MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

***September 3, 2013***

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, September 3, 2013 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue North, Nashville, Tennessee, at approximately 9:30 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: Stephanie Bailey, Charles D. Clariday, Sr., B.R. Hall, Sr., Jerry Hall, W. Todd Henry, and Richard M. Riebeling.

Member G. Thomas Curtis was unable to be present.

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 August 6, 2013**.** With no corrections, nothing further was noted and Christine Bradley moved for approval. Stephanie Bailey 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 4, for the length of time as recommended. B.R. Hall moved for approval of the recommendation to approve the disability pension new requests, items 1 through for the length of time as recommended. Charles Clariday seconded.

The nature of the in line of duty injury on item 1 was questioned and the date of the diagnosis on item 2. There being no one present from the department to address the questions regarding the injury on duty on item 1 , the Board noted that there needs to be someone present from the department to address these types of cases.

Janel Donaldson, Eckman Freeman & Associates, addressed the Board regarding item 2 and the date of diagnosis.

Dr. Celia Goodson addressed diagnosing a progressive condition and eligibility for a pension. There was also some discussion of the date of diagnosis and the date of employment at it relates to pensions. Dr. Goodson also noted that the condition was not preexisting.

The Board reiterated their request that someone from the departments be present when there is a disability item and/or a request from an employee on the agenda.

After clarification with the maker of the motion for approval, the Board revised/amended the recommendation on item 1 to approve for one month.

A vote was taken on the amended motion to approve the disability pension new requests, items 1 through 4, for the length of time as recommended, with the exception of item 1 for 1 month, and was approved without objection.

Dr. Celia Goodson sought clarification on her review/recommendation process related to medical conditions/diagnosis on disability pensions if that condition is pre-existing.

The Board discussed having information such as date of hire may be helpful in reviewing the request and that it does not affect how Dr. Goodson makes her recommendations.

Edna Jones noted that a Pension Committee meeting has been scheduled, at which time the format, information and forms for disability applicants will be reviewed.

Dr. Celia Goodson reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 5 through 15 for the length of time as recommended. Jerry Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 5 through 15 for the length of time as recommended. Charles Clariday seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that on items 16 and 17, she requests a deferral for one month. Christine Bradley moved for approval of the request to defer items 16 and 17 for one month. Jerry Hall seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that on item 18 she recommends approval of a return to work with restrictions.

There was some discussion regarding the timeframe in returning the individual to work.

Todd Henry moved for approval of the recommendation of return to work. Jerry Hall seconded.

The Board asked if someone from the department was present and the Board indicated that a directive be sent to the departments that if they want their matters heard by the Board, they need to show up.

After some discussion of the individual’s restrictions, a vote was taken on the motion to return to work and the Board approved without objection.

**NEW REQUESTS:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 1. | Jack Copeland, Jr. | Sheriff Office | In Line of Duty | As moved, seconded and approved, this disability pension request was approved for one month, (October 2013), with re-exam at that time. |
| 2. | Randall Knight | Public Works | Medical | As moved, seconded and approved, this disability pension request was approved for four months, (January 2014), with re-exam at that time. |
| 3. | Michelle R. Lampkin | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension request was approved for five months, (February 2014), with re-exam at that time. |
| 4. | Sung Jun Park | Police | Medical | As moved, seconded and approved, this disability pension request was approved for four months, (January 2014), with re-exam at that time. |

**REEXAMINATIONS:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 5. | Roger L. Baskin | Parks | In Line of Duty | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |

**REEXAMINATIONS: (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 6. | Bryan A. Doersam | Police | In Line of Duty | As moved, seconded and approved, this disability pension was continued for six months, (March 2014), with re-exam at that time. |
| 7. | Jesse W. Henry | Health | Medical | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |
| 8. | Carol J. Itoh | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |
| 9. | Johnny W. Jones | Public Works | Medical | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |
| 10. | Gerald M. Napier | Information Technology | Medical | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |
| 11. | Donald D. Richer | Police | In Line of Duty | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam. |
| 12. | Tammy L. Sampson | Circuit Court Clerk | Medical | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |
| 13. | Ricky D. Temple, Sr. | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued for one year, (September 2014), with re-exam at that time. |
| 14. | Victoria A. White | Parks | In Line of Duty | As moved, seconded and approved, this disability pension was continued for six months, (March 2014), with re-exam at that time. |
| 15. | Stephany R. Wilson | Police | Medical | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam. |
| 16. | Ronald S. Kenny | Fire | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (October 2013), with re-exam at that time. |

**REEXAMINATIONS: (continued)**

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| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 17. | Kevin D. Steele | Police | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (October 2013), with re-exam at that time. |

