MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

***January 6, 2015***

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, January 6, 2015 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue North, Nashville, Tennessee, at approximately 9:31 a.m.

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

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 December 2, 2014**.** With no corrections, nothing further was noted and Doug Clariday moved for approval. Christine Bradley 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.

Edna Jones stated that some of the recommendations contain approval for Social Security case management asked that the Board disregard that part of the recommendation.

Dr. Susan Warner reported to the Board that she recommends approval of the disability pension new requests, items 1 and 2, for the length of time as recommended. Jerry Hall moved for approval of the recommendation to approve the disability pension new requests, items 1 and 2 for the length of time as recommended. Christine Bradley seconded and the Board approved without objection.

On item 3, the individual was present along with Brad Rayson, Service Employees International Union, (SEIU).

Dr. Susan Warner reported to the Board that she recommends approval of the disability pension new request, item 3, as a medical disability pension for the length of time as recommended. She stated that the conditions caused by a previous injury at work (May 2011), were at maximum medical improvement, (MMI), and are not related to the current conditions. She stated it is her medical opinion that the conditions are medical in nature and not caused by that injury on duty from 2011.

Brad Rayson, SEIU, stated that they are in agreement of a disability pension, however, under the circumstances it should be granted as an in line of duty disability pension. He stated that the individual is still receiving treatment from that injury and the issues that lead up the application for a disability are directly related to that injury from 2011. He also noted that the individual was not able to obtain their Department of Transportation, (DOT), medical card under the new regulations. He stated that the physician would not renew her card based on medical limitations due to her knee and back problems, restrictions and medications.

The individual addressed the Board regarding her conditions, restrictions and being able to comply with the new regulations.

Dr. Susan Warner stated that the treating physicians for the injury on duty have released her to regular duty and the continued problems would not be related to the injury and are just a progression of the condition. She also stated that the new regulations are something that can not be contested.

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

Richard Riebeling moved for approval of the recommendation to approve the disability pension new request, item 3, as a medical disability pension with case management for the length of time as recommended. Stephanie Bailey seconded.

There was some discussion of whether or not the individual is currently being treated for her injury on duty.

Tracy Petty, Alternative Service Concepts, (ASC), stated that only one of the claims (back) remains open.

There was some discussion of what the individual is being treated for under the injury on duty claim.

The individual discussed her on the job injuries (2005, 2009 and 2013) with the Board.

There was also some discussion of whether or not there was a diagnosis of the condition prior to the injury(ies).

After some discussion of the individual currently having case management services to help the individual find another position within Metro, a vote was taken on the motion to approve the disability pension new request, item 3, as a medical disability pension for the length of time as recommended and was approved with B.R. Hall, Doug Clariday, Todd Henry and Jerry Hall opposing and Edna Jones abstaining.

Dr. Susan Warner reported to the Board that she recommends approval of the disability pension new request, item 4, for the length of time as recommended. Tom Curtis moved for approval of the recommendation to approve the disability pension new request, item 4 for the length of time as recommended. Doug Clariday seconded.

There was some discussion regarding obtaining all medical/treatment records from disability applicants. It was noted that some diagnoses have a longer history than the information provided for review. It was also noted that the medical release forms request all medical/treatment records and the Civil Service Medical Examiner’s office tries to do an extensive collection of the medical record.

A vote was taken on the motion to approve the disability pension new request, item 4, for the length of time as recommended and was approved without objection.

Dr. Susan Warner reported to the Board that she recommends a deferral of the disability pension new request, item 5, based on the pension not becoming effective until February and for additional medical information related to previous injuries. Todd Henry moved for approval of the recommendation to defer the disability pension new request, item 5 for the length of time as recommended. Doug Clariday seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that she recommends approval of the disability pension new requests, items 6 and 7, for the length of time as recommended. She also stated that after review of the medical record and discussions with the individual’s chief and partner on item 6, she feels that the individual did have an injury on duty for stress. Stephanie Bailey moved for approval of the recommendation to approve the disability pension new requests, items 6 and 7 for the length of time as recommended. Veronica Frazier seconded and the Board approved without objection.

