

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

September 6, 2016

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, September 6, 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. Matthew Hine, Civil Service Medical Examiner.

A. MINUTES: Chair Edna Jones called the meeting to order and said the first order of business was to determine if there were any amendments, corrections or questions of the minutes from the last regular meeting held on August 2, 2016. With no corrections, nothing further was noted and Jerry Hall moved for approval. Doug Clariday 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 noted that some additional information was passed out related to item 7.

Dr. Matthew Hine, Civil Service Medical Examiner, (CSME), and Claire Cobb, CSME Assistant, reviewed the disability pensions with the Board.

Dr. Matthew Hine reported to the Board that he recommends approval of the disability pension new requests, items 1 through 3, for the length of time as recommended. Stephanie Bailey moved for approval of the recommendation to approve the disability pension new requests, items 1 through 3 for the length of time as recommended. Tom Curtis seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that on item 4 he recommends approval of the disability pension new request with a return to work with restrictions as outlined. Stephanie Bailey moved for approval of the recommendation on item 4 to approve the disability pension new request with a return to work. Tom Curtis seconded.

Evin Bayliss, Sheriff's Office, stated that they are not aware of what the return to work restrictions are and whether or not they can meet the accommodations.

Dr. Matthew Hine reviewed the restrictions.

There was some discussion of the restrictions not being in line with the physical demands of the individual's position.

Dr. Matthew Hine stated that if there are no alternative positions available he recommends approval with re-exam in 6 months.

After some discussion of what happens after the 6 month period, placing the individual in another position and current vacancies, Stephanie Bailey rescinded her motion.

Jerry Hall moved for approval of the recommendation to approve the disability pension new request, item 4, for the length of time as recommended. B.R. Hall seconded and the Board approved with Talia Lomax-O'dneal abstaining.

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

Dr. Matthew Hine reported to the Board that on item 5 he recommends approval of the disability pension new request as a medical disability pension with a return to work with restrictions as outlined. Dr. Hine also reviewed the restrictions.

Charles Boddie, Public Works, stated that they can not accommodate the restrictions.

After some discussion of what is going to be approved and for how long, Jerry Hall moved for approval of the recommendation to approve the disability pension new request, item 5, as a medical disability pension with review in six months. Doug Clariday seconded and the Board approved without Stephanie Bailey opposing.

Dr. Matthew Hine reported to the Board that on item 6 he recommends approval of the disability pension new request with a return to work with restrictions as outlined. Dr. Hine reviewed the restrictions and stated that if the restrictions can not be accommodated he recommends approval and review in one month.

Evin Bayliss, Sheriff's Office, stated that they can not accommodate the restrictions.

After some discussion of obtaining the results of the functional capacity evaluation, Stephanie Bailey moved to defer this item for one month.

After some discussion of the individual being out of time and approving the disability pension, Stephanie Bailey withdrew her motion.

Jerry Hall moved for approval of the recommendation to approve the disability pension new request, item 6, for the length of time as recommended. Christine Bradley seconded and the Board approved without objection.

On item 7, Dr. Matthew Hine reported to the Board that after review of the additional medical information he recommends approval of the disability pension new request for the length of time as recommended (3 months). He also reviewed the medical record and the basis for approving the disability pension.

B.R. Hall moved for approval of the recommendation to approve the disability pension new request, item 7, for the length of time as recommended. Doug Clariday seconded.

A representative from Planning was present.

A vote was taken on the motion to approve the disability pension new request, item 7, for the length of time as recommended and the Board approved without objection.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 8 through 15 for the length of time as recommended and evaluations where noted. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 8 through 15 for the length of time as recommended and evaluations where noted. Jerry Hall seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexamination item 16 for the length of time as recommended and citing no improvement as the basis for the length of time. Doug Clariday moved for approval of the recommendation to continue the disability pension reexamination item 16 for the length of time as recommended. Jerry Hall seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexamination item 17 for the length of time as recommended. B.R. Hall moved for approval of the recommendation to continue the disability pension reexamination item 17 for the length of time as recommended. Doug Clariday seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that on item 18 he requests a deferral for one month. B.R. Hall moved

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

for approval of the request to defer item 18 for one month. Doug Clariday seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that on item 19 he recommends approval of return to work.

