

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

November 1, 2016

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, November 1, 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, B.R. Hall, Sr., Jerry Hall, W. Todd Henry, John P. Kennedy 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 October 4, 2016. With no corrections, nothing further was noted and Doug Clariday moved for approval. Talia Lomax-O'dneal 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.

Edna Jones welcomed John Kennedy, Interim Director of Human Resources to the 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. Matthew Hine, Civil Service Medical Examiner, (CSME), and Claire Cobb, CSME Assistant, reviewed the disability pensions with the Board.

Edna Jones noted that there is some additional information related to item 17.

Dr. Matthew Hine reported to the Board that on item 1, he recommends denial of the disability pension request. He stated that the medical record does not support the request.

The employee was present and addressed the Board regarding her condition.

There was not a representative from Metropolitan Nashville Public Schools present.

There was some discussion regarding the origin of the condition and treatment.

Dr. Matthew Hine reviewed the medical record with the Board. He stated that he has not examined the individual, however, the medical record indicates the onset of pain coincided with childbirth. He also reviewed her current treatments and alternative/recommended treatments.

The individual addressed the Board regarding her diagnoses, medications and treatments. She also discussed her job duties.

There was some discussion regarding the imaging studies.

There was further discussion regarding the medical record, obtaining more medical information and possibly a functional capacity evaluation, (FCE).

Jerry Hall moved for approval of deferring item 1 and having a FCE done. John Kennedy seconded.

There was also some discussion regarding pain management, potential issues with long term pain management and the board's authority regarding this request.

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

Nicki Eke, Legal Department, stated that the Board has the authority to gather additional medical information that will assist in making a decision whether or not a pension is approved.

After some discussion of also assigning case management to assist with the FCE and also obtaining an independent medical evaluation, (IME) a vote was taken on the motion on item 1 to defer the request and assign case management to assist with the FCE and IME and was approved without objection.

Dr. Matthew Hine reported to the Board that on item 2, he recommends approval of the disability pension new request, as in line of duty for the length of time as recommended.

The employee was present, however, they declined to address the Board.

Stephanie Bailey moved for approval of the recommendation to approve the disability pension new request, item 2, as in line of duty for the length of time as recommended. Jerry Hall seconded and the Board approved without objection.

Dr. Matthew Hine also suggested that case management be offered.

After some discussion regarding the individual previously having case management, the motion was amended to include assigning case management and a vote was taken on the amended motion to approve the disability pension new request, item 2, as in line of duty for the length of time as recommended with case management and was approved without objection.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexamination, item 3, as a medical disability pension for the length of time as recommended. He also noted that the individual will be able to convert to a service pension in one year.

The individual was present and requested that this item be deferred because her attorney is unable to be present.

B.R. Hall moved for approval of deferring item 3 for one month. Doug Clariday seconded and the Board approved with Stephanie Bailey opposing.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 4 through 11 for the length of time as recommended. Jerry Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 4 through 11 for the length of time as recommended. B.R. Hall seconded and the Board approved without objection.

On item 12, the individual and her attorney, Worrick Robinson were present.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexamination, item 12 for the length of time as recommended with a FCE by a hand specialist.

Worrick Robinson addressed the Board regarding the medical information already in the file from a hand specialist. He also stated that this information has already been provided and it's not necessary to spend additional money.

There was some discussion regarding the purpose of the FCE.

The Board discussed the individual being able to perform the duties of a police officer and what the Code states regarding returning a police officer to work.

Jerry Hall moved for approval of continuing the disability pension reexamination, item 12 for one year. Doug Clariday seconded and the Board approved with Stephanie Bailey opposing.

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

Dr. Matthew Hine reported to the Board that on items 13 and 14, he requests a deferral for one month. B.R. Hall moved for approval of the request to defer items 13 and 14 for one month. Doug Clariday seconded and the Board approved without objection.

On item 15, Dr. Matthew Hine reported to the Board that he recommends approval of return to work with restrictions. He also stated that if the restrictions cannot be accommodated, he would recommend continuing the disability pension for four months with vocational assessment.

