MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

***November 4, 2014***

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, November 4, 2014 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., \*Veronica T. Frazier, B.R. Hall, Sr., Jerry Hall, W. Todd Henry, and Richard M. Riebeling.

Member G. Thomas Curtis was unable to be present.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Susan L. Warner, 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 October 7, 2014**.** 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:

Christina Hickey 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. Susan Warner reported to the Board that she recommends approval of the disability pension new requests, items 1 through 3, for the length of time as recommended, with item 2 being approved as a medical disability pension. There was some discussion of whether or not the injury on duty on item 2 has resolved and Dr. Warner stated she recommends a medical based on the claim for injury on duty being based on normal exposures that someone in this field would be having.

Todd Henry moved for approval of the recommendation to approve the disability pension new requests, items 1 through 3 for the length of time as recommended, with item 2 being approved as a medical disability pension. Richard Riebeling seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that on items 4 through 6, she recommends denial of the disability pension new requests.

On item 4, the individual and her daughter were present and addressed the Board.

Jerry Hall moved for approval of the recommendation to deny the disability pension new request, item 4. Richard Riebeling seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that on item 5, she recommends denial of the disability pension new request. Dr. Warner stated that after speaking with the individual’s supervisor, she believes the stress level is not as severe as his other work and therefore, recommends denial.

The individual was present and addressed the Board regarding the request for a disability pension, going back to work after the incident and transferring to another position.

Leslie Robeson, Health Department, was present and addressed the Board on transferring him to another position, him declining that position and requesting to be placed in the previous position after the incident.

Lauren Bluestone, Health Department – Animal Control, was present and addressed the Board regarding the individual currently working in his previous position.

Stephanie Bailey moved for approval of the recommendation to deny the disability pension request, item 5. Richard Riebeling seconded.

\*Denotes the arrival of Veronica Frazier.

After clarification that the individual was offered another position and declined that position, and being able to apply for other positions, a vote was taken on the motion to deny the disability pension request, item 5, and was approved with B.R. Hall and Doug Clariday opposing and Veronica Frazier abstaining.

Edna Jones noted that additional information has been passed out regarding the disability pension new request, item 6.

On item 6, Dr. Susan Warner stated that she is changing her initial recommendation from denial to approve the request with a return to work. She stated the change was based on the additional information and the Legal Department’s input.

Sue Bibb, Police Department, stated that the individual can not go back to the previous position because of the with restrictions. She stated they will have to look within the department to find a civilian position he would qualify for.

After some discussion of this trainee being treated in the same manner as a general government employee (they are not sworn), when it comes to return to work, Todd Henry moved for approval of the recommendation to deny the in line of duty disability pension new request for item 6. Stephanie Bailey seconded.

There was some discussion of why the Board would deny this request for a disability pension and the individual being injured on the job.

Nicki Eke, Legal Department, stated that eligibility is not based not on whether they are still probationary or civil service employee. She stated that under the Code employees are eligible for an in line of duty disability pension from the first day of employment.

There was some discussion of the individual’s ability to work, being offered a position, and being placed on the return to work list.

There was clarification that if the request for a disability pension is denied, the individual would not be able to go through the Board’s return to work process, however, they could re-apply, which is outside the jurisdiction of this Board.

The Board discussed the fact that the individual was injured on the job and he can not be on the return to work list without being approved for a disability pension.

Richard Riebeling brought up the issue of the pre-existing condition and whether or not that prior injury was the same injury.

Dr. Susan Warner stated if the individual fails to disclose a condition that would predispose the individual to another injury that would not be grounds to deny a disability pension.

A vote was taken on the motion to deny the in line of duty disability pension new request, item 6 and failed.

After discussion of the proper motion to make on item 6, Christine Bradley moved to approve the in line of duty disability pension new request, item 6, for two months, with a return to work. Jerry Hall seconded and the Board approved with Todd Henry and Richard Riebeling opposing and Veronica Frazier abstaining.

Dr. Susan Warner reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 7 through 19 for the length of time as recommended. Jerry Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 7 through 19 for the length of time as recommended. Veronica Frazier seconded.

