

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

February 7, 2017

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, February 7, 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: Charles D. Clariday, Sr., B.R. Hall, Sr., Jerry Hall, W. Todd Henry, John P. Kennedy and Talia Lomax-O'dneal.

Members Stephanie Bailey and G. Thomas Curtis were unable to be present.

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 January 3, 2017. With no corrections, nothing further was noted and Jerry Hall moved for approval. Christine Bradley seconded and the Board approved without objection.

B. APPEAL ANNOUNCEMENT:

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

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

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

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 5, for the length of time as recommended. Talia Lomax-O'dneal moved for approval of the recommendation to approve the disability pension new requests, items 1 through 5 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 denial of the disability pension new request, item 6, based on denial of the in line of duty medical care by Alternative Service Concepts, (ASC) and possible appeal of that denial.

James Gafford, representative for the Fraternal Order of Police, (FOP), and the employee were present.

James Gafford stated that the employee has retained counsel, however, they were unable to be present today and is requesting a deferral.

B.R. Hall moved to defer item 6 for one month. Doug Clariday seconded.

John Kennedy stated that Human Resources, (HR), staff has been working with the Police Department and the employee on this issue since the denial by ASC. He stated that he would recommend that this item be referred to the In Line of Duty Committee for consideration.

The employee and his representative were in agreement with referring this item to the Committee.

B.R. Hall moved to refer item 6 to the In Line of Duty Committee. Doug Clariday seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 7 through 15 for the length of time as recommended. B.R. Hall moved for approval of the

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

recommendation to continue the disability pension reexaminations, items 7 through 15 for the length of time as recommended. Christine Bradley seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that on items 17 through 20, he requests a deferral for one month. B.R. Hall moved for approval of the request to defer items 17 through 20 for one month. Doug Clariday seconded and the Board approved without objection.

On item 21, Dr. Matthew Hine reported to the Board that he recommends approval of return to work with vocational case management. Jerry Hall moved for approval of the recommendation on item 21 of return to work with vocational case management. John Kennedy seconded and the Board approved without objection.

Christina Hickey stated that item 22 coincides with item 5, Pension Committee report on the agenda. She stated that the Pension Committee met on January 20, 2017 to deliberate on a disability pension request- employee from Sheriff's Office. She stated that the Committee recommended that a medical disability pension be granted with vocational case management (VCM) and a reexam in 6 months. She also stated that the minutes from the Committee meeting are being presented for approval.

Committee Chair W. Todd Henry asked if there were any amendments, corrections or questions of the minutes from the Pension Committee meeting. There being none, Christine Bradley moved for approval of the Pension Committee minutes. Doug Clariday seconded and the Board approved without objection.

B.R. Hall moved for approval of the recommendation to approve the disability pension request – employee from the Sheriff's Office as a medical disability pension with vocational case management with re-exam in six months. Doug Clariday seconded and the Board approved without objection.

Christina Hickey stated that item 1 under Reconsiderations, corresponds with agenda item 1 under Benefit Board items, Disability pensioner's continuation of HiSET classes request for reconsideration - Pensioner from Metro Nashville Public Schools (MNPS). She stated that the individual is requesting reconsideration of the continuation of the HiSet classes based on new medical information.

Todd Henry moved to reconsider item 1 under reconsiderations - Disability pensioner's continuation of HiSET classes request for reconsideration - Pensioner from Metro Nashville Public Schools (MNPS). Jerry Hall seconded and the Board approved with Christine Bradley opposing.

The pensioner was present.

Dr. Matthew Hine reported to the Board that he recommends discontinuing the HiSet classes as it does not appear the pensioner will progress and discontinuing vocational case management.

B.R. Hall moved for approval of the recommendation on item 1 under reconsiderations - Disability pensioner's continuation of HiSET classes request for reconsideration - Pensioner from Metro Nashville Public Schools (MNPS). Doug Clariday seconded and the Board approved with Christine Bradley and Talia Lomax-O'dneal opposing.

