

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**June 4, 2019**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, June 4, 2019 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, B.R. Hall, Sr., Jerry Hall, Shannon B. Hall, W. Todd Henry, Talia Lomax-O'dneal and Stacey Rucker.

Member G. Thomas Curtis was unable to be present.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Gill Wright, 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 May 7, 2019. With two corrections, nothing further was noted, and Jerry Hall moved for approval. Stacey Rucker 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. Gill Wright, Civil Service Medical Examiner, (CSME), and Claire Cobb, CSME Assistant, reviewed the disability pensions with the Board.

Dr. Gill Wright reported to the Board that he recommends approval of the disability pension new requests, items 1 and 2, for the length of time as recommended. Stacey Rucker moved for approval of the recommendation to approve the disability pension new requests, items 1 and 2 for the length of time as recommended. Jerry Hall seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 3, 5, and 6 for the length of time as recommended and case management services where noted. Stephanie Bailey moved for approval of the recommendation to continue the disability pension reexaminations, items 3, 5 and 6 for the length of time as recommended and case management services where noted. Christine Bradley seconded and the Board approved without objection.

The employee was present for item 4. He stated that he is requesting a civilian position within the department and requested a deferral for one month.

Dr. Gill Wright reported to the Board that he recommends approval for continuing the disability pension reexamination item 4 for the length of time as recommended.

After some discussion regarding whether or not he has started the process to go to a civilian position, Shannon Hall moved for approval of the recommendation to continue the disability pension reexamination item 4 for the length of time as recommended. Christine Bradley seconded and the Board approved with Stephanie Bailey abstaining.

The employee was not present for item 7.

Harold Finch, Metropolitan Nashville Public Schools, (MNPS), was present.

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

Dr. Gill Wright reported to the Board that on item 7 he recommends approval of return to work with restrictions. He stated that the restrictions will probably be lifted by the time school starts.

Harold Finch stated that they are prepared to return the individual to work with the expectation that they are able to handle the minimal lifting restriction.

Jerry Hall moved for approval of the recommendation of return to work on item 7. Todd Henry seconded and the Board approved with B.R. Hall opposed.

Dr. Gill Wright reported to the Board that on item 8 he recommends approval of return to work.

Harold Finch stated that they are prepared to return the individual to work.

Shannon Hall moved for approval of the recommendation of return to work on item 8. Christine Bradley seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that on item 9 he recommends approval of return to work.

Janet Hobson, State Trail Courts, was present. She stated they are prepared to return the individual to work.

Christine Bradley moved for approval of the recommendation of return to work on item 9. Talia Lomax-O'dneal seconded and the Board approved without objection.

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

Harold Finch, MNPS, was present.

The individual's spouse was present and addressed the Board regarding returning her to work. He requested to continue the pension for approximately 6 months as per the physician's recommendation. He also reviewed the medical record, her conditions, restrictions and her job description.

There was some discussion of the most recent medical information provided by her primary treating physician, and the mental health providers statement. There not being any restrictions noted on one statement and on another the treating physician states she can not work.

It was also noted that the employee is fully recovered from the initial disabling condition.

The Board discussed the medical record and it was determined that there are conflicting statements in the medical record from the same physician and suggested an independent psychological evaluation.

Shannon Hall moved to continue item 10, for two months with an independent psychological evaluation. Stacey Rucker seconded and the Board approved with Stephanie Bailey opposed.

The individual was not present for item 11.

There was some discussion regarding the last motion on this item, as the time frame has not been met.

Shannon Hall moved to defer item 11 to the July meeting in order for the Board to make an appropriate determination regarding next steps on the disability pension. Talia Lomax-O'dneal seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that on the disability pension new request, late item 1, he is requesting approval of case management and an independent psychological evaluation. Shannon Hall moved for approval of the recommendation to approve case management and an independent psychological evaluation for the disability pension new request, late item. Stephanie Bailey seconded and the Board approved without objection.