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

After noting that the individual for item 19 was present but did not want to address the Board a vote was taken on the motion to approve the recommendation to continue the disability pension reexaminations, items 7 through 19 for the length of time as recommended and the Board approved without objection.

Edna Jones noted that additional information has been passed out regarding item 20.

Dr. Susan Warner reported to the Board that based on the new medical information on item 20, she recommends a return to work.

Cindy Maddox, department representative, stated that the department is in the process of finding a position for the individual.

Jerry Hall moved for approval of the recommendation on item 20 to return the individual to work. Stephanie Bailey seconded and the Board approved without objection.

Edna Jones noted that there is additional medical information regarding item 21 and the individual is present with her attorney.

Dr. Susan Warner reported to the Board that on item 21 she recommends that the disability pension be changed from in line of duty to a medical disability pension based on the medical information.

Jack Byrd, attorney, reviewed the medical information from her treating physician.

After some discussion of the recommendation by Dr. Warner and the additional information from the treating physician that indicates the condition is work related, B.R. Hall moved to continue the disability pension as in line of duty. Doug Clariday seconded and the Board approved with Veronica Frazier, Stephanie Bailey, Richard Riebeling and Christine Bradley opposing.

Edna Jones noted that on item 22 the individual and his attorney are present.

Dr. Susan Warner reported to the Board that on item 22 the Board had requested an independent medical evaluation. She stated that the findings indicate that the injury is not work related and recommends changing the disability pension from in line of duty to a medical disability pension and continue for the length of time as recommended.

Fred Dance, attorney, reviewed the individual’s injuries and medical record.

Dr. Susan Warner reviewed the findings of the independent medical evaluation and stated that the individual’s current condition is not related to the injury on duty.

Richard Riebeling moved for approval of the recommendation on item 22 to change the disability pension from in line of duty to a medical disability pension and continue for the length of time as recommended. Jerry Hall seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

Edna Jones noted that on item 23 the individual is present.

Dr. Susan Warner reported to the Board that on item 23, that the findings of an independent medical evaluation indicate that the individual’s current condition is not caused or aggravated by the injury on duty and she recommends that the disability pension be changed from in line of duty to a medical disability pension and continued for the length of time as recommended, with a functional capacity evaluation in order to return the individual to work.

Jerry Hall moved for approval of the recommendation that the disability pension be changed from in line of duty to a medical disability pension and continued for the length of time as recommended, with a functional capacity evaluation in order to return the individual to work. Stephanie Bailey seconded and the Board approved without objection.

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

The individual questioned why there needs to be a functional capacity evaluation.

It was explained to her that it is to determine if there are other jobs that she can do.

Dr. Susan Warner reported to the Board that on items 24 through 26, she requests a deferral for one month. Todd Henry moved for approval of the request to defer items 24 through 26 for one month. Jerry Hall seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that on item 27 she recommends approval of return to work with vocational case management.

Jamie Summers, Fire Department, was present and addressed the recommendation. She stated that the individual’s restrictions may not allow the individual to return to the previous position. She also stated that there has been discussion of assigning vocational case management to assess the individual’s skill set.

B.R. Hall moved for approval of the recommendation on item 27 to return the individual to work with vocational case management. Doug Clariday seconded and the Board approved without objection.

On item 28, the individual nor the attorney were present.

Dr. Susan Warner reported to the Board that on item 28, the Board requested an independent medical evaluation. She stated that the findings show that none of the individual’s conditions were found to be limiting. she stated that she recommends returning the individual to work.

Evan Bayliss, Sheriff’s Office, stated that they are prepared to return the individual to work.

Jerry Hall moved for approval of the recommendation on item 28 to return the individual to work. Doug Clariday seconded and the Board approved without objection.

On item 29, Dr. Susan Warner reported to the Board that the findings from the independent psychological evaluation show that the individual can return to work. She stated that she recommends that the individual be returned to work. Christine Bradley moved for approval of the recommendation on item 29 to return the individual to work. Stephanie Bailey seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that on item 30, the individual was approved for a disability pension, however, he has not exhausted all leave and has requested to return to work in a non-sworn position.

Todd Henry moved to rescind the Board’s previous action of granting the individual a disability pension. Jerry Hall seconded and the previous action was rescinded with B.R. Hall opposing.

