

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**October 1, 2019**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, October 1, 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, G. Thomas Curtis, B.R. Hall, Sr., Shannon B. Hall, W. Todd Henry, and \*Stacey Rucker.

Members Harold W. Finch, II and Talia Lomax-O'dneal were 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 September 3, 2019. With no corrections, nothing further was noted and Christine Bradley moved for approval. B.R. Hall 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.

Edna Jones noted that additional information was presented regarding items 3 and 11.

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. Todd Henry moved for approval of the recommendation to approve the disability pension new requests, items 1 and 2 for the length of time as recommended. Tom Curtis seconded and the Board approved without objection.

The employee was present for item 3.

On item 3, Dr. Gill Wright reported to the Board that he recommends denial of the disability pension new request and to return the individual to work. He stated that the additional information does not change his recommendation.

\*Denotes the arrival of Stacey Rucker.

The employee addressed the Board regarding her medical conditions.

Dr. Gill Wright stated that based on the medical record, emergency room visits, and there being no restrictions from any treating physician he can not recommend approval of this request.

After some discussion of one of her conditions and being at baseline from that condition, Stephanie Bailey moved for approval of the recommendation to deny the disability pension new request, item 3. Tom Curtis seconded.

After further discussion of the employee being at baseline and the use of oxygen only at night, a vote was taken on the motion to deny the disability pension new request, item 3 and was 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 for continuing the disability pension reexaminations, items 4 through 8 for the length of time as recommended and ceasing case management services where noted. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 4 through 8 for the length of time as recommended and ceasing case management services where noted. Tom Curtis seconded.

After some discussion regarding the length of review time on item 6, a vote was taken on the motion for approval of continuing items 4 through 8 for the length of time as recommended and ceasing case management services where noted and the Board approved without objection.

Dr. Gill Wright reported to the Board that on item 9, he requests a deferral for two months. Stacey Rucker moved for approval of the request to defer item 9 for two months, (December 2019). Todd Henry seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that on item 10, he is requesting guidance from the Board. He stated that the individual recently had surgery and is scheduled to have another procedure, however, the CSME's office has not received the records. B.R. Hall moved to defer item 10 for two months, (December 2019). Stacey Rucker seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that after review of the additional medical information on item 11 he recommends continuing the disability pension for two months. Stephanie Bailey moved for approval of the recommendation to continue item 11. Tom Curtis 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.	Joshua W. Culwell	Emergency Communications Center	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (February 2020), with re-exam at that time.
2.	Mark W. King	Water	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (February 2020), with re-exam at that time.
3.	Yvonne C. Gaskin	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was denied.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
4.	Ronald L. Cassell	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for four months, (February 2020), with re-exam at that time.
5.	Sharon L. Gudan	Water	Medical	As moved, seconded and approved, this disability pension was continued with ceasing case management services for eight months, (June 2020), with re-exam at that time.

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

**REEXAMINATIONS: (continued)**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
6.	Kelly R. Kraft	Fire	In Line of Duty	As moved, seconded and approved, this disability pension was continued for six months, (April 2020), with re-exam at that time.
7.	Eric C. Morgan	Public Works	Medical	As moved, seconded and approved, this disability pension was continued for six months, (April 2020), with re-exam at that time.
8.	Jacqueline D. Vincent	Emergency Communications Center	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
9.	Titus E. Moore	Public Works	Medical	As moved, seconded and approved, this disability pension was deferred for two months, (December 2019).

**OTHER – TO BE DETERMINED:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
10.	Steven Cunningham	Water	Medical	As moved, seconded and approved, this disability pension was deferred for two months, (December 2019).
11.	Romondia S. Hardison	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension was continued for two months, December 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. Stacey Rucker seconded and the Board approved without objection.

Item	Name	Department	Origin of Review	CM Referral Recommendation	CSME Recommendation	Comments
1	Smith, Robert L.	Water	Pension Approval	Yes	Yes	Evaluation