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

Dr. Gill Wright reported to the Board that he recommends approval of the disability pension new request, late item 2, for the length of time as recommended. Stephanie Bailey moved for approval of the recommendation to approve the disability pension new request, item 2 for the length of time as recommended. Christine Bradley 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.	James N. Finley	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for two months, (August 2019), with re-exam at that time.
2.	Kelly R. Kraft	Fire	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (October 2019), with re-exam at that time.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
3.	Sharon L. Gudan	Water	Medical	As moved, seconded and approved, this disability pension was continued with case management for four months, (October 2019), with re-exam at that time.
4.	Eric J. Hayes	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued for two years, (June 2021), with re-exam at that time.
5.	David M. Tippitt	Sheriff	Medical	As moved, seconded and approved, this disability pension was continued for six months, (December 2019), with re-exam at that time.
6.	Edward M. Westerman, Jr.	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued without stipulations of scheduled re-exam at that time.

**RETURN TO WORK:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
7.	Dorothy A. Phillips	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this individual was returned to work.
8.	Sherron B. Chunn	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this individual was returned to work.

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

**RETURN TO WORK: (continued)**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
9.	Sherrie R. Davids	State Trial Courts	Medical	As moved, seconded and approved, this individual was returned to work.
10.	Janet R. Garmon	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued with an independent psychological evaluation for two months, (August 2019), with review at that time

**OTHER:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
11.	Alonzo N. Giles	Juvenile Court	Medical	This item was deferred to the July meeting.

**LATE ITEM(S) – NEW REQUESTS:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Gary W. Baggett, Jr.	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, case management and an independent psychological evaluation was approved.
2.	Steven Cunningham	Water	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (October 2019), with re-exam at that time.

**SOCIAL SECURITY REFERRALS:**

Dr. Gill Wright reported to the Board that CSME's office concurs with the case management recommendations on the Social Security referrals.

Christine Bradley moved for approval of the referrals. Jerry Hall seconded and the Board approved without objection.

Item	Name	Department	Origin of Review	Referral Recommendation		Comments
				Case Management	CSME	
1	Deanna Braden	MNPS	Pension Approval	Yes	Yes	May Meet SSA Guidelines