Christina Hickey stated that item 2 under Reconsiderations corresponds with agenda item 2 under Benefit Board items, reconsideration on return to work. She stated that at the January 2017 Board, the Board returned this medical disability pensioner to work with no restrictions. She stated that this employee has requested for the Board to reconsider their January 2017 decision and has supplied new medical information.

B.R. Hall moved to reconsider item 2 under reconsiderations – reconsideration on return to work. Doug Clariday seconded and the Board approved without objection.

Dr. Matthew Hine reported to the Board that he recommends removal from the return to work list with review in four months.

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

Doug Clariday moved for approval of the recommendation on item 2 under reconsiderations – reconsideration on return to work to remove the individual from the return to work list with review in four months. Jerry Hall seconded and the Board approved without objection.

NEW REQUESTS:

| | Name | Department | In Line of Duty (IOD) or Medical Disability | Board Action Taken |
|----|---------------------|---------------------------------------|--|---|
| 1. | Sue A. Adams-Bowles | Human Resources | Medical | As moved, seconded and approved, this disability pension request was approved for one year, (February 2018), with re-exam at that time. |
| 2. | Ricky F. Greene | 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. |
| 3. | Thomas B. Hobson | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension request was approved for one year, (February 2018), with re-exam at that time. |
| 4. | Clifford D. Potts | Water | Medical | As moved, seconded and approved, this disability pension request was approved for six months, (August 2017), with re-exam at that time. |
| 5. | Colleen T. Singh | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension request was approved for one year, (February 2018), with re-exam at that time. |
| 6. | Clyde J. Stambaugh | Police | In Line of Duty | As moved, seconded and approved, this disability pension request was deferred. |

REEXAMINATIONS:

| | Name | Department | In Line of Duty (IOD) or Medical Disability | Recommendation |
|----|-----------------|---------------------------------------|--|---|
| 7. | Linda M. Cook | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued for two months, (April 2017), with re-exam at that time. |
| 8. | Lisa A. Crowell | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time. |
| 9. | Linda D. Epps | Metro Action Commission | Medical | As moved, seconded and approved, this disability pension was continued for 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 | Recommendation |
|------|--------------------|---------------------------------------|--|---|
| 10. | Jesse W. Henry | Health | Medical | As moved, seconded and approved, this disability pension was continued for without stipulation of scheduled re-exam at that time. |
| 11. | Youza R. Khalaf | Metropolitan Nashville Public Schools | In Line of Duty | As moved, seconded and approved, this disability pension was continued for two months, (April 2017), with re-exam at that time. |
| 12. | Jerry D. Lee, Jr. | Fire | Medical | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time. |
| 13. | Sharon L. Robinson | Human Resources | Medical | As moved, seconded and approved, this disability pension was continued for one year, (February 2018), with re-exam at that time. |
| 14. | Carol L. Smith | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time. |
| 15. | Kevin D. Steele | Police | Medical | As moved, seconded and approved, this disability pension was continued for one year, (February 2018), with re-exam at that time. |
| 16.* | | | | |

*this item was intentionally left blank

| | Name | Department | In Line of Duty (IOD) or Medical Disability | Recommendation |
|-----|----------------------|---------------------------------------|--|--|
| 17. | Thomas E. Brown, II | Emergency Communications Center | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month. |
| 18. | Lullette R. Magalei | Health | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month. |
| 19. | Mark Melman | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month. |
| 20. | Melissa N. Pinkelton | Police | Medical | As moved, seconded and approved, this disability pension re-exam was deferred for one month. |

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

RETURN TO WORK:

| | Name | Department | In Line of Duty (IOD) or Medical Disability | Recommendation |
|-----|----------------|------------|---|--|
| 21. | Robert L. Isom | Water | Medical | As moved, seconded and approved, this return to work request was approved. |

