to the Board that on item 4, the IOD medical care request for the employee from the Police Department, the individual is requesting a deferral, pending additional medical information.

Ann Butterworth moved to defer item 4, pending additional medical information. Todd Henry seconded and the Board approved without objection.

It was noted that this item will go back to the IOD Committee since there will be additional/new medical information.

Shannon Hall reported to the Board that on item 5, the IOD medical care request for the employee from the Health Department, the Committee recommends that the Board uphold ASC’s determination to deny this IOD medical care claim. Ms. Hall also noted that the individual is present.

The employee was present and addressed the Board regarding the claim and a similar claim from a co-worker who has had the same type of problem.

Tracy Petty, ASC, reviewed the basis for the denial citing that an increase in pain is not compensable without an anatomical or structural change.

After some discussion of the report from the department’s safety advisor, Christine Bradley moved to refer this item back to the Committee pending additional medical information and further review by ASC. Charles Clariday seconded and the Board approved without objection.

1. Correspondence:
2. Utilization report from Blue Cross Blue Shield.
3. Utilization report from CIGNA.
4. Utilization report from Alternative Service Concepts. (reported quarterly)

Items 5.-a. through 5.-c. were for information only.

1. Reports for your information:
2. Return to work.
3. Social Security approvals.
4. Refund of pension contributions. (none to report)
5. Repayment of pension contributions.
6. Reports from Treasury.
7. Non-compliant disability pensioners. (none to report)
8. Pending litigations. (reported quarterly)
9. Denial log from Alternative Service Concepts.

Items 6.-a. through 6.-c. were for information only.

1. Late item(s):

There were no late items reported at the meeting.

There was some discussion of the analysis done by the consultant regarding Metro’s pension application process.

 With nothing further presented, the meeting was adjourned accordingly.

ATTEST: APPROVED:

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Mrs. Rita Roberts-Turner, Director Ms. Edna J. Jones, Chair

#### Human Resources Employee Benefit Board