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

Talia Lomax-O'dneal 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
Mihaela Schwartz *	Police	Police Lieutenant	B	05/22/2019	05/01/2019
Doris Brown	General Hospital	Metro Hospital Auth Employee	B	05/08/2019	06/01/2019
Janice Burton	MNPS	MONITOR - SCHOOL BUS	B	05/01/2019	05/09/2019
Elizabeth Vaupel	MNPS	DRIVER - BUS	B	05/01/2019	05/24/2019
Ronnie Key	MNPS	DRIVER - BUS	B	05/15/2019	05/25/2019
Judith Andrews	MNPS	SECRETARY-CLERK	B	05/01/2019	05/24/2019
Henry Click	MNPS	ASST - SCHOOL GENERAL	B	05/09/2019	05/24/2019
Mary Pigg	MNPS	MGR - FOOD SERVICE II	A	05/08/2019	05/24/2019
Geraldine Wade	MNPS	DRIVER - BUS	B	05/01/2019	05/01/2019
Linda Knox	MNPS	SECRETARY-CLERK	B	05/09/2019	05/25/2019
Lynn Pridy	MNPS	ADMIN - RECORDS SCH FIN PAY 1	B	05/15/2019	06/28/2019
Michael Gilmore	MNPS	TECH - ELECTRICAL LD	B	05/22/2019	06/28/2019
Deborah Dial	MNPS	SECRETARY-CLERK	B	05/08/2019	05/24/2019
Beverly Judkins	MNPS	ADMIN - RECORDS SCH FIN PAY I	B	05/15/2019	06/30/2019
Frances Cox	Register of Deeds	Satellite position	B	05/22/2019	06/07/2019
Zachery Phillips	MNPS	MGR - MTA & SCHOOL FACILITIES	B	05/07/2019	06/01/2019
Linda Mathis	General Hospital	Metro Hospital Auth Employee	B	05/15/2019	06/30/2019
Severina Jones	Public Library	Library Assoc 1	B	05/22/2019	06/05/2019
Linda Shaw	Health	Public Health Nurse 1	B	05/14/2019	06/14/2019
George Gillespie	Water Services	Treatment Plant Tech 3	B	05/22/2019	07/04/2019
Thomas Johnson	County Clerk	Admin Svcs Officer 2	B	03/27/2019	04/05/2019
Karen Williams	Public Defender	Admin Asst	B	05/01/2019	05/31/2019
Carl Prater	Fire	Fire Captain	B	05/01/2019	05/20/2019
Roger Claiborne	Fire	Fire Captain	B	05/08/2019	06/28/2019
James Mosley	Fire	Fire Captain	B	05/07/2019	05/15/2019
Sandra Brown	Police	Police Sergeant	B	05/08/2019	06/23/2019
Sheryn Temple	Police	School Crossing Guard Supv	B	05/08/2019	05/23/2019
Jon Mcvey li	Police	Police Officer 2	B	05/08/2019	05/31/2019
Jamie Donegan	Emergency Communication Center	Emerg Communications Dir	B	05/22/2019	06/14/2019
Linda Morrow *	Health	Public Health Nurse 3	B	05/08/2019	04/01/2019
Robert Britt *	Water Services	Cust Svc Asst Supv	B	05/07/2019	07/01/2019
Albert Parker Jr *	Police	Police Officer 2	B	05/15/2019	11/01/2013
Yvonne Caruthers *	General Hospital	Hlth Information Tech	B	02/26/2019	06/01/2017
Wilma Mullis *	Bordeaux Long Term Care	Patient Care Mgr	B	02/18/2019	11/01/2015
Patsy Gleaves *	MNPS	WORKER - CUSTODIAL	B	04/16/2019	06/01/2018
Virginia Laarz *	Circuit Court Satellite	Ct Admin	B	05/22/2019	07/01/2019
Dorothy Diveley *	Health	Veterinarian	B	04/16/2019	04/01/2019
William Thomas *	MNPS	ED ASST - EX ED ONE TO ONE	B	05/08/2019	05/01/2019
Flora Fann *	Sheriff	Program Mgr 2	B	05/15/2019	07/01/2018

\*deferred benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Terry Watts	Police	B	05/01/2019
Kathleen Sanchez	MNPS	B	05/01/2019
Johnny Clinard	MNPS	B	05/01/2019

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Johnny Lee	Water Services	Service With Option	B	01/01/2019	Option E	
Lynn Whiting	MNPS	Service Without Option	B	03/30/2019	Normal	
Jacquelin Oldham	MNPS	Service With Option	B	04/26/2019	Option F	3

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

**Options Elected (continued)**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Donetia Reid	MNPS	Service Without Option	B	04/09/2019	Normal	3
Cindy Mccormick	MNPS	Early Service With Option	B	03/30/2019	Option F	
Robin Moore	Parks	Service With Option	B	05/04/2019	Option B	
Stephanie Robinson	Circuit Court Satellite	Early Service Without Option	B	04/01/2019	Normal	
Michael Yarlett	Sheriff	P&F Service Pen With Option	B	04/14/2019	Option E	
Richard Sawyers	MNPS	Service Without Option	B	03/30/2019	Normal	
Jacquelyn Akbari	NCAC	Early Service With Option	B	04/30/2019	Option E	
Phyllis Boyd	Sheriff	Early Service Without Option	B	05/04/2019	Normal	
Fatemeh Sami	General Hospital	Service Without Option	B	03/30/2019	Normal	
Mack Ray	Water Services	Service With Option	B	04/13/2019	Option E	3
Kenneth Young	Water Services	Service With Option	B	04/16/2019	Option B	2
Joshua Bone	Sheriff	P&F Service Pen With Option	B	05/04/2019	Option E	3
Thomas Johnson	County Clerk	Service Without Option	B	04/06/2019	Normal	3
James Robnett	Criminal Court Clerk	Early Service Without Option	B	04/18/2019	Normal	
Chase Evans	Fire	P&F Service Pen With Option	B	05/01/2019	Option A	3
Charles Hardtke	Fire	P&F Service Pen With Option	B	04/30/2019	Option B	
Robert Lee	Fire	Service Without Option	B	04/15/2019	Normal	
Janice Miller	General Services	Service Without Option	B	05/04/2019	Normal	2
Lesia Hale	Finance	Service With Option	B	05/01/2019	Option E	
Dean Wilson	Information Technology Service	Service With Option	B	04/17/2019	Option E	
Michael Wallace	General Sessions Court	Service With Option	B	03/23/2019	Option A	
Sarah Thorpe	Health	Service With Option	B	04/24/2019	Option F	
Steven Linn	Police	P&F Service Pen With Option	B	04/18/2019	Option E	3
James Johnson	Sheriff	P&F Service Pen With Option	B	05/04/2019	Option A	3
Mark Macy	Public Works	Service With Option	B	04/13/2019	Option A	
Robert Skoney	Municipal Auditorium	Service With Option	B	04/16/2019	Option E	
Yvonne Caruthers	General Hospital	Service Without Option	B	01/01/2019	Normal	
Shelley Gazaway	MNPS	Service With Option	B	05/01/2019	Option E	
Larry Harper	MNPS	Service Without Option	B	04/01/2019	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	