PENSION COMMITTEE-NEW REQUEST

| | Name | Department | In Line of Duty (IOD) or Medical Disability | Recommendation |
|-----|-------------------------|------------|---|---|
| 22. | Napoleon A. Howell, Jr. | Sheriff | Medical | As moved, seconded and approved, this disability pension request was approved for six months, (August 2017), with re-exam at that time. |

RECONSIDERATIONS:

| | Name | Department | In Line of Duty (IOD) or Medical Disability | Recommendation |
|----|-------------------------|---------------------------------------|---|--|
| 1. | Sylvia D. Cobbins | Metropolitan Nashville Public Schools | Medical | As moved, seconded and approved, this disability pension was continued with vocational case management and HiSET(GED) classes ceasing. |
| 2. | William A. McNeill, Jr. | Assessor of Property | Medical | As moved, seconded and approved this individual was removed from the return to work list and the disability pension continued for four months, (June 2017), with re-exam 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.

Christine Bradley 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 | Parrish, Gaile | MNPS | Pension Approval | Yes | Yes | Evaluation |
| 2 | Yates, Cinthia | Finance | Pension Approval | Yes | Yes | Evaluation |

At this time, Board Chair Edna Jones thanked Dr. Matthew Hine for his service to the Board as the March Board meeting will be his last meeting.

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's) and survivor)

Service

| Employee | Department | Classification | Plan A/B | Application Date | Estimated Effective Date |
|---------------------|-------------------------|--------------------------------|----------|------------------|--------------------------|
| Linda Hemphill * | Bordeaux Long Term Care | Nursing Asst -Certified 1 | B | 12/15/2016 | 01/01/2017 |
| Teresa Barnes | MNPS | SECRETARY-BOOKKEEPER | B | 12/28/2016 | 12/28/2016 |
| Lisa Mcvey | General Hospital | Metro Hospital Auth Employee | B | 01/11/2017 | 02/02/2017 |
| David Rachel | MNPS | PARA-PRO - EX ED | B | 01/25/2017 | 02/17/2017 |
| Clayton Hyden | Election Commission | Finance Mgr | B | 01/18/2017 | 01/14/2017 |
| William Traugber Jr | Police | Police Officer 2 | B | 12/27/2016 | 01/17/2017 |
| Robyn King | MNPS | MONITOR - SCHOOL BUS | B | 12/29/2016 | 01/01/2017 |
| Linda Rucker | MNPS | ASST - FOOD SVC | B | 12/14/2016 | 12/01/2016 |
| William Gramse | Fire | Paramedic 2 | B | 01/18/2017 | 02/01/2017 |
| Steven Scott | Fire | Paramedic 2 | B | 01/18/2017 | 02/01/2017 |
| Randall Papadinec | Police | Police Officer 2-Fld Trng Ofcr | B | 01/04/2017 | 02/01/2017 |