Todd Henry moved for approval of the individual’s request to return to work in a non-sworn position. Jerry Hall seconded.

Sue Bibb, Police Department, was present and stated that the department has been working with the individual and he is under the impression that when he runs out his leave he will go on pension long enough to retain his police salary.

Nicki Eke, Legal Department, stated that under the Code, a police officer that has sustained disability that prevents him from maintaining his position as a policeman can request to be moved to a civilian position rather than taking disability retirement. She stated if that happens it allows the officer to continue accumulate credit as a police officer under the pension system.

There was discussion of the code change that allows an individual that would have otherwise went on a disability pension does not have to do so.

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

Nicki Eke stated that the Board is authorized to supplement the pay of an employee that meets the definition of disability as set forth in the Code when the employee is able to continue working for Metro in a position where the salary is less than the employee was receiving at the time of disability.

Todd Henry amended his motion to included salary supplementation.

After some discussion of the type of the position the individual may be placed in and how long they have been a police officer, a vote was taken on the amended motion to approve the individual’s request to return to work in a non-sworn position, with salary supplement and was approved without objection.

**NEW REQUESTS:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Board Action Taken** |
| 1. | Vincent C. Coates | Police | Medical | As moved, seconded and approved, this disability pension request was approved for one year, (November 2016), with re-exam at that time. |
| 2. | Mark A. Kroeger | Fire | In Line of Duty/**Medical** | As moved, seconded and approved, this disability pension request was approved as a medical disability pension for six months, (May 2015), with re-exam at that time. |
| 3. | Eric E. Meihls | Police | Medical | As moved, seconded and approved, this disability pension request was approved for one year, (November 2016), with re-exam at that time. |
| 4. | Amy E. Barksdale | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension request was denied. |
| 5. | Darin W. Gardner | Health | In Line of Duty | As moved, seconded and approved, this disability pension request was denied. |
| 6. | Bradley K. Marbach | Police | In Line of Duty | As moved, seconded and approved, this disability pension request was approved and the individual placed on the return to work list. |

**REEXAMINATIONS:**

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| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 7. | Joseph E. Cook | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam and assigned case management services. |

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

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 8. | Eleanor F. Crews | Library | Medical | As moved, seconded and approved, this disability pension was continued for three months, (February 2015), with re-exam at that time. |
| 9. | Tracy L. Davis | General Hospital | Medical | As moved, seconded and approved, this disability pension was continued for three months, (February 2015), with re-exam at that time. |
| 10. | Camella J. Gammons | General Hospital | Medical | As moved, seconded and approved, this disability pension was continued for four months, (March 2015), with re-exam at that time. |
| 11. | Joseph O. Haywood | Police | In Line of Duty | As moved, seconded and approved, this disability pension was continued with an independent psychological evaluation for three months, (February 2015), with re-exam at that time. |
| 12. | Jesse W. Henry | Health | Medical | As moved, seconded and approved, this disability pension was continued with case management services for one year, (November 2015), with re-exam at that time. |
| 13. | Mary D. Krantz | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued with case management services for four months, (March 2015), with re-exam at that time. |
| 14. | Katherine D. Ladd | Sheriff | Medical | As moved, seconded and approved, this disability pension was continued for one year, (November 2015), with re-exam at that time. |
| 15. | Dorothy C. Lauderdale | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued with case management services for four months, (March 2015), with re-exam at that time. |
| 16. | Diantha S. McLeod | Nashville Career Advancement Center | Medical | As moved, seconded and approved, this disability pension was continued for one month, (December 2014). |
| 17. | Syretha D. Sessions | Sheriff | Medical | As moved, seconded and approved, this disability pension was continued for six months, (May 2015), with re-exam at that time. |