The employee and Margaret Brook, attorney, were present.

Jerry Hall moved for approval of the recommendation of return to work on item 19. Tom Curtis seconded.

Jackie Hoffman, Police Department, was present and stated they can return the individual to work.

It was noted that the individual indicated that he is not comfortable in going back to work and he was advised to discuss any concerns with the Police Department Human Resources.

A vote was taken on the motion on item 19 to return the individual to work and the Board approved with B.R. Hall and Doug Clariday abstaining.

Dr. Matthew Hine reported to the Board that on item 20 the Fire Department is requesting an extension of the 60 day return to work requirement. He stated that the individual is currently going through the required pre-hire screening process with an anticipated return date of October 16.

Jamie Summers, Fire Department, was present and stated that the department would not have to have a separate training for this individual.

Stephanie Bailey moved for approval of the request to extend the 60 days on the return to work. Jerry Hall seconded.

There was some discussion regarding whether or not the Board has the authority to extend the 60 days.

Nicki Eke, Legal Department, reviewed what the Code states regarding return to work. She stated that once the Board has determined that the pensioner is medically capable of returning to work the department that the pensioner last worked in will be notified that the pensioner is medically capable of returning to work. If the department fails to return the pensioner to work within 60 days of the date of notification to the department the cost of all continuing disability payments will be allocated to the pensioner's former department. She stated that the issue is the date that the Board determines the person is able to return to work. She stated that date is within the Board's authority.

After some discussion of whether or not the issue is who pays the pension after the 60 days, modifying the 60 days and a class beginning within a few weeks, Stephanie Bailey withdrew her motion.

B.R. Hall moved to return the individual to work effective September 1. Christine Bradley seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Marjan M. Gharacholou	Health	Medical	As moved, seconded and approved, this disability pension request was approved for two months, (November 2016), with re-exam at that time.
2.	Jeffrey S. Lewis	Parks	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (March 2017), with re-exam at that time.

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

NEW REQUESTS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
3.	Rinona L. Taylor	Health	Medical	As moved, seconded and approved, this disability pension request was approved for three months, (December 2016), with re-exam at that time.
4.	Donald W. Halen, Jr.	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for six months, (March 2017), with re-exam at that time.
5.	John W. Shelton, II	Public Works	In Line of Duty/Medical	As moved, seconded and approved, this disability pension request was approved as a medical disability pension for six months, (March 2017), with re-exam at that time.
6.	Christine J. Zetelski	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for one month, (October 2016), with re-exam at that time.
7.	Cynthia L. Wood	Planning	Medical	As moved, seconded and approved, this disability pension request was approved for three months, (December 2016), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
8.	Stephen E. Beck	Police	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
9.	Gidget S. Hamilton	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (March 2017), with re-exam at that time.
10.	William B. Hitchcox	Police	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
11.	Susan M. Langhi	Juvenile Court	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.

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

REEXAMINATIONS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
12.	David W. McNeil, Jr.	Public Works	Medical	As moved, seconded and approved, this disability pension was continued with a functional capacity evaluation for two months, (November 2016), with review at that time.
13.	Lokman M. Rashid	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension was continued for three months, (December 2016), with re-exam at that time.
14.	Tammy L. Sampson	Circuit Court Clerk	Medical	As moved, seconded and approved, this disability pension was continued for nine months, (June 2017), with re-exam at that time.
15.	Daniel P. Schager	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
16.	Julie A. Sloan	Fire	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
17.	Andrea N. Swisher	Police	Medical	As moved, seconded and approved, this disability pension was continued for six months, (March 2017), with re-exam at that time.
18.	Alonzo N. Giles	Juvenile Court	Medical	As moved, seconded and approved, this disability pension was deferred/continued for one month, (October 2016), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
19.	DeJuan L. Daniels	Police	In Line of Duty	As moved, seconded and approved, this individual was placed on the return to work list.
20.	James C. Medley	Fire	Medical	As moved, seconded and approved, this individual was placed on the return to work list.

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

SOCIAL SECURITY REFERRALS:

Dr. Matthew Hine reported to the Board that the CSME concurs with the case management recommendations on the Social Security referrals.