Evin Baylis, Sheriff's Office, was present.

The individual was also present and addressed the Board. He presented additional medical information from one of his treating physicians regarding his ability to return to work.

There was some discussion as to whether or not this information will change the recommendation.

Dr. Matthew Hine stated that the information reviewed is similar to a document currently in the medical record and reviewed the results of the independent psychological evaluation that indicate he could work in a certain position.

Evin Baylis stated that the restrictions are very specific and they would need clarification on as far as how much inmate interaction would be appropriate for the individual.

There was some discussion regarding the work environment and inmate contact.

There was further discussion regarding situations the individual should avoid as described in the medical record.

Evin Baylis stated that they would not be able to accommodate the individual.

There was also some discussion regarding the individual's treatment.

B.R. Hall moved for approval of continuing item 15 for four months, with vocational assessment. Talia Lomax-O'dneal seconded and the Board approved with Stephanie Bailey abstaining.

Dr. Matthew Hine reported to the Board that on item 16 he recommends approval of return to work with restrictions as outlined in the FCE. He also stated that if the restrictions cannot be accommodated, he would recommend continuing the disability pension for four months with vocational assessment.

Philip Jones, Public Works, was present and stated they are not able to accommodate the restrictions.

B.R. Hall moved for approval of continuing item 16 for four months, with vocational assessment. Doug Clariday seconded and the Board approved with Stephanie Bailey opposing.

On item 17, it was noted that there was some additional medical information distributed and the individual was also present.

Dr. Matthew Hine reported to the Board that on item 17 he recommends a return to work with restrictions based on the new information received from the treating physician. He also stated that he reached out to the treating physician for clarification on statements regarding not returning to work. He stated that he based the recommendation on the medical information from the surgeon.

Don Parham, Metro Action Commission, was present. He stated that they are not able to accommodate the restrictions.

After some discussion of the individual's job duties and the restrictions, Jerry Hall moved for approval of continuing item 17 for four months. Doug Clariday seconded and the Board approved without objection.

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

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Tiffany S. Moore	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was deferred.
2.	Gerald L. Wright	Public Works	Medical/ In Line of Duty	As moved, seconded and approved, this disability pension request was approved as in line of duty for one year, (November 2017), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
3.	Deborah A. Berryhill	Police	In Line of Duty/Medical	As moved, seconded and approved, this disability pension re-exam was continued/deferred for one month, (December 2016), with re-exam at that time.
4.	Ralph J. Celentano, Jr.	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (March 2017), with re-exam at that time.
5.	Vincent C. Coates	Police	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
6.	Linda M. Cook	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for three months, (February 2017), with re-exam at that time.
7.	Richard T. Foley, III	Police	Medical	As moved, seconded and approved, this disability pension was continued for one year, (November 2017), with re-exam at that time.
8.	Tracey L. Fortner	Fire	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
9.	Henrietta Garrett	Metro Action Commission	In Line of Duty	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
10.	Eric E. Meihls	Police	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)

11.	Paul B. Sparkman	Public Works	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (March 2017), with re-exam at that time.
12.	Kimberly A. Towers	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for one year, (November 2017), with re-exam at that time.
13.	Marjan M. Gharacholou	Health	Medical	As moved, seconded and approved, this disability pension was continued/deferred for one month, (December 2016), with re-exam at that time.
14.	Jerry L. Jamison	Water	Medical	As moved, seconded and approved, this disability pension was continued/deferred for one month, (December 2016), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
15.	Christopher D. Allgood	Sheriff	Medical	As moved, seconded and approved, this disability pension was continued with vocational case management for four months, (March 2017), with review at that time.
16.	David W. McNeil, Jr.	Public Works	Medical	As moved, seconded and approved, this disability pension was continued with vocational case management for four months, (March 2017), with review at that time.
17.	Tammy L. Clay	Metro Action Commission	Medical	As moved, seconded and approved, this disability pension was continued for four months, (March 2017), with review at that time.

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. Jerry Hall seconded and the Board approved without objection.