On item 8, Dr. Susan Warner reported to the Board that she recommends denial of the disability pension new request based on the individual still working and no medical information to support the request. Stephanie Bailey moved for approval of the recommendation to deny the disability pension new request, item 8, based on the individual still working and no medical information to support the request. Jerry Hall seconded and the Board approved without objection.

On item 9, Dr. Susan Warner reported to the Board that she recommends denial of the disability pension new request based on the individual being accommodated at work. Jerry Hall moved for approval of the recommendation to deny the disability pension new request, item 9, based on the individual being accommodated at work. Veronica Frazier seconded and the Board approved without objection.

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

Dr. Susan Warner reported to the Board that she recommends approval for continuing the disability pension reexamination, item 10 for the length of time as recommended with an independent medical evaluation to determine causation/diagnosis. Jerry Hall moved for approval of the recommendation on the disability pension re-examination, item 10 for the length of time as recommended with an independent medical evaluation to determine causation/diagnosis. Todd Henry seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that she recommends approval for continuing the disability pension re-examination, item 11, for the length of time as recommended with a peer review to assess the whether or not the current condition/treatment is related to the in line of duty injury. Doug Clariday moved for approval of the recommendation to continue the disability pension re-examination, item 11, for the length of time as recommended with a peer review to assess the whether or not the current condition/treatment is related to the in line of duty injury. Jerry Hall seconded and the Board approved with B.R. Hall opposing.

Dr. Susan Warner reported to the Board that she recommends approval for continuing the disability pension reexamination, item 12 for the length of time as recommended as a medical disability pension based on the condition being cumulative and not an injury on duty. Richard Riebeling moved for approval of the recommendation to continue the disability pension reexamination, item 12 for the length of time as recommended as a medical disability pension based on the condition being cumulative and not an injury on duty. Tom Curtis seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

Dr. Susan Warner reported to the Board that on items 13 through 15, she requests a deferral for one month. Christine Bradley moved for approval of the request to defer items 13 through 15 for one month. Tom Curtis seconded and the Board approved without objection.

Dr. Susan Warner reported to the Board that on item 16 she recommends approval of return to work with restriction as noted.

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

Stephanie Bailey moved for approval of the recommendation on item 16 of return to work with restrictions. Christine Bradley seconded and the Board approved without objection.

On item 17, the individual’s mother was present and addressed the Board regarding her daughters condition, medications she is taking and returning her to work.

It was noted that the individual’s restrictions will not allow her to drive a commercial vehicle and therefore she would not be put in her previous position.

Harold Finch, Metropolitan Nashville Public Schools, (MNPS), was present and indicated that she would be considered for placement within her department in another position.

After further discussion of the individual’s conditions and being able to return to work around children, Jerry Hall moved for approval of the recommendation on item 17 of return to work with restrictions. Tom Curtis seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

On item 18, Edna Jones stated that Dr. Susan Warner is recommending approval of return to work, however the individual is in the reconsideration phase for Social Security benefits and suggested a deferral.

Dr. Susan Warner stated that if the individual is not returned to work, that the disability pension be switched to a medical disability pension based on the results of the independent medical evaluation that was ordered by the Board.

Edna Jones stated that the individual was not notified of that change and indicated that the pension could be continued with re-exam.

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

Dr. Susan Warner stated that the medical record indicates that the individual can work at a sedentary job and that she found it unusual that Social Security would find the individual incapable of working based on that information.

B.R. Hall recommended that the disability pension be continued for 90 days to allow for the Social Security process. Doug Clariday seconded.

There was some discussion as to why the Board would wait on Social Security approval and the individual not being notified of the recommendation to change the pension type.

Nicki Eke, Legal Department, stated that the individual would need to be informed of that change so that the individual can address the Board on that issue.

After some discussion of whether to defer this item for one month or to continue for a period of time longer than 30 days, B.R. Hall changed his motion to reflect 30 days. A vote was taken on the motion to continue item 18 for 30 days with review at that time and the Board approved without objection.

Dr. Susan Warner reported to the Board that on item 19 she recommends approval of return to work.

The individual was present and addressed the Board regarding her conditions and medications she is taking. She also stated that she would like to seek help with her case.

There was some discussion of the individual not being compliant with her medications.

Harold Finch, MNPS, stated that they are prepared to return the individual to work, however, if she is seeking another positon they are ready to assist her with that.