| Joseph Hailey Iii | Sheriff | Sheriff Maint Mechanic 2 | B | 01/04/2017 | 01/06/2017 |
| Daniel Wagonfield | Fire | Fire Engineer | B | 01/04/2017 | 01/14/2017 |
| Jeannine Hale | Police | Police Officer 2 | B | 01/11/2017 | 01/20/2017 |
| Timothy Dickens | Fire | Firefighter 3 | B | 01/11/2017 | 02/01/2017 |
| Elaine Lawrence | Public Library | Library Assoc 3 | B | 12/19/2016 | 12/31/2016 |
| Terry Gleaves | Parks | Maint & Repair Worker 1 | B | 01/25/2017 | 03/23/2017 |
| Jimmy Bush | General Hospital | Metro Hospital Auth Employee | B | 01/13/2017 | 01/27/2017 |
| Ruth Judson | Public Library | Library Page | B | 01/27/2017 | 01/14/2017 |
| David Walker Jr | Fire | Fire Services Deputy Director | B | 01/04/2017 | 01/13/2017 |
| Kevin Caperton | Police | Police Officer 2-Fld Trng Ofcr | B | 01/03/2017 | 02/01/2017 |
| John Campbell | Police | Police Sergeant | B | 01/03/2017 | 02/08/2017 |
| Kenneth Alexandrow | Police | Police Officer 2-Fld Trng Ofcr | B | 12/21/2016 | 01/03/2017 |
| Marty Crowder | Police | Police Officer 2 | B | 01/04/2017 | 01/16/2017 |
| Shirley Ghee | Parks | Concessions Clerk 2 | B | 01/18/2017 | 02/01/2017 |
| Porter Stadaker | Sheriff | Sheriff Releasing Officer | B | 01/11/2017 | 02/18/2017 |
| Jeffrey Davis | Fire | Fire Fighter/Paramedic | B | 01/04/2017 | 01/05/2017 |
| Daniel Massey | Police | Police Officer 2 | B | 01/05/2017 | 01/07/2017 |
| Randy Kroll | Police | Police Officer 2 | B | 01/25/2017 | 02/16/2017 |
| Rita Ryman | Trustee | Deputy-Tax Accounting | B | 12/29/2016 | 02/01/2017 |
| James Ballentine * | Water Services | Water Maint Tech 1 | B | 01/11/2017 | 02/01/2017 |
| William Mentzer * | Health | Laboratory Tech 1 | B | 01/04/2017 | 02/01/2017 |
| Jerrelyn Smith * | General Hospital | Medical Secretary | A | 01/11/2017 | 12/01/2016 |
| Connie Jones * | Bordeaux Long Term Care | Nursing Support Spec | B | 01/25/2017 | 02/01/2017 |
| Maluisa Lumakin * | General Hospital | RN-CC-Pool | B | 12/15/2016 | 03/01/2017 |
| James Perry * | Caring for Children | Program Spec 3 | B | 01/03/2017 | 03/01/2017 |
| Jeffrey Lawrence * | Planning Commission | Planning Asst Exec Dir-Ops | B | 01/18/2017 | 02/01/2017 |
| Jeffrey Lawrence * | Planning Commission | Planning Asst Exec Dir-Ops | B | 01/18/2017 | 02/01/2017 |
| Larry Morris * | Sheriff | Security Officer 1 | B | 01/18/2017 | 03/01/2017 |
| Glenda Borders * | Bordeaux Long Term Care | Envir Svcs Tech | B | 01/11/2017 | 01/01/2017 |
| Robert Corvin * | General Hospital | Environ Services Floor Tech | B | 12/29/2016 | 08/01/2016 |