**QDRO – None to report**

**Survivor**

Employee	Department	Survivor Name	Plan A/B	Effective Date
James Martin	Water Services	Veronica Martin	B	05/05/2019
William Covington	Water Services	Joseph Hudspeth	B	04/29/2019
Nan Luffman	Human Resources	Robert Luffman	B	04/30/2019
William Dozier	Fire	Marilyn Dozier	B	05/02/2019
James Ridley Sr	Health	Jessie Ridley	B	04/26/2019
James Clouse	Fire	Mamie Clouse	A	05/09/2019

## **BENEFIT BOARD ITEMS**

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

1. Cost of living adjustments for closed plans.

Christina Hickey reported to the Board that this cost of living adjustment is pursuant to Resolution No. RS2001-659 and applies to the plans references in Section 2 of the resolution – the former City of Nashville pension plan and the former Davidson County pension plan. She stated this increase is built into the Metro Code and cannot be adjusted without a change to the Code. She stated that as a result of the 2.36% increase in the Consumer Price Index, a cost of living adjustment increase of 2.0% should be granted to retirees eligible to receive a cost of living increase under the closed plans beginning July 1, 2019.

Jerry Hall moved for approval of a cost of living adjustment increase of 2.0% to retirees eligible to receive a cost of living increase under the closed plans beginning July 1, 2019. Stacey Rucker seconded and the Board approved without objection.

2. Breastfeeding pumps.

Christina Hickey reported to the Board that at the April 2019 Study Session Findley presented information regarding adding breast pumps to the Blue Cross Blue Shield, (BCBS), self-insured plan. She stated that Cigna currently covers this benefit and the estimated cost for adding this to the BCBS plan would be \$12,000 annually. Ms. Hickey stated that the Board will need to decide if they would like to add breast pump coverage to the BCBS plan effective January 1, 2020.

Joseph Meyers, Findley, was present for any questions.

Talia Lomax-O'dneal moved for approval of adding breast pump coverage to the BCBS plan effective January 1, 2020. Jerry Hall seconded and the Board approved with Stephanie Bailey opposed.

3. In Line of Duty Committee: (Committee Chair: Jerry Hall; Vice-Chair: Christine Bradley; Members: Shannon B. Hall and Stacey Rucker. Alternates: Edna J. Jones and Talia Lomax-O'dneal)

Christina Hickey reported to the Board that the In Line of Duty, (IOD), Committee met on May 17, 2019 to deliberate on 6 IOD medical care requests. She stated that one item was withdrawn by the former employee and 2 items were deferred to the next IOD Committee meeting. She stated that additional medical information has been provided for item 5, the IOD medical care appeal – employee from the Sheriff's Office.