Tom Curtis moved for approval of the recommendation on item 19, to return the individual to work. Stephanie Bailey seconded and the Board approved without objection.

On item 20, Edna Jones stated that Dr. Susan Warner is recommending approval of return to work, however the individual’s application for Social Security benefits is before the Administrative Law Judge, (ALJ) and suggested to continue the disability pension for one month. Doug Clariday moved for approval of the recommendation to continue the disability pension for one month. B.R. Hall seconded and the Board approved with Christine Bradley abstaining.

Dr. Susan Warner reported to the Board that on item 21, the individual is gainfully employed out of state and she recommends denial of the disability pension for failure to comply with the requests to submit medical information.

Edna Jones stated that the Board can not deny the pension, but can terminate it for non-compliance.

Nicki Eke, Legal Department, stated that there are two potential options for the Board. She stated the Board can suspend the pension and give the individual a date specific to comply with specific directions of the Board or if the Board determines that there is sufficient information to terminate the pension for failure to comply the Board can also do that.

There was some discussion of how long the employee has been working the other job and their questionnaire.

Nicki Eke stated that essentially this person is on a pension and they are up for a re-exam. She stated that during the re-exam process medical records are obtained for the Civil Service Medical Examiner, (CSME), to review to determine whether the person is still disabled, whether the pension should be continued or the person returned to work. She stated that it appears that at this time, the CSME does not have sufficient information to determine whether this person is able to resume work.

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

Dr. Susan Warner stated that the individual is working full time in a capacity equal to the position (EMT/Paramedic) with Metro.

Nicki Eke stated that if the individual is not cooperating with obtaining medical records then that is the part that the Board would direct the person to comply with.

After some discussion of the information in the medical record and an email from the individual regarding the disability pension, B.R. Hall moved that the individual be notified of a date certain for the individual to become compliant and if not then the pension be suspended. Todd Henry seconded.

There was discussion regarding when someone is not complying with providing medical information, suspending the pension or returning the individual to work.

Nicki Eke stated that this situation has to follow the appropriate process as it could affect credited service time while on a disability pension. She stated that the individual can not make the determination that he can return to work, it has to be reviewed by the CSME. She also stated the definition of disability that applies to that classification, states that the individual can only resume work in that position (EMT).

After clarification of the length of time for the individual to respond, a vote was taken on the motion to suspend the disability pension immediately and notify the individual in order for the individual to become compliant and if not then the pension be terminated and was approved without objection.

Dr. Susan Warner reported to the Board that on item 22 she recommends removing the individual from the return to work list and continue the disability pension without re-exam. Stephanie Bailey moved for approval of the recommendation on item 22 to remove the individual from the return to work list. Christine Bradley seconded and the Board approved without objection. Stephanie Bailey moved for approval of the recommendation on item 22 to continue the disability pension without stipulation of scheduled re-exam. Veronica Frazier seconded and the Board approved without objection.

On item 23, the individual was present and addressed the Board on the recommendation to deny her disability pension and her ability to complete the functional capacity evaluation.

Harold Finch, MNPS, was also present.

There was some discussion of her effort to comply with the request to have a functional capacity evaluation.

Dr. Susan Warner reported to the Board that on item 23, the individual is currently on a medical disability pension, however, she recommends to terminate the disability pension due to non-compliance based on her efforts to determine her functional capacity in order to return her to work.

Nicki Eke, Legal Department, stated that this case is similar to the prior case. She stated that one issue is has this pensioner intentionally refused to participate in a rehabilitation program or is there a failure to appropriately participate based on their medical condition. She stated that the Board has to determine whether this person has willfully failed to comply with the functional capacity evaluation process and if termination of the disability pension is warranted or whether other action is appropriate such as giving specific directives to the individual as to what they need to comply with and giving them a time period to comply with that.

The Board discussed the findings of the independent medical evaluation, which showed no cause for the pain and the individual’s poor effort put forth.

After some discussion of the results of a previous functional capacity evaluation and the current one, which both show poor effort to participate, and the parameters used to determine the individual’s effort, Christine Bradley moved for approval of the recommendation on item 23 to terminate the disability pension for non-compliance. Stephanie Bailey seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

Dr. Susan Warner reported to the Board that on item 24 she recommends approval of return to work.