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

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

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Gregory Bisch *	Police	Police Officer 2	B	09/06/2019	09/01/2019
Wayne Helm li	Police	Helicopter Pilot	B	09/04/2019	09/14/2019
Vivian Dean	Health	Dental Hygienist 1	B	09/17/2019	09/17/2019
Cheryl Parker	Emergency Communication Center	Emer Telecommunications Off 4	B	09/18/2019	11/01/2019
Cory McClellan	Police	Police Officer 2	B	09/04/2019	10/10/2019
Barbara Bennett	Fire	Paramedic 2	B	09/04/2019	08/29/2019
Ricky Woodard	General Hospital	Hospital Transport Worker	B	09/18/2019	09/19/2019
Anna Cox	MNPS	CASHIER - CLUSTER LD	B	08/28/2019	09/28/2019
Cathy Adams	MNPS	CASHIER - CLUSTER LD	B	09/11/2019	09/20/2019
Carmen Scott	MNPS	MONITOR - SCHOOL BUS	B	09/18/2019	10/04/2019
Janet Gilbert	District Attorney	Legal Secretary 1	B	09/11/2019	09/19/2019
Charles Hardison	State Trial Courts	Social Work Tech	B	09/11/2019	10/01/2019
Sean Shea	Police	Police Officer 2	B	08/28/2019	09/14/2019
Michael Taylor	Municipal Auditorium	Bldg Maint Supv	B	09/04/2019	09/05/2019
Lawrence West	Water Services	Utility Compliance Inp 2	B	08/28/2019	08/22/2019
Harry Thoman	Parks	Masonry Worker	B	09/01/2019	08/10/2019
Gwen Sanders	Water Services	Service Rep 2	B	09/18/2019	10/11/2019
Sharon Robertson	Police	Police Operations Coord 1	B	09/18/2019	09/24/2019
Lisa Cooper-Betts	Criminal Court Clerk	Deputy Criminal Ct Clerk 4	B	08/28/2019	08/31/2019
Michael Curl	Metropolitan Council	Finance Mgr	B	07/24/2019	09/01/2019
Michael Prater	Fire	Fire Captain	B	09/18/2019	10/01/2019
Kevin McGavock	Fire	Fire Engineer	B	08/28/2019	10/01/2019
Timothy Tate *	MNPS	DRIVER - BUS	B	08/17/2019	12/01/2019
Maxine Miller *	MNPS	ED ASSISTANT REGULAR ED	B	08/04/2019	11/01/2014
Valoris Sloss *	Bordeaux Long Term Care	Licensed Practical Nurse	B	09/10/2019	02/01/2017
Riley Boyd *	Bordeaux Long Term Care	Nursing Asst -Certified 2	B	09/18/2019	11/01/2019
Thomas Hamlett *	Police	Police Officer 2	B	08/30/2019	02/01/2017

\*deferred benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Janice Dewaal	MNPS	B	09/01/2019
Jerry Waffird	General Services	B	09/01/2019
David Brown	Water Services	B	09/01/2019
Thomas Kiesling	MNPS	B	09/01/2019
Thomas Brown li	Emergency Communication Center	B	09/01/2019

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Michael Williams	Metro Action Commission	Service With Option	B	09/01/2019	Option F	
William Gibbs Jr	General Sessions Court	Service With Option	B	08/02/2019	Option E	
Lukas Merithew	Police	Early Service With Option	B	08/10/2019	Option F	
Henry Click	MNPS	Service Without Option	B	08/06/2019	Normal	
Joyce Butler	MNPS	Early Service Without Option	B	07/25/2019	Normal	
Kenneth Hammonds	MNPS	Service With Option	B	08/15/2019	Option D	3
Roger Robinson	MNPS	Service With Option	B	08/13/2019	Option F	
Beverly Nabors	Information Technology Service	Early Service With Option	B	08/03/2019	Option F	
John Echols Jr	MNPS	Early Service With Option	B	07/19/2019	Option A	
James Taylor	Police	Service With Option	B	08/08/2019	Option A	
Robert Lovell	Election Commission	Early Service With Option	B	08/24/2019	Option A	
Merlin Guschke	Codes Administration	Service With Option	B	07/31/2019	Option F	
David Guess	Health	Service With Option	B	08/24/2019	Option A	
Dennis Cox	Municipal Auditorium	Early Service Without Option	B	08/07/2019	Normal	
Karen Arrington	MNPS	Early Service Without Option	B	08/06/2019	Normal	

