

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

January 5, 2016

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, January 5, 2016 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., *G. Thomas Curtis, Veronica T. Frazier, B.R. Hall, Sr., Jerry Hall, W. Todd Henry, and Talia Lomax-O'dneal.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Deidra Parrish, Interim 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 1, 2015. With no corrections, nothing further was noted and Stephanie Bailey moved for approval. Christine Bradley seconded.

Christina Hickey noted that there was a formatting error in the November Board minutes related to the motion on the qualified domestic relations orders (QDRO's) and has been updated accordingly. She also stated that she would like to include this correction/amendment in the motion.

A vote was taken on motion to approve the December 1, 2015 meeting minutes and the correction/amendment to the November meeting minutes 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. Deidra Parrish, Interim Civil Service Medical Examiner, and Claire Cobb, CSME Assistant, reviewed the disability pension recommendations with the Board. Claire Cobb made note of the changes to the staff report lay-out. She stated it is intended to provide more detailed case history and the full CSME recommendation.

Claire Cobb reported to the Board that the CSME 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. Veronica Frazier seconded and the Board approved without objection.

Claire Cobb reported to the Board that the CSME recommends approval for continuing the disability pension reexaminations, items 3 through 5 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 3 through 5 for the length of time as recommended. Veronica Frazier seconded and the Board approved with Stephanie Bailey abstaining.

Stephanie Bailey stated that she intended to have item 4 withdrawn. She stated that she has an issue with the individual's diagnosis and refusing treatments.

The maker of the motion rescinded the motion and the seconder was in agreement. The new motion was for approval of the recommendation on items 3 and 5 for the length of time as recommended and was approved without objection.

On item 4 there was some discussion regarding the medical record lacking certain pages, the individual's diagnosis and this individual being deferred from the last meeting pending discussion with the CSME regarding a particular recommendation and follow-up. It was also noted that the individual does not want to comply with certain treatment/testing that has been recommended.

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

Dr. Deidra Parrish stated that the individual strongly objected to pursuing anything mental health related. She stated that in terms of getting the evaluation, she thinks that the pensioner would not comply with the recommendations that would be obtained from that and it would be a waste of time and money.

*Denotes the arrival of Tom Curtis.

There was some discussion of the individual's treatments and no diagnosis.

The disability pensioner's wife was present and addressed the Board regarding the pensioner refusing treatment and stated that the only thing he has refused is the independent psychological evaluation. She stated that he has done everything that has been requested of him.

After some discussion of the individual's treatments and physicians, B.R. Hall moved for approval of the recommendation on item 4 for the length of time as recommended. Doug Clariday seconded and the Board approved with Stephanie Bailey opposing and Tom Curtis abstaining.

Claire Cobb reported to the Board that the CSME recommends deferral for one month on item 6 pending the results of the Board ordered functional capacity evaluation. Jerry Hall moved for approval of the recommendation on item 6 to defer for one month. Veronica Frazier seconded and the Board approved without objection.

On item 7, Claire Cobb reported to the Board that the CSME recommends approval of return to work.

Evin Baylis, Sheriff's Office, was present and stated they are able to return the individual to work.

Jerry Hall moved for approval of the recommendation on item 7 to return the individual to work. Christine Bradley seconded and the Board approved without objection.

On item 8, Claire Cobb reported to the Board that the CSME recommends an active employee salary supplement.

Evin Baylis, Sheriff's Office, was present and indicated they are in agreement with the recommendation.

After some discussion of the duration of the salary supplement, the anticipation of the individual returning to full duty once being cleared by the treating physician and the salary supplement going away at that time. Todd Henry moved for approval of the recommendation to approve an active employee salary supplement on item 8. Jerry Hall seconded.

After further discussion of when this item will be reviewed, B.R. Hall amended the motion to include review in six months. A vote was taken on the recommendation to approve a salary supplement with review in six months on item 8 and was approved without objection.

Under reconsiderations, Christina Hickey noted that this item is also number one under Benefit Board items. She reviewed those members that can make a motion for reconsideration and stated that the individual is appealing the Board's decision that she continue with HiSET/GED classes. Ms. Hickey also stated that the individual did supply additional medical information, however, the CSME has not changed her recommendation that she continue with the classes.

The individual was present.

Todd Henry moved to reconsider item 1 under Benefit Board items. Doug Clariday seconded and the motion failed with Todd Henry, Doug Clariday, and B.R. Hall in favor and Talia Lomax-O'dneal, Stephanie Bailey, Veronica Frazier, Jerry Hall, Edna Jones and Christine Bradley opposing and Tom Curtis abstaining.