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	Binkley, Tammy	MNPS	Pension Approval	No	No	CI does not meet SSDI guidelines
2	Cook, Linda	MNPS	Pension Approval	No	No	CI does not meet SSDI guidelines
3	Cox, Dorothy	General Hospital	Pension Approval	Yes	Yes	Evaluation
4	Feggins, Vincent	Sheriff	Pension Approval	Yes	Yes	Evaluation
5	Rice, James	Bordeaux	Pension Approval	Yes	Yes	CI meets SSDI vocational guidelines

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

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

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Claudia Lowe *	General Hospital	Supv, Laboratory Section	B	08/12/2016	04/15/2015
Joyce Jones	County Clerk	Deputy Clerk 2	B	08/10/2016	09/17/2016
Billy Burton	MNPS	MONITOR - SCHOOL BUS	B	07/27/2016	08/04/2016
Raven Chadwell	Sheriff	Sheriff Case Worker 2	B	08/17/2016	09/30/2016
Jeffrey Wisner	Police	Police Officer 2	B	07/27/2016	08/05/2016
Ada Thaxter	Police	Police Lieutenant	B	08/03/2016	09/21/2016
Paulette Knowles	MNPS	CASHIER - FOOD SVC	B	08/18/2016	08/04/2016
Lawrence Sloan Jr	Fire	Fire Fighter/Paramedic	B	08/24/2016	08/09/2016
Bill McCreynolds	Sheriff	Sheriff Case Worker 1	B	08/10/2016	08/20/2016
Myrtle Clopton	MNPS	ED ASST - EX ED PRE-K	B	08/24/2016	08/20/2016
Judy Marsh	MNPS	SECRETARY/BOOKKEEPER	B	08/12/2016	07/01/2016
Joseph Padula	State Trial Courts	Judicial Asst 1	B	08/24/2016	10/01/2016
Charles Settle Jr	Circuit Court	Satellite position	B	08/05/2016	08/05/2016
Michael York	MNPS	MONITOR - IN-SCHOOL SUSPENSION	B	08/08/2016	08/13/2016
Shirley Marks	Sheriff	Sheriff Case Worker 2	B	07/27/2016	09/01/2016
Thomas Bowden	Police	Police Officer 2	B	08/24/2016	10/08/2016
Janie Romines	Sheriff	Correctional Officer 1	B	08/24/2016	11/15/2016
Lynnaire Sperle	Police	Police Operations Supv	B	08/03/2016	08/01/2016
Sharon Taylor	MNPS	SECRETARY/CLERK	B	08/02/2016	08/06/2016
Eddie Keesee	MNPS	SKILL LABORER - PAINTING	B	07/27/2016	09/15/2016
Crystal Grimes	Water Services	Engineering Tech 3	B	07/27/2016	09/01/2016
Sharon Trent	Sheriff	Sheriff Prisoner Processor 1	B	08/03/2016	08/13/2016
Daniel Ogren	Police	Police Sergeant	B	07/27/2016	08/14/2016
Felix Hills	Police	Bldg Maint Leader	B	08/24/2016	09/16/2016
Sharon Gilliam	Police	Police Operations Coord 2	B	08/10/2016	08/18/2016
Michael Henning	General Services	Office Support Rep 3	B	08/10/2016	08/13/2016

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

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Carl Gupton	Water Services	Indust Maint Supv 1	B	07/29/2016	09/01/2016
Cheryl Edwards	Health	Office Support Spec 2	B	08/10/2016	10/01/2016
Alvin Humphrey	Water Services	Water Maint Leader 2	B	08/03/2016	10/08/2016
Douglas Graves	Fire	Fire District Chief	B	08/10/2016	08/27/2016
Donna Draper	State Trial Courts	Admin Svcs Officer 4	B	08/10/2016	09/07/2016
Gary Kemper	Police	Police Sergeant	B	07/27/2016	09/15/2016
Alice Murphy	Police	Police Operations Coord 1	B	07/05/2016	08/01/2016
Michael Cousin	NCAC	Sr. Youth CDF-NCAC	B	08/03/2016	09/06/2016
Yvonne Christopher	Health	Outreach Worker	B	08/03/2016	08/27/2016
Dennis Hamm	Police	Police Officer 2	B	08/03/2016	09/02/2016
Barbara McCormick *	Bordeaux	Registered Nurse	B	08/24/2016	10/01/2016
Bernard Hetherington *	Sheriff	Correctional Officer 1	B	08/09/2016	05/01/2016
Gwendolyn Merrimon *	Bordeaux	Nursing Asst -Certified 1	B	08/03/2016	10/01/2016
Bennie Nicholson *	Health	Group Care Worker	B	07/29/2016	04/01/2007

