

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**January 3, 2017**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, January 3, 2017 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 December 6, 2016. With no corrections, nothing further was noted and Doug Clariday moved for approval. Todd Henry seconded and the Board approved without objection.

#### **B. APPEAL ANNOUNCEMENT:**

Christina Hickey announced the process and timeframe for appealing a decision made by this Board.

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

The terms of the approval or extension of the items listed in the motions are specifically stated in these minutes.

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

Edna Jones informed the Board that some additional medical information was passed out related to item 9.

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 stated that she has questions regarding item 2.

Christine Bradley moved for approval of the recommendation to approve the disability pension new requests, items 1 and 3 for the length of time as recommended. Talia Lomax-O'dneal seconded and the Board approved without objection.

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

Stephanie Bailey suggested vocational rehab for item 2 and review in six months.

Stephanie Bailey moved for approval of the recommendation to approve the disability pension new request, item 2 for the length of time as recommended with vocational case management. Tom Curtis seconded.

After some discussion and clarification regarding the length of time for the approval, a vote was taken on the motion to approve the disability pension new request, item 2, for six months, with vocational case management and was approved without objection.

Dr. Matthew Hine reported to the Board that on item 4 he recommends denial of the disability pension new request.

The employee and Jack Byrd, were present. Mr. Byrd requested a deferral pending additional medical information.

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

Todd Henry moved to defer the disability pension new request, item 4. B.R. Hall seconded.

After some discussion of the individual applying for an in line of duty disability pension, whether or not he was examined by the CSME, not being eligible for a medical disability pension, and some additional medical information, a vote was taken on the motion to defer item 4 and the Board approved with Stephanie Bailey opposing.

The employee was present for item 5.

Edna Jones noted the deferral history for item 5.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexamination, item 5 as a medical disability pension based on the results of the peer review for the length of time as recommended. He also noted that this pension will convert to a service pension in one year.

The disability pensioner and Jack Byrd were present. Mr. Byrd addressed the Board regarding the injury on duty injury and the heart and lung act.

There was some discussion as to whether or not she was examined by the CSME.

Doug Clariday moved to continue the disability pension re-exam item 5 as in line of duty for the length of time as recommended. B.R. Hall seconded.

There was some discussion regarding the basis for changing the disability pension from in line of duty to medical.

Dr. Matthew Hine reviewed the report from ReviewMed showing that the condition is not work related. He stated that there are several contributing factors independent of the scope of employment that are primarily responsible for the condition. He also noted that the review indicates the condition was not noted until after she had stopped working.

There was some discussion regarding how long the individual has been away from the job and causation.

A vote was taken on the motion to continue the disability pension re-exam item 5 as in line of duty for the length of time as recommended and failed with Doug Clariday, B.R. Hall in favor and Christine Bradley, Stephanie Bailey, John Kennedy, Talia Lomax-O'dneal opposing and Jerry Hall and Tom Curtis abstaining.

It was noted that without lack of a motion the disability pension would continue as is.

Talia Lomax-O'dneal moved for approval of the recommendation to continue the disability pension re-exam item 5 as a medical disability pension for the length of time as recommended. Christine Bradley seconded and the Board approved with Christine Bradley, Stephanie Bailey, Talia Lomax-O'dneal and John Kennedy in favor and Doug Clariday, B.R. Hall and Edna Jones opposing and Jerry Hall, Todd Henry and Tom Curtis abstaining.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 6 through 8 for the length of time as recommended with evaluations where noted. Jerry Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 6 through 8 for the length of time as recommended with evaluations where noted. John Kennedy seconded and the Board approved with Doug Clariday and B.R. Hall opposing.

There was some discussion regarding the basis for the deferrals on item 6.

The individual was present for item 9.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexamination, item 9 for the length of time as recommended. Todd Henry moved for approval. Jerry Hall seconded.

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

After some discussion regarding the individual's prognosis and current medications, a vote was taken on the motion to continue the disability pension reexamination, item 9 for the length of time as recommended and was approved with Stephanie Bailey opposing.

Dr. Matthew Hine reported to the Board that on item 10 he recommends approval of return to work.

Christi Scott, Assessor's Office was present. She asked for clarification regarding the individual's restrictions.

Dr. Matthew Hine stated that the medical record shows no restrictions.

Jerry Hall moved for approval of the recommendation of return to work on item 10. Talia Lomax-O'dneal seconded and the Board approved without objection.