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

SOCIAL SECURITY REFERRALS:

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral	Comments
1	Thomas, Michael D., Jr.	Parks	Pension Approval	Yes	Yes	CI meets SSDI Listing
2	Woodard, Jessie R.	Circuit Court Clerk	Pension Approval	Yes	Yes	CI meets SSDI Listing

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

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

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Dora Baird *	General Hospital	School Crossing Guard	B	10/05/2016	11/01/2016
Doris Hall	Human Resources	Office Support Spec 2	B	10/20/2016	12/10/2016
Sandra Driver	NCAC	Career Coach-NCAC	B	09/28/2016	11/05/2016
Geraldine Hill	MNPS	ASST - SCHOOL GENERAL	B	09/28/2016	05/27/2016
Peggy Hudson	MNPS	MGR - FOOD SERVICE II	B	10/05/2016	11/01/2016
Peggy Hudson	MNPS	MGR - FOOD SERVICE II	B	10/05/2016	11/01/2016
Angela Mcghee	Metro Action Commission	PF& Comm Engagement Adv II-MAC	B	10/05/2016	12/31/2016
Cheryl Brown	Social Services	Homemaker	B	10/12/2016	12/31/2016
Cora Pinkerton	Social Services	Homemaker	B	10/19/2016	12/31/2016
Jacqueline Claywell	General Services	Application Tech 3	B	10/19/2016	11/05/2016
Joseph Page	Assessor of Property	Info Systems App Analyst 3	B	10/12/2016	12/16/2016
Edward Hawkins	Water Services	Indust Tech Master	B	10/05/2016	12/01/2016
Stanley Romine	Finance	Finance Asst Dir	B	10/11/2016	11/05/2016
Carolyn Sullivan	Public Library	Circulation Asst 2	B	10/19/2016	12/15/2016
James Mcgee	Public Library	Library Assoc 1	B	10/05/2016	11/11/2016
Charles Rachel Jr	Public Works	Engineer Technician Senior	B	09/28/2016	11/01/2016
Fannie Nance	MNPS	ED ASST - EX ED ONE TO ONE	B	10/12/2016	08/04/2016
Michael Johnson	Police	Police Officer 2-Fld Trng Ofcr	B	09/28/2016	10/15/2016
Thomas Medlin	Trustee	Deputy Trustee	B	09/28/2016	02/20/2017
Daniel Layne	Police	Police Officer 2	B	09/28/2016	11/28/2016
David Campbell	Health	Health Manager 2	B	10/05/2016	12/29/2016
Jenna Smith	Public Works	Special Projects Mgr	B	10/07/2016	12/01/2016
Annetta Beasley *	Sheriff	Admin Svcs Officer 1	B	11/03/2016	12/01/2016
William Lovell Jr *	Codes Administration	Property Stan Insp 1	B	10/12/2016	11/01/2016
Bobby Kenner *	Office of Emergency Mgmt	Operations Officer	B	10/19/2016	01/01/2016
Gwendolyn Merrimon *	Bordeaux Long Term Care	Nursing Asst -Certified 1	B	08/03/2016	10/01/2016
Jeffrey Goforth *	Police	Police Officer 1	B	09/15/2016	11/01/2016

* *Deferred Benefit*

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Richard Davidson	Public Works	B	10/01/2016
Suzette Neal	MNPS	B	10/01/2016
Danny Mosley	Water Services	B	10/01/2016
Phil Pardue	Police	A	10/01/2016
Sherry Driver	MNPS	B	10/01/2016
Johnny Mercer	Fire	B	10/01/2016
Betty Morgan	General Hospital	B	10/01/2016