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

Jackie Hoffman, Police Department, was present and stated the department is prepared to return the individual to work.

\*Denotes Richard Riebeling leaving the meeting.

Todd Henry moved for approval of the recommendation on item 24 of return to work. Doug Clariday seconded and the Board approved with Richard Riebeling not voting.

Dr. Susan Warner stated that item 25 was deferred pending additional medical information to support the individuals’ appeal to change the disability pension from in line of duty to medical based on the results of the independent medical evaluation.

The individual and Mark Young, union representative were present.

The individual addressed the Board regarding the recommendation to change the disability pension to a medical disability pension, his injuries and his conditions.

Edna Jones informed the Board that this item is a reconsideration.

Nicki Eke, Legal Department, reviewed the process and who can make a motion for reconsideration.

\*\*Denotes the return of Richard Riebeling to the meeting.

Todd Henry moved to reconsider item 25. Jerry Hall seconded and the Board approved with Christine Bradley, Tom Curtis, Stephanie Bailey, Veronica Frazier opposing and Richard Riebeling abstaining.

The individual addressed the Board regarding his injuries and requested to remain on an in line of duty disability pension and be placed on the return to work list if he can be rehabilitated.

Mark Young, union representative, stated that he was placed on a medical disability pension based on a condition that was not an injury on duty. He stated that he still has problems related to the injury on duty and requested that he remain on a in line of duty disability pension.

After some discussion of the additional medical information that was submitted, his ability to return to work regardless of the pension type, and there being no new medical information, Richard Riebeling moved to continue the disability pension item 25 as a medical disability pension. Stephanie Bailey seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

Edna Jones informed the Board that item 26 is a reconsideration.

Nicki Eke, Legal Department, reviewed the process and who can make a motion for reconsideration.

B.R. Hall moved to reconsider item 26. Doug Clariday seconded and the motion for reconsideration failed.

Edna Jones informed the Board that item 27 is a reconsideration.

There was no motion for reconsideration on item 27.

**NEW REQUESTS:**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Board Action Taken** |
| 1. | Mary L. Carter | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam. |

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

**NEW REQUESTS:**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Board Action Taken** |
| 2. | Dorothy E. Cox | General Hospital | Medical | As moved, seconded and approved, this disability pension request was approved for two months, (March 2015), with re-exam at that time. |
| 3. | Linda D. Epps | Metro Action Commission | In Line of Duty/**Medical** | As moved, seconded and approved, this disability pension request was approved as a medical disability pension for thirteen months, (February 2016), with re-exam at that time. |
| 4. | Julie H. Fortenberry | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension request was approved for three months, (April 2015), with re-exam at that time. |
| 5. | Dennis R. Shepherd | Police | In Line of Duty | As moved, seconded and approved, this disability pension request was deferred. |
| 6. | Gerald L. Smock | Fire | In Line of Duty | As moved, seconded and approved, this disability pension request was approved for five months, (June 2015), with re-exam at that time. |
| 7. | Jamoyra E. Weaver | General Hospital | Medical | As moved, seconded and approved, this disability pension request was approved for six months, (July 2015), with re-exam at that time. |
| 8. | Cathy T. Johnson | Metro Action Commission | Medical | As moved, seconded and approved, this disability pension request was denied. |
| 9. | Phyllis M. Raines | Health | Medical | As moved, seconded and approved, this disability pension request was denied. |

**REEXAMINATIONS:**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 10. | William E. Dotson | General Services | In Line of Duty | As moved, seconded and approved, this disability pension was continued for two months, (March 2015), with re-exam at that time. |
| 11. | Robert W. Malley | Fire | In Line of Duty | As moved, seconded and approved, this disability pension was continued for two months, (March 2015), with re-exam at that time. |

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

**NEW REQUESTS:**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Board Action Taken** |
| 12. | Julie A. Sloan | Fire | In Line of Duty/**Medical** | As moved, seconded and approved, this disability pension was continued as a medical disability pension for thirteen months, (February 2016), with re-exam at that time. |