**OTHER:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 18. | Diane Nesbitt | Emergency Communications Center | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |

**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. Todd Henry seconded and the Board approved without objection.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Item** | **Name** | **Department** | **Review Originated From** | **Case Management Rec for Referral** | **CSME Rec for Referral** | **Comments** |
| 1 | Baltz, Michael | Fire | Pension Approval | No | No | Younger Worker |
| 2 | Barnes, Kenneth | Fire | Pension Approval | No | No | Younger Worker |
| 3 | Bruton-Reed, Deborah | MAC | Pension Approval | No | No | Cl does not meet SSDI criteria |
| 4 | Dunaway, Roy | Police | Pension Approval | No | No | Cl does not meet SSDI criteria |
| 5 | Galbreath, Connie | MNPS | Pension Approval | No | No | Younger Worker |
| 6 | Hales, Wade | Sheriff | Pension Approval | No | No | Younger Worker |
| 7 | Kemper, Teresa | Juvenile Court | Pension Approval | No | No | Cl does not meet SSDI criteria |
| 8 | McNeil, Danny | Public Works | Pension Approval | Yes | Yes | Evaluation |
| 9 | Medley, James | Fire | Pension Approval | No | No | Younger Worker |
| 10 | Mercer, Johnny | Fire | Pension Approval | No | No | Younger Worker |
| 11 | Moore, Derrick | Juvenile Court | Pension Approval | Yes | Yes | Cl meets SSDI criteria |
| 12 | Nixon, Matthew | Police | Pension Approval | No | No | Cl working above SSA SGA limits |
| 13 | Tanksley, Roy | Fire | Pension Approval | Yes | Yes | Evaluation |
| 14 | Trammel, Christina | MNPS | Pension Approval | Yes | Yes | Evaluation |

Edna Jones again reiterated that if a department has anyone on the agenda for a representative to please be present at the meetings.

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

B.R. Hall moved for approval of the pensions. Doug Clariday seconded and the Board approved without objection.

###### Service

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Classification** | **Plan A/B** | Application Date | Estimated Effective Date |
| Carl N. Pederson \* | Library | Radio Engineer 2 | B | 07/31/2013 | 11/01/2010 |
| Bessie E. Campbell \* | Health | Outreach Worker | A | 07/31/2013 | 09/01/2013 |
| John A. Dougherty | Public Works | Equipment Operator 3 | B | 07/31/2013 | 08/30/2013 |
| Clare Smith | MNPS | Asst- Food Svc | B | 07/31/2013 | 08/02/2013 |
| Janice Perry | MNPS | Ed Asst – PreK | B | 07/31/2013 | 09/13/2013 |
| Peggy E. Stephens | MNPS | Secretary/Clerk | B | 08/07/2013 | 08/03/2013 |
| Jane E. McGee | MNPS | Monitor- In School Susp | B | 08/07/2013 | 08/02/2013 |
| Fred Cantrell | St. Trail Ct. | Group Care Aide | B | 08/07/2013 | 11/07/2013 |
| Mary Ann Hea | Public Defender | Program Manager 2 | B | 08/07/2013 | 09/01/2013 |
| James H. Estes Jr. | ITS | Info Systems Advisor 1 | B | 08/14/2013 | 08/24/2013 |
| Jeffrey K. Curtis \* | Fire | Paramedic | B | 08/14/2013 | 11/01/2013 |
| Emily J. Simmons \* | General Hospital | Medical Social Worker | B | 08/14/2013 | 09/01/2013 |
| Robert E. Watkins | MNPS | Officer-Contract | B | 08/14/2013 | 10/14/2013 |
| John W. Lynch | Fire | Fire Chief | B | 08/15/2013 | 09/07/2013 |
| Clara J. Williams | MNPS | Bus Driver | B | 08/20/2013 | 08/31/2013 |
| Miriam McKinzie \* | General Hospital | LPN | B | 08/17/2013 | 07/01/2013 |

# \* Deferred Benefit

###### Disability to service

|  |  |  |  |
| --- | --- | --- | --- |
| Employee | **Department** | **Plan A/B** | Effective Date of Conversion |
| Ronald Barker | Codes | B | 08/01/2013 |
| Monica Jett | Police | A | 08/01/2013 |
| Bruce Metcalf | Parks | A | 09/01/2013 |
| Alma Capps | MNPS | B | 08/01/2013 |
| James Marable | Police | A | 09/01/2013 |
| Carolyn Medlin | Finance | A | 09/01/2013 |
| Deborah C Fisher | DA | B | 09/01/2013 |