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

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Viva L. Farlow	Public Works	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for one month, (February 2016), with re-exam at that time.
2.	Leon H. Greif	Fire	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (May 2016), with re-exam at that time.

REEXAMINATIONS:

3.	Deborah A. Berryhill	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (May 2016), with re-exam at that time.
4.	Timothy L. Crenshaw	Water	Medical	As moved, seconded and approved, this disability pension was continued for six months, (July 2016), with re-exam at that time.
5.	Sharon L. Robinson	Human Resources	Medical	As moved, seconded and approved, this disability pension was continued for six months, (July 2016), with re-exam at that time.
6.	Robert L. Chitwood	Police	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (February 2016), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
7.	Nicholas A. Marchese	Sheriff	In Line of Duty	As moved, seconded and approved, this individual was returned to work.

OTHER:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
8.	Kevin L. Thompson	Sheriff	In Line of Duty	As moved, seconded and approved, a salary supplement was approved with review in five months, (June 2016).

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

RECONSIDERATION(S):

1.	Sylvia D. Cobbins	Metropolitan Nashville Public Schools	Medical	No action was taken on this item
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SOCIAL SECURITY REFERRALS:

Claire Cobb reported to the Board that the CSME concurs with the case management recommendations on the Social Security referrals.

After some discussion of the meanings of the terms in the comments section, Stephanie Bailey moved for approval of the referrals. Doug Clariday seconded and the Board approved without objection.

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral	Comments
1	Clark, Patrick A.	Parks	Pension Approval	No	No	Younger worker
2	Gregory, Mary D.	State Fairgrounds	Pension Approval	No	No	CI does not meet disability guidelines
3	Longmire, Vernon	General Services	Pension Approval	No	No	CI has filed for SSDI and has an attorney
4	McMurtry, Scott R.	District Attorney	Pension Approval	Yes	Yes	CI meets SSDI listings
5	Shepherd, Dennis R.	Police	Pension Approval	No	No	Younger worker
6	Smock, Gerald L.	Fire	Pension Approval	Yes	Yes	Evaluation
7	Thomas, Vernon D., Jr.	Public Works	Pension Approval	No	No	Younger worker

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

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

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Nancy Young	MNPS	Secretary/Clerk	B	12/01/2015	12/07/2015
Feriq Tayip *	MNPS	Worker-Custodial	B	12/03/2015	02/01/2016
Constance Taite	Sheriff's Office	Div Mg-Sheriff	B	12/03/2015	01/05/2016
Philip Thompson	Criminal Ct Clk	Deputy Crim Ct Clerk 3	B	12/03/2015	12/19/2015
Michelle Birdsong	Health	Medical Admin Asst 1	B	12/03/2015	01/02/2016
Katherine Pruitt	Library	Admin Asst	B	12/03/2015	01/30/2016
Dale Pickens	Fire	Captain	B	12/03/2015	01/01/2016
Thomas Harris	MNPS	Operator-Mail	B	12/10/2015	01/01/2016
Jose Fuenmayor	MNPS	Translator-Parent Outreach	B	12/10/2015	12/18/2015
Kenneth Williams	MNPS	Rep-Call II (FIC)	B	12/10/2015	01/07/2016
Carolyn Dillahay	MNPS	Mgr-Food Service III	B	12/10/2015	01/05/2016
Steven Ray	Police	Police Officer 2	B	12/10/2015	01/30/2016
Robert Jansen	Health	Info Systems Mgr	B	12/10/2015	12/31/2015
William Richardson	Parks	Maint & Repair Supv	B	12/10/2015	03/02/2016
Dorne Shaver Sr.	Sheriff's Office	Correctional Officer 1	B	12/10/2015	10/26/2015
Mickie Burns	Health	Office Support Specialist 2	B	12/15/2015	01/01/2016

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

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Stanley Corlew	Library	Custodian	B	12/15/2015	01/01/2016
Dale Tomlin	Police	Police Officer 2	B	12/16/2015	01/05/2016
Nancy Working	MNPS	Acctng Operations Mgr	B	12/16/2015	03/04/2016
Charles Lain	Public Works	Technical Specialist	B	12/17/2015	03/05/2016
Patricia Nichols	Circuit Court Clerk	Admin Svcs Officer 2	B	12/17/2015	03/07/2016
Ken Harrington	Water	Engineering Tech 3	B	12/17/2015	01/05/2016
Karen Hargrove	General Hospital	Medial Technologist	B	12/17/2015	01/01/2016
Lofton Holloman	MNPS	Skill Laborer-Carpentry	B	12/17/2015	01/05/2016
Christl Ray	Police-cv	Police Operations Coord 1	B	12/21/2015	01/07/2016
David Liles	Police	Sergeant	B	12/22/2015	12/26/2015
Andrew Beachboard	Sheriff's office	Office Support Spec 1	B	12/22/2015	01/01/2016
D'Mitri Cannon	Police	Police Officer 2	B	12/22/2015	01/04/2016
Brenda Batey *	Library	Radio Dev Coordinator	A	12/29/2015	03/01/2016