**REEXAMINATIONS - DEFER**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 13. | Janie M. Dabney | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this disability pension was deferred for one month, (February 2015). |
| 14. | Chris D. Parker | Sheriff | In Line of Duty | As moved, seconded and approved, this disability pension was deferred for one month, (February 2015). |
| 15. | Rhonda R. Sims | Knowles | Medical | As moved, seconded and approved, this disability pension was deferred for one month, (February 2015). |

**RETURN TO WORK:**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 16. | Jack E. Copeland, Jr. | Sheriff | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |
| 17. | Shauna L. Lane | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |
| 18. | Zachery K. Phillips | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this disability pension was deferred for one month, (February 2015). |
| 19. | Cathy D. McCutcheon | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this individual was placed on the return to work list. |
| 20. | Mary E. Phillips | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was deferred for one month, (February 2015). |

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

**OTHER:**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 21. | Ronald S. Kenney | Fire | In Line of Duty | As moved, seconded and approved, this disability pension was suspended until compliant. |
| 22. | Barry L. Morris | Fire | Medical | As moved, seconded and approved, this individual was removed from the return to work list and the pension continued without stipulation of scheduled re-exam. |
| 23. | Karron Pointer | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was terminated. |
| 24. | Jeremy W. Stricklin | Police | In Line of Duty | As moved, seconded and approved, this individual was placed on the return to work list. |

**OTHER - RECONSIDERATION**

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|  | **Name** | **Department** | **In Line of Duty (IOD) or Medical Disability** | **Recommendation** |
| 25. | 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 thirteen months, (February 2016), with re-exam at that time. |
| 26. | Gerald M. Napier | Information Technology Services | Medical | No action was taken on this item. |
| 27. | Marian D. Tyler | Social Services | Medical | No action was taken on this item. |

**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 Social Security referrals. Christine Bradley seconded and the Board approved without objection.

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| **Item** | **Name** | **Department** | **Review Originated From** | **Case Management Recommendation for Referral** | **CSME Rec for Referral** | **Comments** |
| 1 | Brown, William | Public Works | Pension Approval | Yes | Yes | Client eligible for SSA RIB |
| 2 | Longmire, Vernon | General Services | Pension Approval | No | No | Client has filed for SSDI and has attorney |

### 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 Rec for Referral** | **Comments** |
| 3 | Owens, Walter | Public Works | Pension Approval | Yes | Yes | Evaluation |
| 4 | Tidwell, Sheila | MNPS | Pension Approval | Yes | Yes | Evaluation |
| 5 | Whitley, William | Police | Pension Approval | Yes | Yes | Evaluation |

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

Doug Clariday moved for approval of the pensions. Todd Henry seconded and the Board approved without objection.

###### Service

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| --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Classification** | **Plan A/B** | Application Date | Estimated Effective Date |
| Charles E. Felts | Fire | Captain | B | 12/04/2014 | 01/06/2014 |
| Howard R. Ross Jr. | Juvenile Court | Admin Svc Manager | B | 12/04/2014 | 01/31/2015 |
| James A. Gafford | Police | Police Officer 2 | B | 12/04/2014 | 12/31/2014 |
| Lawrence Jackson | Public Works | Admin Svcs Officer 2 | B | 12/04/2014 | 01/12/2015 |
| Brenda R. Jackson \* | BLTC | Registered Nurse | B | 12/04/2014 | 01/01/2015 |
| Timothy King \* | Parks | Recreation Leader 2 | B | 12/10/2014 | 02/01/2015 |
| Patricia McMurtry | MNPS | Asst-Food Svc | B | 12/10/2014 | 02/05/2015 |
| Mary Jones | Gen Hospital | Pharmacist | B | 12/11/2014 | 12/10/2014 |
| Lowanna Holliman | Sheriff’s Office | Office Support Rep 2 | B | 12/11/2014 | 12/08/2014 |
| Lylia J. Hazzard | MNPS | Secretary/Clerk | B | 12/11/2014 | 01/05/2015 |
| Sylvester Jarrett | MNPS | Monitor- In School Susp | B | 12/11/2014 | 11/25/2014 |
| Patricia Grimes \* | Social Services | Day Care Asst | B | 12/11/2014 | 02/01/2015 |
| Robert Landrigan \* | Social Services | Group Care Worker | B | 12/11/2014 | 02/01/2015 |
| David L. Manning \* | Finance | Finance Director | B | 12/11/2014 | 02/01/2015 |
| Jane Latter-Beaudoin \* | Gen Hospital | OR Manager | B | 12/03/2014 | 02/01/2015 |
| Faye Biggs | MNPS | Mgr – Food Svc III | B | 12/18/2014 | 02/20/2015 |
| Carolyn Davis | Circuit Ct Clerk | Deputy Clerk | B | 12/18/2014 | 03/02/2015 |
| Sandra Everhart | Health | Inv. Control Supervisor | B | 12/18/2014 | 02/28/2015 |
| Terence Linehan | Sheriff | Correctional Officer 2 | B | 12/18/2014 | 01/31/2015 |
| Larry Allen Jr. \* | MNPS | Senior Custodian | B | 12/18/2014 | 02/01/2015 |
| Mary Jackson \* | Police | School Crossing Guard | B | 12/22/2014 | 08/01/2012 |
| Mickey Avery \* | Fire | Fire Fighter 2 | B | 12/12/2014 | 10/01/2014 |