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

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 18. | James R. Shumate | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this disability pension was continued for one month, (December 2014). |
| 19. | Horace J. Temple, Jr. | Police | Medical | As moved, seconded and approved, this disability pension was continued for one year, November 2015), with re-exam at that time. |
| 20. | Nancy E. Young | Information Technology Services | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |
| 21. | Deborah A. Berryhill | Police | In Line of Duty/**Medical** | As moved, seconded and approved, this disability pension was continued for one year, (November 2015), with re-exam at that time. |
| 22. | James C. Medley | Fire | In Line of Duty/**Medical** | As moved, seconded and approved, this disability pension was continued as a medical disability pension for one year, (November 2015), with re-exam at that time. |
| 23. | Karron Pointer | Metropolitan Nashville Public Schools | In Line of Duty/**Medical** | As moved, seconded and approved, this disability pension was continued as a medical disability pension, with a functional capacity evaluation for three months, (February 2015), with re-exam at that time. |

**REEXAMINATIONS - DEFER**

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| --- | --- | --- | --- | --- |
| 24. | Suzanne J. Catignani | Assessor’s Office | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (December 2014), with re-exam at that time. |
| 25. | Shauna L. Lane | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (December 2014), with re-exam at that time. |
| 26. | Chris D. Parker | Sheriff | In Line of Duty | As moved, seconded and approved, this disability pension re-exam was deferred for one month, (December 2014), with re-exam at that time. |

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

**RETURN TO WORK:**

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| --- | --- | --- | --- | --- |
|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 27. | L.V. Jackson | Fire | In Line of Duty | As moved, seconded and approved, this individual was placed on the return to work list with vocational case management services. |
| 28. | Wade T. Hales | Sheriff | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |
| 29. | Gerald M. Napier | Information Technology Services | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |
| 30. | William J. Jackson | Police | Medical | As moved, seconded and approved, this individual was placed on the return to work list for a non-sworn position. |

**SOCIAL SECURITY REFERRALS:**

Dr. Susan Warner reported to the Board that she concurs with the case management recommendations on the Social Security referrals. Veronica Frazier moved for approval of the referrals. Jerry Hall seconded and the Board approved without objection.

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| --- | --- | --- | --- | --- | --- | --- |
| **Item** | **Name** | **Department** | **Review Originated From** | **Case Management Recommendation for Referral** | **CSME Recommendation for Referral** | **Comments** |
| 1 | Anderson, Beverly A. | Parks | Pension Approval | No | No | Cl does not meet SSDI guidelines |
| 2 | Copeland, Jack E., Jr. | Sheriff | Pension Approval | No | No | Younger Worker |
| 3 | Crenshaw, Timothy L. | Water | Pension Approval | No | No | Younger Worker |
| 4 | Davis, Jeremy M. | Fire | Pension Approval | No | No | Younger Worker |
| 5 | Donaldson, Michael E. | Police | Pension Approval | No | No | Younger Worker |
| 6 | Freistuhler, David J. | Water | Pension Approval | Yes | Yes | Evaluation |
| 7 | Gray, Aaron E. | JIS | Pension Approval | No | No | Younger Worker |
| 8 | Hyler, Erskine F. | State Trial Court | Pension Approval | Yes | Yes | Cl meets SSDI guidelines |
| 9 | Jackson, William J. | Police | Pension Approval | Yes | Yes | Evaluation |
| 10 | Jones, Linda G. | Parks | Pension Approval | Yes | Yes | Cl meets SSDI guidelines |
| 11 | Lee, Robert E., Jr. | Water | Pension Approval | Yes | Yes | Evaluation |

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

**SOCIAL SECURITY REFERRALS:**

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| --- | --- | --- | --- | --- | --- | --- |
| **Item** | **Name** | **Department** | **Review Originated From** | **Case Management Recommendation for Referral** | **CSME Recommendation for Referral** | **Comments** |
| 12 | Tanksley, Roy L., Jr. | Fire | Pension Approval | No | No | Cl has filed for SSDI and has attorney |
| 13 | Taylor (Pigg) Rebecca L. | Fire | Pension Approval | No | No | Younger Worker |
| 14 | Williams, Vera Jane | MNPS | Pension Approval | Yes | Yes | Evaluation |
| 15 | Wilson, Dionna N. | General Sessions | Pension Approval | Yes | Yes | Evaluation |

\*\*Denotes Doug Clariday leaving the meeting.

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

Christine Bradley moved for approval of the pensions. ?? seconded and the Board approved without objection.