**NEW REQUESTS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
1.	Gaile E. Parrish	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam at that time.
2.	Quinella R. Rigsby	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension request was approved with vocational case management for five months, (June 2017), with re-exam at that time.
3.	Cinthia A. Yates	Finance	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (July 2017), with re-exam at that time.
4.	Clyde J. Stambaugh	Police	In Line of Duty	As moved, seconded and approved, this disability pension request was deferred.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Recommendation</b>
5.	Deborah A. Berryhill	Police	In Line of Duty/Medical	As moved, seconded and approved, this disability pension was continued as a medical disability pension without stipulation of scheduled re-exam at that time.
6.	Sylvia D. Cobbins	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (July 2017), with re-exam at that time.
7.	Alonzo N. Giles	Juvenile Court	Medical	As moved, seconded and approved, this disability pension was continued for three months, (April 2017), with re-exam at that time.

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

**REEXAMINATIONS:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
8.	Aaron E. Gray	JIS	Medical	As moved, seconded and approved, this disability pension was continued for three months, (April 2017), with re-exam at that time.

**RETURN TO WORK:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
9.	Christopher L. Clark	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for two months, (March 2017), with review at that time.
10.	William A. McNeill, Jr.	Assessor of Property	Medical	As moved, seconded and approved, this individual was placed on the return to work list.

**SOCIAL SECURITY REFERRALS:**

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

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

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral	Comments
1	Gharacholou, Marjan	Health	Pension Approval	Yes	Yes	CI Meets SSDI guidelines
2	Hall-Haynes, Maco	MNPS	Pension Approval	Yes	Yes	Evaluation
3	Smock, Gerald	Fire	Pension Approval	Yes	Yes	CI Meets SSDI guidelines
4	Wood, Cynthia	Planning Commission	Pension Approval	Yes	Yes	Evaluation

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

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

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Steven Jones *	Police	Info Systems App Analyst 3	B	11/30/2016	01/01/2017
Shari Thorup	Juvenile Court	Warrant Officer 2	B	11/16/2016	12/01/2016
Billy Deering	Fire	Fire Marshal-Dpty	B	12/07/2016	01/14/2017
Mary Swick	Health	Public Health LPN	B	12/10/2016	12/30/2016
Joan H Nordstrom	MNPS	SECRETARY/CLERK	B	12/07/2016	12/17/2016
Delphine Gentry	Health	Public Health Nurse 1	B	12/07/2016	12/11/2016
Milagros Pickard	Sheriff	Sheriff Prisoner Processor 1	B	12/14/2016	02/04/2017
Randy Hand	Fire	Fire Marshal-Asst	B	12/14/2016	12/13/2016

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

**Service (continued)**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Carlton Steger	MNPS	CASHIER - FOOD SVC	B	11/18/2016	01/07/2017
Pauline Greer	Health	Office Support Rep 3	B	12/07/2016	01/04/2017
Charles Hockett Jr	Water Services	Indust Tech Master	B	12/14/2016	12/30/2016
Forrest Garrett	General Sessions Court	Judicial Asst 2	B	12/07/2016	12/31/2016
Rita Thompson	Public Library	Library Page	B	12/14/2016	01/01/2017
Candace Compton	MNPS	INTERPRETER - LANGUAGE	B	11/30/2016	12/17/2016
Herbert Hudson	Public Works	Maintenance & Repair Worker	B	11/30/2016	01/01/2017
John Humes Jr	Police	Crime Lab Evid Recv Tech	A	12/14/2016	01/16/2017
Linda Winters	Sheriff	Admin Svcs Officer 3	B	12/14/2016	01/09/2017
William Davis	Public Works	Finance Mgr	B	11/30/2016	12/01/2016
Terry Reece	Public Works	Maintenance & Repair Worker	B	11/30/2016	01/01/2017
Eric Robinson	Sheriff	Correctional Officer 2	B	12/05/2016	01/01/2017
Steven McClain	Water Services	Engineering Tech 3	B	12/07/2016	01/01/2017
Joan Welton	Police	Police Operations Analyst 2	B	12/14/2016	12/16/2016
Danny Baxter *	Police	Police Officer 2	B	12/14/2016	02/01/2017
Marcia Hendon *	Bordeaux Long Term Care	Licensed Practical Nurse	B	12/02/2016	01/01/2017
William Varden *	Fire	Fire Fighter 2	A	11/09/2016	05/01/2015
Georgianna Jobe	MNPS	Supv-Campus	B	12/15/2016	11/29/2016

\*deferred benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
William Brown	Public Works	B	12/01/2016
Steve House	MNPS	B	07/01/2016
Richard Briggs	Fire	B	12/01/2016
Martha Lingley	MNPS	B	12/01/2016
Sylvia Hornbuckle	Police	A	11/01/2016
David Holland	MNPS	B	12/01/2016