###### Disability to service

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| --- | --- | --- | --- |
| Employee | **Department** | **Plan A/B** | Effective Date of Conversion |
| Billy Joe Denton | MNPS | A | 11/01/2014 |
| Virginia D Etheridge | MNPS | B | 12/01/2014 |
| Charles Mallory | Police | A | 12/01/2014 |
| Roger Moore | Water | B | 12/01/2014 |
| Richard B Fry | Public Works | B | 12/01/2014 |

###### Options Elected

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| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Bell, Earl C | General Services | Service | B | 11/8/2014 | Option D | 2 |
| Burnett, Kim | Police | Early Service | B | 11/13/2014 | Option A |  |

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

###### Options Elected

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| --- | --- | --- | --- | --- | --- | --- |
| Employee | **Department** | **Pension Type** | **Plan A/B** | Effective Date | Option | DROP Election |
| Dobbins, Jacqueline C. | General Hospital | Service | B | 11/11/2014 | Option F | 3 |
| Gillihan, Janice D | Library | Service | B | 11/1/2014 | Normal |  |
| Grooms, Walter D | Public Library | Service | B | 11/16/2014 | Option B |  |
| Hand, Wanda J | Heath | Service | B | 11/1/2010 | Normal |  |
| Kasparova, Zhanna M | Public Library | Service | B | 11/1/2014 | Normal |  |
| Lafevor, Joel R | Juvenile Court | Service | B | 2/1/2010 | Option E |  |
| Matthews, Roger D | State Trial Courts | Early Service | B | 10/25/2014 | Normal |  |
| Patterson, Beverly J | Metro Action Commission | Early Service | B | 11/7/2014 | Option F |  |
| Polk, James H. | Water Services | Service | B | 11/16/2014 | Option F | 3 |
| Thoams, Garfield : | Sheriff | Early Service | B | 10/15/2014 | Normal |  |
| Thomas, Albert L | Water Services | Service | B | 11/7/2014 | Option B |  |
| Toothman, Susan J | Juvenile Court | Early Service | B | 11/15/2014 | Option F |  |
| Vague, Pamela A | MNPS | Early Service | B | 11/29/2014 | Option E |  |
| Wall, Carolyn M | Law | Service | B | 12/1/2014 | Normal |  |
| **Key Codes** | |
| **Options** | | **Drop Elections** |
| Normal Form - life annuity, no payments guaranteed | | 1 - 1 year drop |
| Option A - Joint and 100% to Survivor | | 2 - 2 year drop |
| Option B - Joint and 50% to Survivor | | 3 - 3 year drop |
| Option C - Level Social Security option | |  |
| Option D - Life Income, 120 payments guaranteed | |  |
| Option E - Joint and 100% to Survivor with popup | |  |
| Option F - Joint and 50% to Survivor with popup | |  |