###### Service

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Classification** | **Plan A/B** | Application Date | Estimated Effective Date |
| Ronald Coursey \* | ITS | Info Sys Comm Analyst3 | B | 10/02/2014 | 01/01/2015 |
| Felix D. George III | ITS | Info Sys Media Analyst2 | B | 10/02/2014 | 09/25/2014 |
| James H. Polk Jr. | Water | Treatment Plant Shift Supv | B | 10/02/2014 | 11/15/2014 |
| Lorrie Woods | MNPS | Supv-Accts Payable | B | 10/02/2014 | 12/02/2014 |
| Mary Carney | MNPS | Asst- School General | B | 10/02/2014 | 10/04/2014 |
| James D. Johnson \* | Gen Hospital | Registered Nurse | A | 10/03/2014 | 07/01/2012 |
| Joel R LaFevor | Juvenile Court | Referee 2 | B | 10/09/2014 | 02/01/2010 |
| Steven J Allen | Criminal Ct Clerk | Deputy Clerk 3 | B | 10/09/2014 | 01/01/2015 |
| Roger Eldridge | Fire | Engineer | B | 10/09/2014 | 11/01/2014 |
| Joseph S Irwin | Public Works | Equipment Operator 3 | B | 10/09/2014 | 11/01/2014 |
| Pamela Vague | MNPS | Asst-Therapy Occupational | B | 10/09/2014 | 12/01/2014 |
| Gayle J Age | NCAC | Career Coach | B | 10/09/2014 | 10/10/2014 |
| Charles E Yancey Jr | General Services | Admin Svcs Manager | B | 10/13/2014 | 10/07/2014 |
| Maria L Debraganca | Water | Office Support Rep 2 | B | 10/15/2014 | 10/18/2014 |
| Roslyn Gooch | Health | Program Coordinator | B | 10/16/2014 | 12/01/2014 |
| Guy Struder | Police | Officer 2 | B | 10/16/2014 | 12/01/2014 |
| Gloria Talley | MNPS | School-General Asst | B | 10/16/2014 | 10/03/2014 |
| Ocie Crosby | General Hospital | Billing Code Associate | B | 10/16/2014 | 02/01/2015 |
| Joel Spears | Fire | Engineer | B | 10/16/2014 | 01/10/2015 |
| Carolyn Nightingale \* | MNPS | Secretary | B | 10/03/2014 | 01/01/2014 |
| Willie L. Bowie | MNPS | Monitor-School Bus | B | 10/20/2014 | 10/01/2014 |
| Garfield Thomas | Sheriff | Correctional Officer 1 | B | 10/23/2014 | 10/14/2014 |
| John Pope | Public Works | Maint & Repair Worker 2 | B | 10/23/2014 | 10/22/2014 |
| Albert McKee | Water | Engineering Tech 3 | B | 10/23/2014 | 01/01/2015 |
| Michael Galluzzi | Police | Police Officer 2 | B | 10/23/2014 | 10/04/2014 |
| Carolyn Wall \* | Legal | Office Assistant 1 | B | 10/23/2014 | 12/01/2014 |
| David Barrera \* | Police | Police Officer 2 | B | 10/23/2014 | 01/01/2015 |
| Roger Matthews | St. Trial Ct | Program Specialist 2 | B | 10/21/2014 | 10/10/2014 |

###### \* Deferred Benefit

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

###### Disability to service

|  |  |  |  |
| --- | --- | --- | --- |
| Employee | **Department** | **Plan A/B** | Effective Date of Conversion |
| Ruby W Hyde | Health | A | 10/01/2014 |
| Howard R Harville | Police | A | 11/01/2014 |