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Bobby Kenner	Office of Emergency Mgmt	Service Without Option	B	01/01/2016	Normal	
Peggy Hudson	MNPS	Service With Option	B	11/01/2016	Option A	
Robert Williams	MNPS	Early Service Without Option	B	10/04/2016	Normal	
Michael Johnson	Police	P&F Service Pen With Option	B	10/16/2016	Option E	3
Cheryl Leffew	MNPS	Early Service Without Option	B	11/04/2016	Normal	
Fannie Nance	MNPS	Service Without Option	B	08/04/2016	Normal	1
Sandra Driver	NCAC	Early Service Without Option	B	11/05/2016	Normal	
Charles Hyner	Information Technology Service	Service Without Option	B	12/01/2016	Normal	
Robert Boydston	Finance	Service With Option	B	12/01/2016	Option E	
Sharon Bush	General Hospital	Service Without Option	B	12/01/2016	Normal	
Annetta Beasley	Sheriff	Service Without Option	B	12/01/2016	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	

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

**Survivor**

Employee	Department	Survivor Name	Plan A/B	Effective Date
Clara Harris	MNPS	Clyde Harris	A	11/15/2016
Randy Tidwell	Public Works	Tabitha Clark	B	11/21/2016
Andrew Regg	Register of Deeds	Wilma Regg	A	11/22/2016
Walter Trotter	Fire	Karen Trotter	B	11/21/2016
Thomas Sherrill	Fire	Vicki Sherrill	A	11/05/2016

**BENEFIT BOARD ITEMS**

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

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.

Lori Meyer, Human Resources staff, was available for any questions.

After some discussion of the increase of those to have their pensions adjusted and one individual's earnings, Jerry Hall moved to have the individuals disability pensions adjusted accordingly. Christine Bradley seconded.

At this time, Stephanie Bailey noted for the record that she wanted to change her vote to the affirmative on item 9 under disability pensions.

2. In Line of Duty Committee report.

Christina Hickey reported to the Board that the In Line of Duty Committee met on December 20, 2016 to deliberate on 6 in line of duty, (IOD), medical care requests. She stated that two items were deferred (2 & 4) and one item was withdrawn (3). She also stated the minutes from that Committee meeting are being presented.

Committee Chair Jerry Hall 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. John Kennedy seconded and the minutes were approved without objection.

Jerry Hall stated that the employee for item 1, the IOD medical care request for the employee from the Fire Department, has requested a deferral. Edna Jones moved to defer item 1, the IOD medical care request for the employee from the Fire Department. Doug Clariday seconded.

Mark Young, union representative, informed the Board that the attorney could not be present today.

After noting the basis for the deferral a vote was taken on item 1, the IOD medical care request for the employee from the Fire Department and the Board approved with Christine Bradley, Talia Lomax-O'dneal and Stephanie Bailey opposing.

Jerry Hall reviewed the recommendations from the Committee with the Board.

Jerry Hall stated that on item 5, the IOD medical care request for the former employee from the Police Department, the Committee recommended to uphold the denial by Alternative Service Concepts, (ASC).

Daphne Davis, attorney, and the employee were present.

Vickie Hampton and Tracy Patterson, ASC, were present.

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

Daphne Davis reviewed the claim with the Board. She discussed his job when he was employed by the Metro Police Department, his injury on duty, the diagnosis/condition, treatment and medications. She stated that this condition developed from taking a medication that was recommended by a prior CSME and stemmed from medications related to the injury on duty.

After some discussion regarding this condition, the condition not being covered by a presumption and that the CSME does not prescribe medications, Edna Jones moved to uphold the denial by ASC. Christine Bradley seconded.

There was some discussion regarding the medical record, other contributing factors to the condition and the CSME advising the individual to take the medication.

A vote was taken on the motion on item 5, the IOD medical care request for the former employee from the Police Department to uphold the denial by ASC and was approved with Doug Clariday opposing and B.R. Hall abstaining.

Jerry Hall stated that on item 6, the IOD medical care request for the employee from the Police Department, the Committee did not have a recommendation due to a lack of a motion.

Daphne Davis, attorney was present for the employee.

Edna Jones moved to deny item 6, the IOD medical care request for the employee from the Police Department, as it does not meet the criteria for stress claims. Stephanie Bailey seconded.

Daphne Davis addressed the Board regarding the claim. She described the incident and how it has affected the employee.

There was some discussion regarding the incident and the criteria.

Edna Jones called for the question closing off any further debate.

A vote was taken on the motion on item 6, to deny the IOD medical care request for the employee from the Police Department and was approved with Doug Clariday and B.R. Hall opposing.

3. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Cigna Pharmacy coverage change.

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

4. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Denial log from Alternative Service Concepts.
- d. Benefit Board budget reports.
- e. Accomplishments for 2016.

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

Christina Hickey made note of item 4.-e.

Christina Hickey also noted that if any Board member is interested in serving as an advisor for the Dental request for proposal to let her know.

5. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:23 a.m.

ATTEST:

APPROVED:

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

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