* *Deferred Benefit*

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Virginia Giles	MNPS	B	12/01/2015
Carl Stocks	Police	B	12/01/2015
John Thompson	Police	B	12/01/2015

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Debout, David	MNPD	Early Service	B	10/29/2015	A	
Smiley, Richard C	Health	Service	B	10/22/2015	E	
Tackett, Ricky L	MNPD	Early Service	B	11/16/2015	F	
Edgen, Deborah A	Fire	Early Service	B	11/14/2015	A	
Edward, Todd	Library	Service	B	10/30/2015	E	
Ross, David	Parks	Service	B	10/31/2015	Normal	2 YR
Cashion, Terry	Police	Service	B	12/1/2015	Normal	
Winter Jr, William P	Assessor's Office	Service	B	11/21/2015	Normal	
Christian Jr, Charlie	Parks	Service	B	10/30/2015	E	1 YR
Auer, Jon	ITS	Service	B	12/1/2015	D	
English, Robert	Juv Court	Early Service	B	10/31/2015	F	
Lee Sr, Mark	MNPS	Service	B	12/1/2015	F	
Parrott Sr, Carlan L	MNPS	Service	B	11/14/2015	B	
Hollis, James	MNPS	Service	B	11/13/2015	A	1 YR
Anderson, Sandra	MNPS	Service	B	12/1/2015	E	
Martin, Nora E	MNPS	Service	B	10/31/2015	D	
Bowman, Nellie J	Health	Service	B	11/14/2015	Normal	1YR
Burks, Patricia A	MNPS	Service	B	11/7/2015	Normal	
Jiran, Emily	Health	Service	B	12/1/2015	A	
Carmen, Flemings	Gen Hospital	Service	B	12/1/2015	Normal	
Mann, Clifford	Police	Service	B	11/18/2015	Normal	3 Yr
Larkin, John C	MNPD	Early Service	B	10/27/2015	D	
McKenzie, Ramona E	Fire	Service	B	10/17/2015	F	3 Yr
Hudson, Glenn E	Sheriff's Office	Service	B	8/1/2015	B	
McKee, Hannah	MNPS	Early Service	B	10/30/2015	F	
Higgins, Brenda E	MNPS	Service	B	8/1/2015	Normal	
Daniel, Joe K	Police	Service	B	10/16/2015	F	

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

<u>Key Codes</u>	
<u>Options elected</u>	<u>Drop Elections</u>
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
Tommy E. Peters	Codes	Betty Peters	B	11/21/2015
Larry G. King	Police	Glenda King	A	11/26/2015
Rufus E. McKenzie Jr.	Fire	Edith McKenzie	Old Closed	11/22/2015
Willie F. Marable	BOE	Frances Marable	Old Closed	12/06/2015
Mark E. Hasty	Fire	Cindy Hasty	B	12/14/2015
Lee W. Robinson	BOE	Edna F. Robinson	B	12/16/2015
Roger A. Elliott	Water	Patricia Elliott	B	12/24/2015
James E. Stevens	BOE	Lola Stevens	A	12/24/2015

BENEFIT BOARD ITEMS

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

1. Disability pensioner's continuation of HiSet classes request for reconsideration – Pensioner from Metro Nashville Public Schools (MNPS).

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

2. Pensioner in line of duty medical care claim request for reconsideration – Pensioner from Police Department.

Christina Hickey reported to the Board that this pensioner is appealing the denial of their request for in line of duty medical care. She stated that the pensioner has also supplied additional medical information.

B.R. Hall moved to reconsider item 2, the pensioner in line of duty medical care claim request for reconsideration – Pensioner from Police Department. Doug Clariday seconded and the motion failed with Doug Clariday, B.R. Hall, Jerry Hall, Edna Jones and Todd Henry in favor and Christine Bradley, Veronica Frazier, Tom Curtis, Stephanie Bailey and Talia Lomax-O'dneal opposing.

3. In Line of Duty Committee report: (Chair: Jerry Hall; Vice-Chair: Veronica T. Frazier; Members: Charles D. Clariday and Christine Bradley. Alternates: Edna J. Jones and Talia Lomax-O'dneal).