*deferred benefit

Disability to service

| Employee | Department | Plan A/B | Effective Date of Conversion |
|----------------------|-------------------------|----------|------------------------------|
| Sandra Frazier | County Clerk | B | 01/01/2017 |
| Joseph Seay | Public Works | A | 01/01/2017 |
| Mary Gregory | State Fair Board | B | 07/01/2016 |
| Hazel Shumate Draper | Circuit Court Clerk | B | 01/01/2017 |
| Stacy Cummings | Sheriff | B | 01/01/2017 |
| Rickey Pharris | Parks | B | 01/01/2017 |
| Tammy Talbott | Public Works | B | 01/01/2017 |
| Kevin Bloomfield | Fire | B | 12/01/2016 |
| Linda Whittaker | Metro Action Commission | B | 01/01/2017 |

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's) and survivor)

Options Elected

| Employee | Department | Pension Type | Plan A/B | Effective Date | Option | Drop Election |
|--------------------|-------------------------|--------------------------------|----------|----------------|----------|---------------|
| Judy Griffith | MNPS | Service With Option | B | 01/01/2017 | Option A | |
| Eric Robinson | Sheriff | Early Service With Option | B | 01/01/2017 | Option A | |
| Richard Tucker Jr | MNPS | Early Service With Option | B | 01/01/2017 | Option A | |
| Joan H Nordstrom | MNPS | Service Without Option | B | 01/01/2017 | Normal | |
| Jenna Smith | Public Works | Early Service Without Option | B | 01/01/2017 | Option D | |
| Rita Thompson | Public Library | Service With Option | B | 01/01/2017 | Option A | |
| Candace Compton | MNPS | Service Without Option | B | 01/01/2017 | Normal | |
| Georgianna Jobe | MNPS | Service Without Option | B | 01/01/2017 | Normal | 1 |
| Mary Garland | MNPS | Service Without Option | B | 01/06/2017 | Normal | |
| Kathleen Burke | MNPS | Service Without Option | B | 01/06/2017 | Normal | |
| Patricia Pawlak | Public Library | Early Service With Option | B | 01/01/2017 | Option A | |
| Geraldine Hill | MNPS | Service Without Option | B | 01/01/2017 | Normal | |
| Linda Rucker | MNPS | Early Service With Option | B | 01/01/2017 | Option D | |
| Freddie King Jr | Sheriff | Service With Option | B | 01/01/2017 | Option A | 3 |
| Janie Romines | Sheriff | P&F Service Pen With Option | B | 01/01/2017 | Option D | |
| Wendell Turner | Water Services | Early Service With Option | B | 01/01/2017 | Option E | |
| Cheryl Brown | Social Services | Early Service Without Option | B | 01/01/2017 | Normal | |
| Randy Hand | Fire | Service With Option | B | 01/01/2017 | Option A | 3 |
| Cora Pinkerton | Social Services | Service Without Option | B | 01/01/2017 | Normal | |
| Joseph Hailey Iii | Sheriff | P&F Service Pen With Option | B | 01/07/2017 | Option F | |
| Joseph Page | Assessor of Property | Service With Option | B | 01/01/2017 | Option A | |
| Mary Swick | Health | Service With Option | B | 01/01/2017 | Option A | |
| Billy Deering | Fire | P&F Service Pen With Option | B | 01/14/2017 | Option E | 3 |
| Shari Thorup | Juvenile Court | Early Service Without Option | B | 01/01/2017 | Normal | |
| Edward Hawkins | Water Services | Service With Option | B | 01/01/2017 | Option B | 1 |
| Elaine Lawrence | Public Library | Service Without Option | B | 01/01/2017 | Normal | |
| Delphine Gentry | Health | Early Service With Option | B | 01/01/2017 | Option A | |
| Terry Reece | Public Works | Service With Option | B | 01/01/2017 | Option F | |
| Carolyn Sullivan | Public Library | Service Without Option | B | 01/01/2017 | Normal | |
| William Davis | Public Works | Service With Option | B | 01/01/2017 | Option A | 1 |
| Barry Bowman | Public Works | Service With Option | B | 01/01/2017 | Option F | |
| Herbert Hudson | Public Works | Service Without Option | B | 01/01/2017 | Normal | |
| Carlton Steger | MNPS | Early Service With Option | B | 01/01/2017 | Option A | |
| Charles Rachel Jr | Public Works | Service Without Option | B | 01/01/2017 | Normal | 3 |
| Kenneth Alexandrow | Police | P&F Service Pen With Option | B | 01/04/2017 | Option E | |
| William Smith | Police | P&F Service Pen Without Option | B | 01/01/2017 | Normal | 3 |
| William Black | Sheriff | P&F Service Pen With Option | B | 01/01/2017 | Option E | 3 |
| Forrest Garrett | General Sessions Court | Service Without Option | B | 01/01/2017 | Normal | |
| Jeffrey Davis | Fire | P&F Service Pen With Option | B | 01/05/2017 | Option A | 3 |
| Daniel Massey | Police | P&F Service Pen With Option | B | 01/10/2017 | Option F | 3 |
| David Campbell | Health | Early Service Without Option | B | 01/01/2017 | Normal | |
| Doris Hall | Human Resources | Service Without Option | B | 01/01/2017 | Normal | |
| Billy Grissom | MNPS | Service Without Option | B | 01/01/2017 | Normal | |
| Stephen Bell | Human Resources | Service With Option | B | 01/01/2017 | Option A | |
| Linda Hemphill | Bordeaux Long Term Care | Service With Option | B | 01/01/2017 | Option D | |
| Steven Jones | Police | Service With Option | B | 01/01/2017 | Option B | |
| Beverly Bunch | MNPS | Service With Option | B | 01/01/2017 | Option F | |
| William Varden | Fire | Service With Option | A | 01/01/2017 | Option E | |

| 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, qualified domestic relations orders, (QDRO's) and survivor)