###### Survivor

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Employee Name** | **Department** | **Survivor Name** | **Plan Membership** | Effective Date |
| John Galbreath | Codes | Mary Galbreath | A | 12/01/2014 |
| James R. Herald | Police | Barbara Herald | B | 11/30/2014 |
| Raymon Cross Jr. | Hospitals | Mary Cross | B | 12/13/2014 |
| Rodney E. Davis | Public Works | Pamela Davis | B | 12/13/2014 |
| Robert H. Chaudoin | Fire | Mary Chaudoin | B | 12/12/2014 |
| Valarie McCullough | Sheriff | James McCullough | B | 12/14/2014 |
| Granville Mullins | Public Works | Doris Mullins | Closed | 11/22/2014 |
| Lawrence A. Blunkall | Fire | Ida Blunkall | Closed | 12/16/2014 |
| Tommy J. Thompson | Fire | Linda J. Thompson | B | 12/19/2014 |
| Thomas E. Harbin | MNPS | Vicenta Harbin | B | 11/02/2014 |
| Stephen E. Wilson | Fire | Susan J. Wilson | B | 12/26/2014 |

## BENEFIT BOARD ITEMS

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

1. Disability pension return to work request for reconsideration – Disability pensioner from Information Technology Services (ITS).

This item was acted upon accordingly with Section C of the agenda.

1. Disability pension change from in line of duty to medical request for reconsideration – Disability pensioner from Fire Department.

This item was acted upon accordingly with Section C of the agenda.

1. Disability pension denial request for reconsideration – Applicant from Social Services.

This item was acted upon accordingly with Section C of the agenda.

1. Redetermination of disability pension amount based on excess earnings.

Christina Hickey reported to the Board that staff has identified disability pensioners who have exceeded their outside allowable earnings amount and, in accordance with the Code, are to have their disability pensions adjusted accordingly. Ms. Hickey stated that the affected members have been notified of the adjustments and Lori Meyer, Human Resources staff, is available for any questions.

Stephanie Bailey moved to have the individuals disability pensions adjusted accordingly. Veronica Frazier seconded.

1. Internal Revenue Service (IRS) – Plan qualification ordinance.

Christina Hickey reported to the Board that in 2008, the Benefit Board approved for Bryan, Pendleton, Swats, & McAllister, (BPSM) to pursue an Internal Revenue Service, (IRS) determination letter on behalf of Metro with regard to the qualification status of the pension plan. She stated the initial determination request was submitted to the IRS in February 2009 and in September 2014, Metro received a favorable determination letter from the IRS. She also stated the IRS favorable determination is contingent upon timely adoption of the amendment to Chapter 3.30 of the Metro Code, dealing with plan qualifications. She stated the next step is for the proposed amendment to be presented to the Benefit Board for its recommendation to the Metro Council.

Kevin Sullivan, BPSM, was present for any questions the Board may have regarding the plan qualification.

Richard Riebeling moved for approval of the proposed amendment and for its recommendation to the Metro Council. Tom Curtis seconded and the Board approved without objection.

Kevin Sullivan clarifies that the expiration date on the letter is every two years.

1. Pension system administration budget request.

Christina Hickey reported to the Board that this item was deferred from the December meeting pending a more detailed review by the Finance Department and IT staff. She stated it is requested that the Board approve the system recommendation and projected budget provided in the attached presentation by Deloitte. She stated the funding request includes both the $6.5 million to be used to purchase the software/technology and to cover the implementation and data readiness costs as well as the $400,000 annual cost for the first year’s support and hosting fee. She also stated that there will be a need for an additional staff member to manage the ongoing operations of the pension administration system and specific details as well as the request for this resource will be discussed at a future Board meeting.

Richard Riebeling moved for approval of the pension system administration budget request. Tom Curtis 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.

Items 7.-a. through 7.-c. 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.
6. Reports from Treasury. (reported quarterly)
7. Non-compliant disability pensioners.
8. Pending litigations. (reported quarterly)
9. Denial log from Alternative Service Concepts.
10. 2015 Annual Enrollment overview report.
11. Accomplishments for 2014.

Items 8.-a. through 8.-j. were for information only and no action was required.

The Board commended the Benefit Board staff and HR staff on a job well done.

Christina Hickey noted items 8.-i. and 8.-j.

1. Late item(s):

There were no late items reported at the meeting.

Edna Jones informed the Board that the Committee assignments will remain the same.

With nothing further presented, the meeting adjourned at 10:54 a.m.

ATTEST: APPROVED:

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

#### Human Resources Employee Benefit Board