Christina Hickey reported to the Board that item 5 from the In Line of Duty Committee, the in line of duty medical care request for the employee from the Fire Department, was presented at the December Board meeting from the November In Line of Duty Committee meeting. She stated that there appeared to be errors (typos) in the medical record and the Board requested that the correct information be sent back to the adjustors at ASC for review. Ms. Hickey stated that upon further review by the adjustors they have not changed their initial recommendation to deny the claim.

Committee Chair, Jerry Hall reviewed ASC's recommendation to deny the claim.

Stephanie Bailey moved to uphold the initial recommendation from ASC.

3. In Line of Duty Committee report: (continued)

Christina Hickey noted that this item was presented to the December Board with no recommendation from the Committee.

Stephanie Bailey moved to uphold the decision from ASC to deny item 5, the in line of duty medical care request for the employee from the Fire Department. Talia Lomax-O'dneal seconded.

B.R. Hall brought up the policy with ReviewMed and what it states regarding the physicians expertise and or specialty. He also brought up an issue with who actually reviewed this claim.

Mark Young, union representative, stated that he was under the impression that this claim would be sent back to the Committee for review. He also stated that he has not seen any of the records being discussed nor did he have knowledge of it being on the agenda for this meeting.

Doug Clariday brought up an issue with the physician selected by ReviewMed not being licensed in the state of TN.

After some discussion regarding the errors (typos) in the medical record and the medical history from the Health Department a vote was taken on the motion to uphold the recommendation from ASC to deny the claim and failed with

Vickie Hampton, ASC, was present.

Todd Henry moved to defer this item to allow the employee to have a copy of the record and that the medical history from the Health Department be included in the record.

Vickie Hampton stated that the entire record was sent to ReviewMed, however, with these types of claims, ASC only puts the pertinent information in the report to the Board because the files are so large. She stated that all the records can be provided if that is what the Board would like.

After clarification that this item will be sent back to the In Line of Duty Committee and issues with what the policy states versus what was actually done by ReviewMed, and how knowledgeable the staff is, a vote was taken on the motion to refer this item back to the In Line of Duty Committee and was approved without objection.

There was further discussion regarding ReviewMed and the process to review claims.

There was also some discussion regarding what/who is considered an expert in certain fields and having to go out of the state because some physicians do not want to review TN files and the physicians used being certified in the state of TN.

4. Medical and Life Committee report: (Chair: Jerry Hall; Vice-Chair: Stephanie Bailey; Members: Christine Bradley, Charles D. Clariday, Veronica Frazier and B.R. Hall, Sr. Alternates: W. Todd Henry and Talia Lomax O'dneal)

Christina Hickey reported to the Board that the Medical and Life Committee met on Tuesday, December 15, 2015 to deliberate on two self-insured Choice Fund plan appeals. The Committee deferred one item back to the Committee pending more medical documentation and has one recommendation for the Board. She also stated that the minutes from this meeting are attached for approval.

Committee Chair Jerry Hall asked if there were any amendments, corrections or questions of the minutes from the December 15, 2015 In Line of Duty Committee meeting. With no corrections, nothing further was noted and Doug Clariday moved for approval of the minutes. Christine Bradley seconded and the Board approved without objection.

Christina Hickey noted that this appeal was initially filed under workers compensation and by the time it was resubmitted, the time period for filing had lapsed.

4. Medical and Life Committee report: (continued)

Committee Chair Jerry Hall reviewed the recommendation with the Board that on item 1, the self-insured Choice Fund plan appeal, the Committee recommends that the Board approve coverage for this claim for this particular member only based on the specific facts in this case. Stephanie Bailey moved for approval of the recommendation that the Board approve coverage for this claim for this particular member only based on the specific facts in this case. Doug Clariday seconded and the Board approved without objection.

5. 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.

6. Correspondence:

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

Items 6.-a. through 6.-c. were for information only and no action was required.

7. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Refund of pension contributions. (none to report)
- d. Repayment of pension contributions.
- e. Non-compliant disability pensioners.
- f. Pending litigations. (reported quarterly)
- g. Denial log from Alternative Service Concepts (ASC).
- h. Benefit Board budget.
- i. Accomplishments for 2015.

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

Christina Hickey made note of item 7.-i.

Christina Hickey informed the Board that the Chair and Vice-Chair have completed the new Committee assignments.

8. Late item(s):

There were no late items presented at the meeting.

With nothing further presented, the meeting adjourned at 10:13 a.m.

ATTEST:

APPROVED:

Veronica T. Frazier, Director
Human Resources

Edna J. Jones, Chair
Employee Benefit Board