Committee Chair Jerry Hall asked if there were any amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting. With no corrections, Christine Bradley moved for approval of the In Line of Duty Committee minutes. Stacey Rucker seconded and the IOD Committee minutes were approved without objection.

Committee Chair Jerry Hall reviewed the recommendations with the Board. He reported to the Board that on item 3, the IOD medical care request for the employee from the Fire Department, the Committee had no recommendation to the Board due to a tie vote.

Vickie Hampton, Alternative Service Concepts, (ASC), was present.

The employee was present.

Mark Young, union representative, was present.

Vickie Hampton, ASC, stated that the recommendation was to deny the claim. She stated that it was the reviewers opinion that he had an extensive history of hypertension in his family even though his diagnosis was after he was hired.

Mark Young, union representative, addressed the Board regarding the statute and family history.

3. In Line of Duty Committee: (continued)

Edna Jones moved to approve item 3, the IOD medical care request for the employee from the Fire Department. B.R. Hall seconded.

After some discussion regarding the direct family history of hypertension, a vote was taken on the motion to approve item 3, the IOD medical care request for the employee from the Fire Department and the Board approved with Edna Jones, B.R. Hall, Jerry Hall, Todd Henry, and Stacey Rucker in favor and Christine Bradley, Shannon Hall, Stephanie Bailey and Talia Lomax-O'dneal opposed.

Committee Chair Jerry Hall reported to the Board that on item 4, the IOD medical care request for the employee from MNPd, the Committee recommended to overturn the denial by ASC.

The employee was present.

Vickie Hampton, ASC, stated that the recommendation was to deny the claim. She stated that initially the employee did not file an incident report related to his fall. She stated that after he started getting treatment for two other conditions, he started getting treatment related to the initial fall. She stated that during that treatment is when he realized that this was probably related to the fall and subsequently filed a 101 form.

Jack Byrd, attorney, was present. He also requested a 2 month deferral to review the claim.

There was some discussion regarding the request to defer and that there is no basis for a deferral at this level if there is no new information. It was also noted that if this is deferred it will be re-referred back to the IOD Committee.

Christine Bradley moved for approval of the recommendation on item 4, the IOD medical care request for the employee from MNPd, to overturn the denial by ASC. Stacey Rucker seconded and the Board approved with Christine Bradley, Stacey Rucker, B.R. Hall and Jerry Hall in favor and Edna Jones, Talia Lomax-O'dneal and Stephanie Bailey opposed and Todd Henry and Shannon Hall abstaining.

There was also some discussion regarding filling out 101 Forms, who is responsible for filling out the 101 form, and what happens in the event the employee does not want to fill out one. Clarification was requested on if it is considered a benefit, you can not make the employee fill out one, however if it is law, you can.

Committee Chair Jerry Hall reported to the Board that on item 5, the IOD medical care request for the employee from the Sheriff's Office, the Committee recommended to overturn the denial by ASC as well as obtain additional medical records. He also noted that the employee was present but had to leave.

Vickie Hampton, ASC, was present.

Byron Grizzle, Sheriff's Office, was present.

Vickie Hampton, ASC, stated that the additional medical information regarding the condition and the exposure does not change the original denial.

Byron Grizzle, Sheriff's Office, described the incident and the exposure.

Edna Jones moved for approval of the recommendation on item 5, the IOD medical care request for the employee from the Sheriff's Office, to overturn the denial by ASC. B.R. Hall seconded and the Board approved with Stephanie Bailey opposed and Talia Lomax-O'dneal abstaining.

4. Correspondence:

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

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



5. Reports for your information:

- a. Return to work. (none to report)
- 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 5.-a. through 5.-b. were for information only and no action was required.

Christina Hickey noted that item 5.-f. was passed out at the meeting.

6. Late item(s):

Items to be listed under this section were reported at the meeting and have been incorporated into these minutes.

With nothing further presented, the meeting adjourned at 10:33 a.m.

ATTEST:

APPROVED:

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**Shannon B. Hall, Director**  
**Human Resources**

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