*deferred benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Gloria Ellison	Health	B	08/01/2016
John Brown	Water Services	B	08/01/2016
Joseph Cook	MNPS	B	08/01/2016
John Smith	MNPS	B	08/01/2016
Sandra Strickland	MNPS	A	08/01/2016
Charles Gundlach	Water Services	A	08/01/2016
Deborah Bell	MNPS	B	08/01/2016

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Delores Buntin	General Hospital	Service With Option	B	08/01/2016	Option F	
Cheryl Markman	Public Library	Service With Option	B	07/01/2016	Option E	
Edgar Utley	County Clerk	Service Without Option	B	07/20/2016	Normal	
Patricia Steinmann	MNPS	Service With Option	B	07/06/2016	Option E	
Teola Hegwood	MNPS	Service Without Option	B	08/04/2016	Normal	
Kathy Carter	Health	Service With Option	B	07/29/2016	Option B	
Mary Kelley	MNPS	Service Without Option	B	07/01/2016	Normal	3
John Mccullough	MNPS	Service Without Option	B	08/04/2016	Normal	
Don Pass	Sheriff	P&F Service Pen Without Option	B	06/18/2016	Normal	
Donna Jones	MNPS		B			
Kathy Nicholson	MNPS	Service With Option	A	07/01/2016	Option E	3
Linda Simmons	MNPS	Service Without Option	B	07/06/2016	Normal	
Deborah Walker	MNPS	Service Without Option	B	07/21/2016	Normal	
Mark Arnett	MNPS	Service With Option	B	07/01/2016	Option F	
Wayne Taylor	MNPS	Early Service With Option	B	08/04/2016	Option B	
Tom Peters	MNPS	Service With Option	B	07/01/2016	Option F	
Brenda Roberts	MNPS	Service Without Option	B	07/01/2016	Normal	
Addie Baker	MNPS	Early Service With Option	B	08/03/2016	Option D	
Sue Rosinbum	MNPS	Service With Option	B	07/01/2016	Option F	
Kathleen Welch	MNPS	Service With Option	B	07/07/2016	Option D	
Patricia Crosslin	MNPS	Early Service With Option	B	07/01/2016	Option B	
Lynnaire Sperle	Police	Service Without Option	B	08/01/2016	Normal	3
Michael Garmon	Sheriff	P&F Service Pen Without Option	B	07/16/2016	Normal	

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

Options Elected (continued)

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Junell Dunlap	Sheriff	P&F Service Pen With Option	B	07/03/2016	Option A	
Janet Dotson	Parks	Service With Option	B	07/09/2016	Option F	
Lynn Ratliff	Police	Early Service Without Option	B	07/16/2016	Normal	
Kristian Murphy	Fire	Early Service Without Option	B	06/30/2016	Normal	
Raymond Nash Jr	Fire	P&F Service Pen With Option	B	07/08/2016	Option E	
James Norman	Fire	P&F Service Pen With Option	B	07/08/2016	Option E	1
Michael Raines	General Services	Service With Option	B	07/06/2016	Option B	1
Larry Frierson	Fire	Service Without Option	B	06/24/2016	Normal	3
Edward Lanius	Finance	Service With Option	B	07/16/2016	Option F	
Jeanette Reams	Parks	Early Service With Option	B	07/15/2016	Option F	
Rhonda Burnette	Water Services	Service Without Option	B	07/30/2016	Normal	
William Williams	Public Works	Service Without Option	B	07/21/2016	Normal	
Natalie Wiggins	Emergency Communication Center	Service Without Option	B	07/11/2016	Normal	1
James Arendall	Police	P&F Service Pen With Option	B	07/30/2016	Option E	3
Kelvin Jenkins	Police	Service With Option	B	08/01/2016	Option A	3
Lelyette Bryan Jr	NCAC	Service With Option	B	07/01/2016	Option A	
Michael Clark	Police	P&F Service Pen Without Option	B	07/18/2016	Normal	3
Leonard Bradley Jr	Water Services	Service With Option	B	07/16/2016	Option A	
Calvin Hullett	Police	P&F Ser Pension From Med Dis	B	08/01/2016	Option E	
John Lane	MNPS	Service With Option	B	06/01/2016	Option D	
Alta Brown	General Hospital	Service With Option	B	07/01/2016	Option D	
Shirley Carter	MNPS	Service With Option	B	08/01/2016	Option D	
William Chrisman	Sheriff	Service With Option	B	06/02/2016	Option D	