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

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Michael Mcdonald	Election Commission	Service With Option	B	09/01/2016	Option E	
Billy Burton	MNPS	Service Without Option	B	08/04/2016	Normal	
Lonnie Dawkins	MNPS	Service Without Option	B	08/03/2016	Normal	
Ada Thaxter	Police	Early Service Without Option	B	09/21/2016	Normal	
Martin Gonzalez	Police	P&F Service Pen With Option	B	09/06/2016	Option E	
Bill Mcreynolds	Sheriff	Service With Option	B	10/01/2016	Option F	
Ernest Cantrell Jr	State Trial Courts	Service With Option	B	10/01/2016	Option A	
Shirley Marks	Sheriff	P&F Service Pen Without Option	B	09/01/2016	Normal	
Susan Badgley	MNPS	Early Service With Option	B	09/07/2016	Option E	
Eddie Keesee	MNPS	Service With Option	B	09/16/2016	Option A	
Crystal Grimes	Water Services	Early Service With Option	B	09/03/2016	Option F	
Suzanne Catignani	Assessor of Property	Early Service Without Option	B	09/15/2016		
Michael Gray	Sheriff	P&F Service Pen With Option	B	09/21/2016	Option F	
Carl Gupton	Water Services	Service With Option	B	09/01/2016	Option A	3
John Dunn	Health	Service With Option	B	09/03/2016	Option B	1
Douglas Graves	Fire	P&F Service Pen With Option	B	09/01/2016	Option A	3
Gary Kemper	Police	P&F Service Pen With Option	B	09/16/2016	Option F	2
William Estes Jr	Police	P&F Service Pen With Option	B	10/01/2016	Option F	2
Paul Sorace	Police	Early Service With Option	A	09/16/2016	Option D	
Dennis Hamm	Police	P&F Service Pen With Option	B	09/02/2016	Option A	3
Jacqueline Haga	Health	Service With Option	B	08/01/2016	Option D	
Claudia Lowe	General Hospital	Service With Option	B	04/01/2015	Option F	
Barbara Mccormick	Bordeaux Long Term Care	Service Without Option	B	10/01/2016	Normal	

Key Codes

Options		Drop Elections	
Normal	Life Annuity	No Option Elected	1
Option A	Joint & Survivor	100% to Surviving Beneficiary	2
Option B	Joint & Survivor	50% to Surviving Beneficiary	3
Option C	Social Security		
Option D	120 Payments	Certain and Life	
Option E	Joint & Survivor	100% to Surviving Beneficiary with Pop-Up Feature	
Option E	Joint & Survivor	50% to Surviving Beneficiary with Pop-Up Feature	

Survivor

Employee	Department	Survivor Name	Plan A/B	Effective Date
James Mueller	Metro Action Commission		B	10/05/2016
Barbara Terry	MNPS	Michael Terry	B	09/12/2016
Peyton Donoho Sr	Fire	Quintilla Donoho	B	10/10/2016
Hilary Medlin	Finance	Christine Medlin	A	10/02/2016
Granville Webster	MNPS	Monique Webster	B	10/18/2016
Allen Lawrence	Fire	Diane Lawrence	Closed	10/11/2016
Charles Layne	Police	Nancy Layne	B	10/19/2016
Barbara Fuson	County Clerk	James Fuson	B	10/19/2016
Clarence Campbell	MNPS	Dorothy Campbell	B	10/09/2016

BENEFIT BOARD ITEMS

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

1. Presentation of resolution.

A resolution was presented to Veronica Frazier acknowledging her service to the Employee Benefit Board.

2. In Line of Duty Committee report.

Christina Hickey reported to the Board that the In Line of Duty Committee met on August 23, 2016 to deliberate on 9 IOD medical care requests. At the September Board meeting, item 7, the IOD medical care request for the employee from the Police Department was deferred for vote until the October Board meeting.

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

At the October meeting, the item was again deferred until the November meeting. She stated that the Committee did not have a recommendation on the IOD medical care request for the employee from the Police Department due to a lack of a motion. She also stated that at the October meeting the Board asked whether or not there was a waiver at the time of employment for this employee and there was no waiver filed for this employee.

Committee Chair Jerry Hall stated that the Board will need to make a determination regarding this IOD medical care claim.

The employee and his attorney, Daphne Davis, were present. Daphne Davis presented a summary of the medical information to the Board. She also addressed the Board regarding the claim.