Qualified Domestic Relations Orders (QDRO)

| Employee | Alternate Payee | Plan A/B | Effective Date |
|----------------|-----------------|----------|----------------|
| Alan Shonting | Tamela Williams | B | 11/01/2016 |
| Ronnie Lovvorn | Lynn Lovvorn | B | 11/01/2016 |

Survivor

| Employee | Department | Survivor Name | Plan A/B | Effective Date |
|------------------|----------------------|---------------------|----------|----------------|
| Troy Turner | General Services | April Turner | B | 01/02/2017 |
| Mary Baggett | Codes Administration | Paul Baggett | B | 01/01/2015 |
| James Fentress | Fire | Wilma Fentress | A | 12/28/2016 |
| William Bryant | Water Services | Susan Bryant | B | 01/18/2017 |
| John Storment | Police | Betty Storment | B | 01/02/2017 |
| Wilbur Maggart | Water Services | Margaret Maggart | A | 12/29/2016 |
| Robert Romines | Water Services | Eva Romines | B | 01/07/2017 |
| John Young Jr | Fire | Bonita Barber-Young | B | 12/27/2016 |
| Billy Burgess | Fire | June Burgess | B | 01/09/2017 |
| Gerald Rolan | Fire | Patsy Rolan | B | 12/07/2016 |
| Jimmy Honeycutt | MNPS | Carolyn Honeycutt | B | 01/08/2017 |
| Robert Williams | Water Services | Bonnie Williams | B | 07/09/2016 |
| Verbena Harrison | MNPS | Hazel Mckellery | A | 01/21/2017 |

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 the disability pensions section of the agenda.

2. Reconsideration on return to work.

This item was acted upon accordingly with the disability pensions section of the agenda.

3. In Line of Duty Committee report: (Chair: Jerry Hall; Vice-Chair: To be elected; Members: Christine Bradley Charles D. Clariday and Talia Lomax-O'dneal. Alternates: John P. Kennedy and Edna J. Jones).

Christina Hickey reported to the Board that the In Line of Duty Committee met on December 20, 2016 to deliberate on 6 IOD medical care requests. She stated that two items were deferred (#2 & #4), one item was withdrawn (#3) and two items (#5 & #6) were voted on at the January 2017 Board. She stated that item 1, the IOD medical care request for the employee from the Fire Department was deferred at the January 2017 Board due to the attorney not being present. She stated that on item 1 the IOD medical care request for the employee from the Fire Department, the Committee recommended to uphold the denial by ASC. (Deferral History- May 2016 IOD Committee- deferred; August 2016 IOD Committee- deferred; January 2017 Board-deferred).

Committee Chair Jerry Hall reviewed the recommendation with the Board.

Mark Young, union representative, was present.

The employee was also present.

Mark Young brought up a discrepancy with the employee's employment record.

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

Vickie Hampton, ASC, informed the Board that any information in the employment record was received from the Fire Department.

It was suggested that this item be sent back to the In Line of Duty Committee.

Doug Clariday moved to refer item 1, the IOD medical care request for the employee from the Fire Department back to the In Line of Duty Committee. B.R. Hall seconded and the Board approved without objection.

4. Medical and Life Committee report: (Chair: Jerry Hall; Vice-Chair: Christine Bradley; Members: Stephanie Bailey, Charles D. Clariday, B.R. Hall, Sr. and John P. Kennedy. Alternates: Edna J. Jones and Talia Lomax-O'dneal).