###### Options Elected

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Baird, Jeanette C | Public Library | Service | B | 9/5/2014 | Normal |  |
| Balbas, Hicklen C. | Sheriff | P&F Service | B | 9/27/2014 | Option A |  |
| Bock, Gerhard O | Knowles Home | Service | B | 10/1/2014 | Option E |  |
| Borum, Larry K | Water Services | Service | A | 12/1/2013 | Normal |  |
| Brown, William L | Sheriff | P&F Service | B | 9/9/2014 | Option B |  |
| Carney, Mary A | MNPS | Service | B | 10/4/2014 | Option D | 1 |
| Conyers, Betty J | Mayor's Office | Service | B | 10/1/2014 | Option F |  |
| Cox, Rosalind J | General Hospital | Service | B | 8/1/2014 | Option D |  |
| Cross, James A | Public Works | Service | B | 9/6/2014 | Normal | 3 |
| Dumas, Deborah L. | Knowles Home | Early Service | B | 6/28/2014 | Normal |  |
| Eva, Michael L | Police | Early Service | B | 9/17/2014 | Option E |  |
| Farris, Jacquelyn M | MNPS | Service | B | 9/30/2014 | Normal | 3 |
| Flemings, Annette E | MNPS | Early Service | B | 9/27/2014 | Normal |  |
| George Iii, Felix D | Information Technology Service | Early Service | B | 9/27/2014 | Option E |  |
| Gibson, Billy G | Knowles Home | Early Service | B | 7/1/2014 | Normal |  |
| Goad, Peggy W | MNPS | Service | B | 10/1/2014 | Normal |  |
| Harp, Linda S | MNPS | Early Service | B | 9/9/2014 | Option A |  |
| Hickey Jr, George E. | Fire | P&F Service | B | 9/2/2014 | Normal |  |
| Hudgins, James L | Codes Administration | Service | B | 9/25/2014 | Option F |  |
| Johnson, Barbara A. | Bordeaux | Service | B | 10/1/2014 | Normal |  |
| Jones- Smith, Joann J | MNPS | Service | B | 9/20/2014 | Option F | 1 |
| Killingsworth, Judy M | MNPS | Service | B | 9/26/2014 | Option F |  |
| Lander, Larry W | Police | Early Service | B | 10/1/2014 | Option B |  |
| Long, Shirley R | MNPS | Service | B | 9/25/2014 | Option D |  |
| Lowe, Judy A | Bordeaux | Service | B | 5/1/2014 | Normal | 2 |
| Mccarroll, Mary | Metro Action Commission | Service | B | 2/1/2005 | Normal |  |
| Mccormick, Mary E | MNPS | Early Service | B | 9/26/2014 | Option A |  |
| Myres, James L | Fire | P&F Service | B | 9/25/2014 | Normal |  |
| Parris, Shawn E. | Police | Early Service | B | 9/16/2014 | Option B |  |
| Reddick, Sharon L. | District Attorney | Early Service | B | 10/25/2014 | Option A |  |
| Spainhour, Susan J | Health | Early Service | B | 8/30/2014 | Option E |  |
| Stalworth, Zelma S | Caring for Children | Service | B | 10/1/2014 | Normal |  |
| Thomason, Gale Elizabeth | MNPS | Early Service | B | 9/9/2014 | Option E |  |
| **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 | |  |

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

###### Survivor

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Employee Name** | **Department** | **Survivor Name** | **Plan Membership** | Effective Date |
| William Mayes | BOE | Atherine Mayes | B | 09/27/2014 |
| Douglas Van Tassel | Fire | Rita Van Tassel | B | 10/02/2014 |
| Raymond Johnson | BOE | Peggy Johnson | B | 08/25/2014 |
| Elbert Drungo Jr. | Sheriff | Deborah Drungo | B | 10/12/2014 |

## BENEFIT BOARD ITEMS

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

1. Injury on duty RFP update.

Christina Hickey reported to the Board that the Purchasing Division has completed the procurement process for the injury on duty request for proposals (RFPs) and will be updating the Board on the status and intent to award for these services.

Jeff Gossage, Purchasing, informed the Board that three RFP’s were received and based upon the criteria and the responses provided, the encumbent, Alternative Services Concepts, (ASC), will receive the award.

\*\*\*Denotes Doug Clariday returning to the meeting.

The Board also discussed the costs.

1. Non-compliant disability pensioners.

Christina Hickey reported to the Board that as of October 1st, there are two individuals that have not returned their annual questionnaires and are in a non-compliant status. She also reviewed HR’s efforts to obtain the questionnaires.