The employee addressed the Board regarding his job duties.

Vicki Hampton, ASC, was also present.

The Board discussed the medical record, possible contributing factors to the condition and what is considered high blood pressure.

B.R. Hall moved to grant a pension (the IOD medical care request) for the employee from the Police Department for one year. Doug Clariday seconded.

After some clarification that this is for the in line of duty medical care claim only and not a disability pension a vote was taken on the motion to approve the IOD medical care request for the employee from the Police Department for one year and the Board approved without objection.

3. Non-compliant disability pensioners.

Christina Hickey reported to the Board that the individual listed in the report has submitted the questionnaire and will not be in a non-compliant status.

4. Cigna pharmacy benefit considerations.

Christina Hickey reported to the Board that at the September 2016 Study Session, information was presented by Deloitte regarding opportunities to increase savings in the Cigna plan and no approvals were made on the two considerations at the October Board. She stated that several Board members asked after the October Board meeting if this issue could be brought before the Board again for consideration at the November meeting.

The Board was in agreement that these changes were presented with short notice and they should be included when other potential plan changes are up for discussion.

B.R. Hall moved to defer this item to be discussed when other potential plan changes are up for discussion. Jerry Hall seconded and the Board approved without objection.

The first consideration is the Cigna "90 Now" maintenance drug network. This change could be effective Jan 1, 2017 or Jan 1, 2018 if approved.

The second consideration, to limit specialty days supply, would align with the approach taken by Metro's Cigna plan for scripts filled at retail and Metro's PPO plan could also become effective Jan 1, 2017 or Jan 1, 2018 if approved.

5. Dental plans considerations.

Christina Hickey reported to the Board that at the October 2016 Study Session information was presented regarding the dental plans. She stated that the Board needs to approve drafting the dental request for proposal, (RFP), with one of the recommended approaches.

5. Dental plans considerations. (continued)

B.R. Hall moved for approval of Human Resources drafting the dental request for proposal, (RFP), asking vendors to provide their cost to insure each of Metro's current two dental plans, based on the value of the benefit each plan provides assuming no plan design changes; and vendors will be asked to provide a cost for each of the current plans assuming that only the flexible plan is offered in 2018 or only the limited plan is offered in 2018. Doug Clariday seconded and the Board approved without objection.

6. Premium structure considerations.

Christina Hickey reported to the Board that at the October Study Session information was presented regarding premium structure considerations. She stated the Board will need to decide whether or not to change the premium structure for active employees in the self-insured medical plans effective 2018.

John Kennedy moved for approval of the three tiered rate structure for active employees in the self-insured medical plans effective 2018. Talia Lomax-O'dneal seconded and the Board approved with B.R. Hall, Doug Clariday and Edna Jones opposing.

7. Affordable Care Act regulations related to transgender health services.

Christina Hickey reported to the Board that at the October Study Session information was presented on the new Affordable Care Act, (ACA), regulations related to transgender health services. She stated that the Board will need to decide what language to amend in the self-insured medical plan documents related to excluding services related to gender re-assignment.

The Board requested clarification from legal.

Nicki Eke, Legal Department, stated that the Board needs to decide if the actual gender reassignment surgery will be covered or excluded; (as it is currently), and to remove the current language that excludes the services related to gender reassignment.

There was some discussion of what happens if the Board does not amend the language,

John Kennedy moved to remove the language from the medical plan documents that excludes the services related to gender reassignment. Jerry Hall seconded and the Board approved with Edna Jones opposing and Stephanie Bailey abstaining.

B.R. Hall moved to keep the language in the medical plan documents that excludes gender reassignment. Stephanie Bailey seconded and the Board approved with John Kennedy abstaining.

8. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.

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

9. 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. Denial log from Alternative Service Concepts.
- f. Benefit Board budget reports.

Items 9.-a. through 9.-f. were for information only and no action was required.

10. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:46 a.m.

ATTEST:

APPROVED:

**John P. Kennedy, Interim Director
Human Resources**

**Edna J. Jones, Chair
Employee Benefit Board**