Christina Hickey reported to the Board that at the January 17, 2017 Medical and Life Committee, a Pensioner from the Police Department appealed the denial for Laser Astigmatism Correction with the Intralase femtosecond laser (Code 66999) and also Toric Lens Implant (Code V2787). Cigna has denied the Intralase laser (66999) and Toric lens (V2787) as they are specifically excluded under the Cigna plan. She stated that the Committee recommended covering the standard eye laser surgery procedure as well as the standard lens and the minutes are being presented for approval.

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 Medical and Life Committee minutes. B.R. Hall seconded and the Committee minutes were approved without objection.

The pensioner was present.

Committee Chair Jerry Hall reviewed the recommendation to cover the standard surgery and lens.

B.R. Hall moved for approval of the recommendation to cover the standard eye laser surgery procedure as well as the standard lens. Doug Clariday seconded.

It was suggested that the Legal Department give a recap of what the plan document states regarding exclusions.

Nicki Eke, Legal Department, stated that she advises the Board to follow the plan document. She stated that when the Board does not follow the plan document, the Board is exposed to claims that the Board is acting arbitrarily and capriciously in disregarding its own adopted document that governs coverage for medical care.

There as some discussion regarding setting a precedent and how costly this would be to Metro.

Nicki Eke, Legal Department, stated that action by the Board could be considered to be action that is arbitrary and capricious and it exposes the plan to have to cover this for other individuals.

There was some discussion regarding the Board going outside of the plan document before on other things and exactly what the plan documents says.

Nicki Eke, Legal Department, stated that the Cigna plan document states that exclusions will include charges made for or in connection with routine refractions, eye exercises, and for surgical treatment for the correction of a refractive error, including radial keratotomy, when eye glasses or contact glasses may be worn. She stated that there is some other language that includes exclusions for things that are in connection with experimental, investigational or unproven services. Treatment not demonstrated through existing peer review, evidence based, and scientific literature to be safe and effective for treating or diagnosing the condition or sickness for which its use is proposed. She also stated that there are some exclusions for medical benefits for eye glasses, contact lens, or examinations for prescription or fitting thereof, except that covered expenses will include the purchase of the first pair of eye glasses, lens, frames or contact lens that follows keratoconus or cataract surgery.

4. Medical and Life Committee report. (continued)

The Board discussed the individual having a procedure (radial keratotomy) that was paid for by Metro and that surgery possibly creating the condition he now has and how individuals that have had that procedure in the past still develop cataracts.

The pensioner addressed the Board regarding the procedure and stated that it is not lasik it uses a bladeless laser to remove a cataract and replace it with a lens. He stated that this is a specialized surgery because of the shape of the eye.

Committee Chair Jerry Hall clarified that it is not the intent of the motion to pay for a specialized surgery only to cover what is covered under the plan as a basic surgery and lens and anything else would be out of pocket for the pensioner.

There was still discussion regarding what can be done legally, any specific procedure that can be paid for and rules regarding going outside the norm and paying for part of a procedure.

Todd Henry offered an amendment to the motion that for this particular case where the patient has had previous eye surgery paid for by Metro and that anything over and above the norm would be paid for by the individual.

There was some discussion regarding the progression of cataracts.

There was also some discussion regarding Metro's fiduciary responsibility.

Nicki Eke, Legal Department, stated that the Board does have a fiduciary duty to make decisions that are in accordance with the plans that are adopted. She stated that the way the medical plans work is that particular services are paid for when a physician is paid for services that are covered by the plan. She stated that physicians are not paid for services that they perform, which are not covered by the plan. She stated that you get coverage and benefits for what's covered, not for what's excluded.

Paul Huffman, Cigna, and Debbie Sims, Blue Cross Blue Shield, (BCBS), were present.

Debbie Sims stated that there is a lot of confusion regarding lasik versus the laser. She stated that the cataract surgery is cataract surgery and there is not a difference on how you do it, the payment, the blade versus the laser as you do it. She stated that the plans contain old wording on radial keratotomy, (which no one does anymore), and refractive surgeries are not covered by either plan. She also noted that she would not know how to pay for what the Board is trying to do. She stated that there are several issues with this case, this particular surgery versus lasik surgery, which is not covered to correct eye surgery, versus a lens that is not covered.