1. ACA measurement period (12 month look back).

Christina Hickey reported to the Board that in 2015, Metro must offer coverage to employees who are considered full-time under the Affordable Care Act (ACA). She stated full-time employees are those who average at least 30 hours of service per week. She stated that Metro currently offers coverage to those working 20+ hours per week however, there may be some part-time employees who could fall into this category. Ms. Hickey stated that Deloitte recommends the Board approve a 12-month measurement period (look-back period) for determining whether an employee is considered full-time and should be offered benefits.

After some discussion of being in compliance with the ACA, Richard Riebeling moved for approval of the 2-month measurement period (look-back period) for determining whether an employee is considered full-time and should be offered benefits. Veronica Frazier seconded and the Board approved without objection.

1. Language revision of carrier plan documents for coordination of benefits.

Christina Hickey reported to the Board that as noted at the October Study Session, Deloitte recently completed the claims transaction and operational review of the PPO and Account-based Plan (ABP). She stated that Deloitte met with staff and each carrier (BCBS and Cigna) and this review identified that the current plan documents for both the PPO and ABP are ambiguous on the coordination of benefits provision. She stated that both Blue Cross and Cigna are administering the coordination of benefits (COB) provision based on the Board’s intent however, Deloitte recommends the Board approve the language in the plan documents be revised in order to clarify the COB provision and the Board’s intent.

1. Language revision of carrier plan documents for coordination of benefits. (continued)

After some discussion of not having the language available today, B.R. Hall moved to defer this item until the language is drafted for the Board’s review. Stephanie Bailey seconded and the Board approved without objection.

1. In Line of Duty Committee report: (Committee members: Chair: Jerry Hall; Vice-Chair: Veronica Frazier; Members: Charles D. Clariday and Richard Riebeling. Alternates: Christine Bradley and Edna J. Jones)

Christina Hickey reported to the Board that the In Line of Duty Committee met on Friday, October 10, 2014 to deliberate on 7 in line of duty (IOD) medical care requests. She stated the minutes from this meeting are attached for approval and the Committee has recommendations on items #1-5 and #7. Ms. Hickey stated that item 6 had a tie vote and will have to be deliberated on.

Committee Chair Jerry Hall asked if there were any amendments, corrections or questions of the October 10, 2014 In Line of Duty Committee minutes. With no corrections on the minutes, Doug Clariday moved for approval of the October 10, 2014 In Line of Duty Committee minutes. Richard Riebeling seconded and the Committee minutes were approved without objection.

The retiree on item 3, the in line of duty medical care request for the retiree from the Fire Department, was present and addressed the Board regarding the claim.

Vickie Hampton, Alternative Service concepts, (ASC), was present and reviewed the medical record which shows no record of hearing loss.

After some discussion of the medical record and hearing examinations, Richard Riebeling moved to uphold the Committee’s recommendation that the Board uphold ASC’s determination to deny this in line of duty medical care claim. Stephanie Bailey seconded and the Board approved with Doug Clariday and B.R. Hall opposing.

The individual on item 2, the in line of duty medical care request for the employee from Metropolitan Nashville Public Schools, (MNPS), was present and addressed the Board regarding the claim.

Vickie Hampton, ASC, reviewed the claim with the Board.

There was some discussion regarding HR staff working with the insurance company to review the individual’s claims and coordinate services/treatment for the individual.

After some discussion regarding the claims information, HR staff and Blue Cross Blue shield working with the individual on coordinating services, and the individual’s employment status not being related to this issue Richard Riebeling moved to uphold the Committee’s recommendation that the Board uphold ASC’s determination to deny this in line of duty medical care claim. Jerry Hall seconded and the Board approved without objection.

On item 1, the in line of duty medical care request for the retiree from the Fire Department and item 4, the in line of duty medical care request for the employee from the Police Department Richard Riebeling moved to uphold the Committee’s recommendation that the Board uphold ASC’s determination to deny this IOD medical care claim. Stephanie Bailey seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

On item 5, the in line of duty medical care request for the employee from the Fire Department, the individual was present.

Edna Jones reviewed the Committee’s recommendation on item 5 that the Board uphold ASC’s determination to deny this in line of duty medical care claim.

The individual, union representative and the individual’s mother were present.