<u>Key Codes</u>	
<u>Options</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	Department	Survivor Name	Plan A/B	Effective Date
Dorothy Murphy	Police	Curtis Murphy Sr	B	08/07/2016
Steven Herndon	General Services	Kaylee Herndon	B	07/27/2016
Wanda Pugh	MNPS	James Pugh	B	08/19/2016
Jacques Hill	MNPS	Judith Hill	B	08/05/2016
Charles Beasley	Fire	Barbara Beasley	B	08/07/2016
Billy Stapleton	County Clerk	Mary Stapleton	B	07/30/2016
Claude Allen	MNPS	Betty Allen	A	07/26/2016
Vivian Roach	MNPS	William Roach	B	07/26/2016
Shukry Ahmad	MNPS	Hemal Musa	B	07/27/2016
David Gann	Fire	Chelsea Gann	B	08/19/2016
Mack Rigsby	Public Works	Deborah Rigsby	B	07/31/2016
Angela McClain	Health	Mark Williams	B	08/06/2016

BENEFIT BOARD ITEMS

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

1. In Line of Duty Committee report.

Christina Hickey reported to the Board that the In Line of Duty Committee (IOD) met on August 23, 2016 to deliberate on 9 IOD medical care requests. She stated that some items 2, 3, 4, 8 and 9 were deferred until the

1. In Line of Duty Committee report. (continued)

next IOD Committee meeting and the Committee's actions are outlined below. She also stated the minutes from that Committee meeting are being presented and noted one correction.

Committee Chair Jerry Hall stated that Committee item 7 has requested a deferral and asked if there were any other amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting. There being none Doug Clariday moved for approval of the In Line of Duty Committee minutes. Talia Lomax-O'dneal seconded and the minutes were approved without objection.

Jerry Hall reviewed the recommendations with the Committee.

He stated that on item 1, the IOD medical care request for the employee from the Fire Department, the Committee recommended that the Board **overturn** ASC's determination to deny the IOD medical care claim for the first claim. He stated the appellant withdrew the second and third claims and the Committee did not have a recommendation on the fourth claim due to a lack of motion.

The employee and his attorney, Dewey Branstetter, were present.

Mark Young, union representative was present.

Edna Jones moved for approval of the recommendation on item 1, the IOD medical care request for the employee from the Fire Department that the Board overturn ASC's determination to deny the IOD medical care claim for the first claim. Doug Clariday seconded.

There was some discussion of underlying factors that may be related to or contributed to the condition (stomach cancer), what the presumption states and setting a precedent.

There was some discussion of the employee's job duties and how those duties may have contributed to the condition and the presumption.

Dewey Branstetter addressed the Board regarding the presumption.

Veronica Frazier called for the question closing off any further debate.

Christina Hickey restated the motion.

There was a request to know how many other claims have been approved for this particular condition and if this item could be deferred.

Vickie Hampton stated that she has that information available.

Point of parliamentary procedure was called and a vote was taken on the motion to overturn ASC's determination to deny the IOD medical care claim for the first claim on item 1, the IOD medical care request for the employee from the Fire Department and was approved with Edna Jones, Doug Clariday, B.R. Hall, Jerry Hall and Todd Henry in favor and Stephanie Bailey, Christine Bradley and Talia Lomax-O'dneal opposing and Tom Curtis and Veronica Frazier abstaining.

It was reiterated that the Board would like to have injury on duty claim information for stomach cancer claims previously approved by the Board.