**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
Ralph Mcadams Iii	Sheriff	P&F Service Pen Without Option	B	08/01/2019	Normal	
Clyde Hunter	Sheriff	P&F Service Pen With Option	B	08/24/2019	Option E	
Ronald Lipscomb	Fire	P&F Service Pen Without Option	B	08/14/2019	Option F	3
Harvell Green	Water Services	Service With Option	B	08/03/2019	Option A	2
Lawrence Nave Jr	Water Services	Service Without Option	B	08/17/2019	Normal	3
Marlene Blakeman	General Hospital	Service With Option	B	06/01/2019	Option E	
Tony Culpepper Jr	MNPS	Service Without Option	B	03/01/2019	Normal	
Hossein Harbehband	General Hospital	Service With Option	B	01/01/2019	Option E	
Jesse Lott	MNPS	Service With Option	B	09/01/2019	Option A	
Sharon Smith	Health	Service Without Option	B	09/01/2019	Normal	
Stephanie Palmer	Sheriff	P&F Service Pen Without Option	B	09/01/2019	Normal	
Juan Gomez-Hernandez	Sheriff	P&F Service Pen Without Option	B	07/01/2019	Normal	
Kermit Freels	Bordeaux Long Term Care	Service Without Option	B	01/01/2019	Normal	

<b>Key Codes</b>	
<b>Options</b>	<b>Drop Elections</b>
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
Joe Johnson Jr	Water	Marilyn Johnson	B	08/23/2019
Dante Landeo	Bordeaux Long Term Care	Isabel Landeo	A	08/24/2019
Earl Allen	Police	Judy Allen	A	08/30/2019
Reedy Owen	Police	Frances Owen	Closed	09/17/2019
Ernest Jakes	Fire	Valerie Jakes	B	09/04/2019

**BENEFIT BOARD ITEMS**

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

1. Plan document language update.

Christina Hickey reported to the Board that metro's medical plans allow incapacitated children to keep coverage beyond the age limit if they meet the plan definition. She stated that some of the language in the plan definition is outdated and needs to reflect current acceptable terminology. Ms. Hickey stated that in 2013, the federal government and Social Security Administration changed their terminology replacing the term "mental retardation" with "intellectual disability" in their Listing of Impairments which is used to evaluate claims involving mental disorders in adults and children. She noted that both Cigna and Blue Cross Blue Shield use similar terminology with their other plans.

After some discussion regarding qualifiers as it relates to intellectual or physical disability, Shannon Hall moved for approval of the change in the plan language. Tom Curtis seconded and the Board approved with B.R. Hall opposed.

2. Medical and Life Committee report.

Christina Hickey reported to the Board that at the September 17, 2019 Medical and Life Committee meeting, a member participating in the self-insured Cigna Choice fund plan appealed treatment of hypoglossal nerve stimulation therapy in the treatment of obstructive sleep apnea. She stated that Cigna considers this therapy to be experimental and investigational and states that there is insufficient evidence in the published medical literature. She also stated that Cigna's position is also that they need further studies on this therapy to evaluate outcomes and the Committee recommended denying the requested procedure for this particular member.

The employee was present.

Committee Chair Christine Bradley reported to the Board that none of the 3 medical plan providers covers this procedure and asked the employee if he has tried any other treatments.

The employee discussed the severity of his sleep apnea and stated that he has seen different physicians in an attempt to figure out solutions. He also stated that he has tried different machines and masks. The employee also presented information showing that Blue Cross Blue Shield does cover this under a policy agreement.

Paula Smith, Blue Cross Blue Shield, was present. She stated that she is not aware of any policy.

Paul Huffman, Cigna, was present. He stated that Cigna has made no changes regarding this treatment.

Edna Jones moved for approval of the Committee's recommendation to deny the requested procedure for this particular member.

Sean Hill, Humana, was present. He stated it is not covered by Humana.

After some discussion regarding this treatment being covered in some areas under Medicare, Blue Cross reviewing this once again and the employee's options if it is covered, Stephanie Bailey seconded the motion to approve the Committee's recommendation to deny the requested procedure for this particular member and the Board approved without objection.

Committee Chair Christine Bradley asked if there were any amendments, corrections or questions of the minutes from the Medical & Life Committee meeting. With no corrections, Edna Jones moved for approval of the Medical & Life Committee minutes. Todd Henry seconded and the Medical & Life Committee minutes were approved without objection.

3. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from Cigna.
- c. Cigna correspondence.
- d. Timeline for medical request for proposal, (RFP).

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

Christina Hickey made note of items 3.-c. and 3.-d. She also stated that if any Board member would like to be a non-scoring Board advisor to this RFP to let her know.

4. 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. (not available)
- g. Litigation report.

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

There was a request on all RFP's related to the benefit plans that the Board receive a list of the voting members, consultants and advisors, and a copy of the minutes.

It was noted that the RFP process is governed by the Procurement Division and would have to be discussed with them.

Nicki Eke, Legal Department, stated that that information is confidential until an intent to award is issued and is governed by State law.

5. Late item(s) – There were no late items at the meeting.

With nothing further presented, the meeting adjourned at 10:12 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**