1. In Line of Duty Committee report (continued)

Christina Hickey reviewed how correspondence is sent out regarding Committee and Board meetings.

She stated that notices are sent out 5 days in advance of the meeting and they state that the individual

has the right to appear. She also noted that Committee meeting notices may also be sent out in advance of the 5 days.

The individual requested that her item be referred back to the In Line of Duty Committee because she was not aware that she needed to be present.

Mark Young, union representative, addressed being notified is going to be coming up before the Board or Committee.

B.R. Hall moved to have item 5, the in line of duty medical care request for the employee from the Fire Department referred back to the Committee. Stephanie Bailey seconded and the Board approved without objection.

Mark Young, union representative, requested that union groups be notified of who is going to be coming up before the Board or Committee.

On item 7, the in line of duty medical care request for the retiree from the Police Department, Lisa Naylor, attorney, was present. Ms. Naylor addressed the Board regarding the claim, treatment by the individual’s counselor and the individual having post-traumatic stress disorder (PTSD).

After some discussion of the physician not being currently licensed, Richard Riebeling moved to uphold the Committee’s recommendation that the Board uphold ASC’s determination to deny this in line of duty medical care claim, item 7. Stephanie Bailey seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

Christina Hickey reported to the Board that the Committee had a tie vote on item 6, the in line of duty medical care request for the employee from the Fire Department, and this item should be deliberated on and a vote taken. She also stated that the individual’s spouse is present.

Mark Young, union representative, distributed some additional information related to the claim and asked that it not be discussed over the mics.

Nicki Eke, Legal Department, stated that the Board deliberates on the information that is provided. She stated that if limitations are going to be placed on what you discuss then the individual may want to withhold that information. She stated that if the information is provided to the Board, the Board has the authority to consider and deliberate that information. She noted that if you do not want it discussed, you need to take it back.

The individual’s spouse indicated that the information can be discussed and he addressed the Board regarding the claim, being diagnosed with PTSD and working in another position.

Vickie Hampton, (ASC), reviewed the claim with the Board and stated that it did not meet the criteria (an event extraordinary or unusual compared to the stress experienced by others with the same job type or type of duties).

There was some discussion regarding the criteria, case law and difficulty with these types of cases.

Richard Riebeling moved to uphold ASC’s recommendation to deny item 6, the in line of duty medical care request for the employee from the Fire Department. Stephanie Bailey seconded and the Board approved with B.R. Hall and Doug Clariday opposing and Christine Bradley, Jerry Hall and Todd Henry abstaining.

1. Pension Committee report: (Chair: W. Todd Henry; Vice-Chair: Stephanie Bailey; Members: B.R. Hall, Sr., and Richard Riebeling. Alternate member(s): Christine Bradley and Edna J. Jones)

Christina Hickey reported to the Board that the Pension Committee met on October 27, 2014 to discuss the Independent Medical Evaluation (IME) process. She stated that the minutes from this meeting are

1. Pension Committee (continued)

being presented for approval and the Committee recommends the changes to the Independent Medical Evaluations and Examinations policy. She also stated the Legal Department has reviewed this policy.

Committee Chair Todd Henry asked if there were any amendments, corrections or questions of the October 27, 2014 Pension Committee minutes. With no corrections on the minutes, Christine Bradley

moved for approval of the October 27, 2014 Pension Committee minutes. Todd Henry seconded and the Committee minutes were approved without objection.

Edna Jones noted one clarification on the IME policy.

After some discussion of cleaning up the language regarding the injury on duty third party administrators and case management, Todd Henry moved to defer approval of the policy until the language can be cleaned up. Stephanie Bailey 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.
5. Cigna correspondence – Compounded medications.

Items 7.-a. through 7.-d. were for information only and no action was required.

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. (none to report)
6. Reports from Treasury. (reported quarterly)
7. Non-compliant disability pensioners. (reported with item 2)
8. Pending litigations. (reported quarterly)
9. Denial log from Alternative Service Concepts.

Items 8.-a. through 8.-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 11:23 a.m.

ATTEST: APPROVED:

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Veronica T. Frazier, Director Edna J. Jones, Chair

#### Human Resources Employee Benefit Board