Paul Huffman, Cigna, indicated that they will do whatever the Board asks, however, the Board will need to determine or find out what amount that is. He stated that they would only be forcing the payment and not saying the benefit is covered.

There was some discussion regarding changing some of the archaic things in the plans.

There was further discussion regarding the individual opting for something that he knew would not be covered and going outside of the plan to pay for things in the past.

Debbie Sims, BCBS, recalled cases where there have been situations where the uniqueness of a situation or case has caused the Board to look outside for different reasons.

The pensioner stated that other doctors that he has been to will not do the cataract removal because of the radial keratotomy surgery. He stated that this physician will only do it under the procedure that he has recommended. He stated that he does not have the option to just go get the other procedure.

After further discussion regarding the individual's current vision, refractive/cosmetic surgery and/or correcting vision by a lasik procedure not being covered under the plan, and what the cost is for the standard procedure.

B.R. Hall called for the question closing off any further debate.

4. Medical and Life Committee report. (continued)

It was clarified that the cost would be the cost of the standard procedure from the particular provider.

A vote was taken on the motion to cover the standard eye laser surgery procedure as well as the standard lens for this particular case where the patient has had previous eye surgery paid for by Metro and that anything over and above the norm would be paid for by the individual and resulted in a tie vote with B.R. Hall, Doug Clariday, Todd Henry and Jerry Hall in favor and Talia Lomas-O'dneal, John Kennedy, Christine Bradley and Enda Jones opposing.

Nicki Eke, Legal Department, informed the Board that this issue has been previously referred to Committee by the Board so it will not be referred back to the Committee unless the Board votes to refer it back.

Doug Clariday moved to refer this item back to the Committee. Edna Jones seconded and the Board approved with Talia Lomax-O'dneal, John Kennedy and Christine Bradley opposing.

The Board requested that Cigna obtain three costs related to cataract surgery in order for the Committee to have a definitive number (cost) to look at, if this is approved.

5. Pension Committee report: (Chair: W. Todd Henry; Vice-Chair: Talia Lomax-O'dneal; Members: Christine Bradley and B.R. Hall, Sr. Alternate members: Edna J. Jones and Stephanie Bailey).

This item was acted upon accordingly with the disability pensions section of the agenda.

6. Pension plan valuation – final results.

Christina Hickey reported to the Board that Bryan, Pendleton, Swats and McAllister (BPSM) will be presenting the final results of the annual actuarial valuation on the pension plans. She stated that in accordance with Metro Code Section 3.16.050, the Board will need to adopt the contribution rate for next year by the end of February.

Kevin Sullivan, Bryan, Pendleton, Swats & McAllister, gave a summary of the plan provisions and employee data statistics of the plans (open and closed). He reviewed the plans assets and liabilities.

Mr. Sullivan reviewed the future trends and projected contribution assumptions and stated that the recommended contribution rate is 11.891%, however he suggests a rate of 12.34%.

After some discussion of future trends and contributions, Jerry Hall moved for approval of the suggested contribution rate of 12.34%. John Kennedy seconded and the Board approved without objection.

7. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts.

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

8. Reports for your information:

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

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

9. Late item(s):

Case management request for proposal update.

Jeff Gossage, Purchasing Department, gave an update on the case management request for proposal. He stated that after the award was given to Ascential Care Partners, the incumbent filed a protest and have eventually appealed the results of the protest. He stated that the solicitation has to be re-issued based on the decision by the procurement appeals Board. He stated that request for proposal is currently under development and Metro will be entering into an emergency contract (6 months with 1 month renewals) for case management with Eckman/Freeman.

The Board discussed who serves on the appeals Committee and it was noted that they are appointed by the Mayor.

With nothing further presented, the meeting adjourned at 10:48 a.m.

ATTEST:

APPROVED:

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

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