###### Options Elected – not available

###### Survivor

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Employee Name** | **Department** | **Survivor Name** | **Plan Membership** | Effective Date |
| Russell Lee | OEM | Pat Garner | B | 07/22/2013 |
| Charles Clark | Codes | Shirley Clark | A | 08/11/2013 |
| Glendon Pruitt | Sheriff | Nina Pruitt | B | 08/12/2013 |
| Lawrence Turner | Public Works | JoAnn Turner | A | 08/02/2013 |
| James Hodge Jr. | Tax Assessor | Mae Hodge | B | 08/18/2013 |

## BENEFIT BOARD ITEMS

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

1. Health care reform update.

Shannon Hall reported to the Board that as a follow up to the August Study Session, the Board reviewed the attached presentation regarding upcoming Health Care Reform provisions including the need to adopt an essential health benefit (EHB) definition. She stated that as discussed, the Board should consider adopting Tennessee’s EHB definition and related limits as outlined in the attached presentation consistent with the State of Tennessee so that this information can be communicated as part of Metro’s annual enrollment.

Michael Murphy, Buck Consultants, was present to address any questions.

Christine Bradley moved for approval of the recommendation to adopt Tennessee’s essential health benefit (EHB) definition and related limits. Stephanie Bailey seconded and the Board approved without objection.

1. Retirement incentive overview.

Shannon Hall reported that members of the Human Resources staff will present an overview of the recently concluded retirement incentive program.

Ginger Hall and Sue Bowles were present and reviewed the stats from the retirement incentive with the Board and introduced the pension services staff.

The Board commended the staff on a job well done and inquired on the progress with the request for proposal for the pension calculation system.

1. Metro Code modifications regarding in line of duty (IOD) leave changes.

Shannon Hall reported to the Board that the Civil Service Commission recently considered and adopted changes on injured on duty (IOD) leave and related pay provisions effective October 1, 2013. She stated that some of the changes affect how much an injured employee may earn on IOD leave which may, in turn, affect how benefits related to their disability, service, and survivor benefits are calculated and administered. She stated that because the intent of the changes was to adjust the IOD leave pay provisions only but not change the way these individuals receive benefits under the benefit system, the Legal Department has drafted the attached legislation to ensure that the benefit provisions remain the same both before and after these IOD leave changes occur. Ms. Hall stated that the Board needs to authorize an actuarial study related to this proposed legislation.

B.R. Hall moved for approval of the actuarial study. Charles Clariday seconded.

After some discussion of the substitutive language, a vote was taken on the motion and was approved without objection.

1. Medical and Life Committee.

Shannon Hall reported to the Board that the Medical and Life Committee met on Thursday, August 22, 2013 to deliberate on one self-insured PPO plan appeal and one self-insured Choice Fund plan appeal. She also stated that the minutes from the meeting are attached for approval.

Shannon Hall asked if there were any amendments, additional corrections or questions of the minutes from the August 22, 2013 Medical and Life Committee meeting. With no corrections, B.R. Hall moved for approval of the Medical and Life Committee meeting minutes. Charles Clariday seconded and the Board approved without objection.

1. Medical and Life Committee: (continued)

Shannon Hall stated that the Committee has the following recommendations: On item1, the self-insured PPO plan appeal, the Committee recommends that the Board approve coverage for this procedure for this particular member only based on the specific facts in this case as recommended by the Civil Service Medical Examiner. B.R. Hall moved for approval of the recommendation to approve coverage for this procedure for this particular member only based on the specific facts in this case as recommended by the Civil Service Medical Examiner. Charles Clariday seconded and the Board approved with Stephanie Bailey and Edna Jones opposed and Jerry Hall abstaining.

Shannon Hall stated that on item 2, the self-insured Choice Fund plan appeal, the Committee recommends that the Board approve coverage for home birth with the requested certified midwife as in-network for this particular member only based on the specific facts in this case. Ms. Hall noted that the member was present. Todd Henry moved for approval of the recommendation to approve coverage for home birth with the requested certified midwife as in-network for this particular member only based on the specific facts in this case. Jerry Hall 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)
5. Blue Cross Blue Shield financial and clinical insight report.

Items 5.-a. through 5.-d. were for information only and no action was required.

Shannon Hall made note of item 5.-d. Blue Cross Blue Shield financial and clinical insight report.

1. Reports for your information:
2. Return to work.
3. Social Security approvals.
4. Refund of pension contributions.
5. Repayment of pension contributions.
6. Reports from Treasury. (reported quarterly)
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.-h. were for information only and no action was required.

1. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:09 a.m.

#### The foregoing minutes were approved by the Metropolitan Employee Benefit Board on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Shannon B. Hall, MEBB Liaison