With regards to the employee's remaining claims, Nicki Eke, Legal Department, informed the Board that there is no presumption that applies to one of the conditions (diabetes).

It was also reiterated that the individual withdrew the remaining claims.

On item 5, the IOD medical care request for the employee from the Fire Department, the Committee did not have a recommendation due to a lack of a motion.

1. In Line of Duty Committee report. (continued)

The employee and Mark Young, union representative, were present.

Mark Young stated that the physicians at the injury on duty clinic could not determine when or how the injury occurred.

The employee reviewed his activities on the day of the injury.

There was some discussion regarding the emergency room physician's nor the physicians at the injury on duty clinic could not determine when or how the injury occurred.

There was also some discussion of the report from the fire hall regarding the pest control services used.

After some discussion regarding his work duties that day, Edna Jones moved to grant item 5, the IOD medical care request for the employee from the Fire Department. Doug Clariday seconded and the Board approved with Talia Lomax-O'dneal and Veronica Frazier opposing.

On item 6, the IOD medical care request for the pensioner from the Fire Department, the Committee recommended that the Board uphold ASC's determination to deny the IOD medical care claim.

The employee was not present.

Mark Young, union representative, was present and addressed the Board regarding any prior 101's filed and or claims.

Daryl Dillehay, Fire Department, stated that individual has a very small file but nothing related to this condition.

Stephanie Bailey moved to uphold ASC's determination on item 6, the IOD medical care request pensioner from the Fire Department, to deny the IOD medical care claim. Veronica Frazier seconded and the Board approved with B.R. Hall and Doug Clariday opposing.

Doug Clariday moved to defer item 7, the IOD medical care request for the employee from the Police Department. Todd Henry seconded and the Board approved without objection.

2. Medical and Life Committee report.

Christina Hickey reported to the Board that at the August 16th Medical & Life Committee, the Committee heard the appeal of an employee who participated in the flexible spending account (FSA) plan for part of the calendar year 2015 and is appealing the denial for reimbursement for dependent child care. She stated that WageWorks, the plan's administrator, has denied this claim because it was received after the claims submission deadline. Ms. Hickey also stated that the minutes from that Committee meeting are also being presented.

Committee Chair Jerry Hall asked if there were any other amendments, corrections or questions of the minutes from the Medical and Life Committee meeting. There being none Doug Clariday moved for approval of the Committee minutes. Talia Lomax-O'dneal seconded and the minutes were approved without objection.

Jerry Hall reviewed this appeal with the Board. He stated that this involves the Internal Revenue Service (IRS) rules regarding FSA as provided in Metro's cafeteria plan as well as eligible expenses under the plan. He stated that if the Board decided to reimburse the employee it would jeopardize Metro's plan.

Nicki Eke, Legal Department, informed the Board that the plan has to be administered in a manner that complies with IRS rules. She stated that if the plan is not administered in such manner, all monies will become taxable.

There was some discussion regarding the plan's 90 day rule and possible changing that rule.

Nicki Eke stated that she will review the 90 day rule provision and informed the Board that it can not be applied retroactively. She stated that any change will have to be for the future.

2. Medical and Life Committee report. (continued)

Edna Jones moved to deny the FSA plan appeal. Christine Bradley seconded and the Board approved without objection.

3. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Cigna formulary changes.

Items 3.-a. through 3.-c. were for information only and no action was required.

Christina Hickey made note of item 3.-c.

4. Reports for your information:

- a. Return to work. (none to report)
- b. Social Security approvals. (none to report)
- c. Refund of pension contributions. (none to report)
- d. Repayment of pension contributions.
- e. Litigation report.
- f. Denial log from Alternative Service Concepts.
- g. Benefit Board budget reports.

Items 4.-a. through 4.-g. were for information only and no action was required.

5. Late item(s):

There were no late items reported at the meeting.

At this time, Veronica Frazier informed the Board that she will be retiring and this is her last Board meeting. She stated that John Kennedy will be interim Director.

With nothing further presented, the meeting adjourned at 10:39 a.m.

ATTEST:

APPROVED:

Veronica T. Frazier, Director
Human Resources

Edna J. Jones, Chair
Employee Benefit Board