

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

March 11, 2020
(rescheduled from March 3, 2020)

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, March 11, 2020 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue North, Nashville, Tennessee, at approximately 1:30 p.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: Stephanie Bailey, Kevin Crumbo, Harold W. Finch, II, B.R. Hall, Sr., Shannon B. Hall, W. Todd Henry, 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 February 4, 2020. With no corrections, nothing further was noted and Shannon 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. 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 through 4, for the length of time as recommended. Stephanie Bailey moved for approval of the recommendation to approve the disability pension new requests, items 1 through 4 for the length of time as recommended. Harold Finch seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that after review of the new medical information he recommends approval of the disability pension new request, item 5 for two months. Christine Bradley moved for approval of the recommendation to approve the disability pension new request, item 5 for the length of time as recommended. Shannon 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 6 through 8 for the length of time as recommended. B.R. Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 6 through 8 for the length of time as recommended. Stacey Rucker seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that on item 9 he requests a deferral for one month. Shannon Hall moved for approval of the request to defer item 9 for one month. Harold Finch seconded.

After some discussion regarding why item 9 is being deferred a vote was taken on the motion to defer and the Board approved without objection.

The disability pensioner was present for item 10.

Byron Grizzle, Sheriff's Office, was also present.

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

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

Byron Grizzle stated that currently there is no position open that meets her restrictions.

The disability pensioner addressed the Board regarding her being able to find a position within the Sheriff's Office and other departments.

After some discussion regarding her restrictions and the Sheriff's Office not being able to accommodate her restrictions, Dr. Gill Wright changed his recommendation to continuing the disability pension, item 10 for six months.

B.R. Hall moved for approval of the recommendation to continue the disability pension, item 10 for six months.

There was some discussion regarding her restrictions and how they prevent her from continuing her training and applying and qualifying for other positions.

There was also some discussion regarding a shorter re-exam length, positions becoming available within the Sheriff's Office in the next six months and the individual's skills/background to help with finding other positions.

B.R. Hall moved for approval of re-exam in four months. Shannon Hall seconded.

After some discussion regarding the individual applying for other positions within or outside of Metro, a vote was taken on the motion to continue item 10 and the Board approved without objection.

It was also noted that individuals on the return to work list should be considered before new hires and any transfers.

Dr. Gill Wright reported to the Board that on item 11, he recommends continuing the disability pension without stipulation of scheduled re-exam at that time. Christine Bradley moved for approval of the recommendation to continue the disability pension item 11 without stipulation of scheduled re-exam. Stacey Rucker seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Jeffery L. Boyd	Metro Action Commission	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam at that time.
2.	Phillip R. Evans	Fire	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for two years, (March 2022), with re-exam at that time.
3.	Stephen C. Johnson	Fire	Medical	As moved, seconded and approved, this disability pension request was approved for eight months, (November 2020), with re-exam at that time.
4.	Vergil W. Stephens, Jr.	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for eight months, (November 2020), with re-exam at that time.

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

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
5.	Kellie A. Canfield	Public Works	Medical	As moved, seconded and approved, this disability pension request was approved for two months, (May 2020), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
6.	Terry L. Brunett	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension was continued for eight months, (November 2020), with re-exam at that time.
7.	Erid N. Harrison	Police	Medical	As moved, seconded and approved, this disability pension was continued for six months, (October 2020), with re-exam at that time.
8.	Joseph O. Haywood	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
9.	Jonathan S. Lowe	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (April 2020), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
10.	Romondia S. Hardison	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension was continued for four months, (July 2020), with re-exam at that time.

TO BE DETERMINED:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
11.	Titus E. Moore	Public Works	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.

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

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.

Harold Finch moved for approval of the referrals. Stacey Rucker seconded and the Board approved without objection.

Item	Name	Department	Origin of Review	Referral Recommendation		Comments
1	Cartwright, Tonya	MNPS	Pension Approval	Yes	Yes	Meets SSA Guidelines
2	Pennington, Trena G.	Human Resources	Pension Approval	Yes	Yes	Evaluation
3	Stephens, Vergil W., Jr.	MNPS	Pension Approval	Yes	Yes	Likely Meets SSA Medical-Vocational Guidelines

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

Christine Bradley 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
Vivian Mathis *	NCAC	Youth & Comm Development Liaison	B	01/31/2020	04/01/2019
Timothy Smith	Fire	Fire Engineer	B	02/19/2020	04/01/2020
Shane Fairbanks	Police	Police Sergeant	B	02/05/2020	02/10/2020
Joseph Pillow	General Services	Equip Mechanic-Certified	B	02/05/2020	02/29/2020
Ada House	MNPS	ASST - SCHOOL GENERAL	B	02/05/2020	02/01/2020
Sharon Watkins	General Hospital	Environ Services Tech	B	02/12/2020	02/29/2020
David Williams	MNPS	SKILL LABORER - ROOFING SR	B	02/05/2020	04/01/2020
Terry Primm	MNPS	SKILL LABORER - CARPENTRY SR	B	02/12/2020	03/27/2020
Janice Whitaker	MNPS	Manager District Enrollment	B	02/05/2020	02/14/2020
Leslie Flowers	MNPS	SPEC - TECHNICAL SUPPORT LD	B	01/29/2020	02/29/2020
Mary Kirkham	Police	Finance Manager	B	02/19/2020	04/16/2020
Terry Bowers	Public Library	Custodian	B	02/21/2020	02/13/2020
Sara Shearon	Sheriff	Treatment Counselor	B	02/19/2020	03/28/2020
Delores Oglesby	Circuit Court Clerk	Warrant Officer 1	B	02/12/2020	03/14/2020
John Hlad	Information Technology Service	Info Systems App Analyst 3	B	01/29/2020	02/22/2020
Richard Manlove	Public Works	Technical Specialist 2	B	01/29/2020	02/29/2020
Elizabeth Harden	Health	Finance Manager	B	02/12/2020	05/01/2020
William Crunk	Sheriff	Compliance Officer-DCSO	B	01/29/2020	03/14/2020
Gregory Stiles	Codes Administration	Property Stan Insp 1	B	02/12/2020	02/29/2020
Lawrence Long Jr	Fire	Fire Captain	B	02/19/2020	02/27/2020
Roger Searcy	Information Technology Service	Information Sys Operations Tech 1	B	01/29/2020	02/15/2020
Bee-Ling Chang	Information Technology Service	Information Systems Advisor 1	B	02/12/2020	04/01/2020
Duane Brooks	Police	Police Officer 2	B	02/10/2020	02/19/2020
Michael Dennis	General Services	Equip Shop Supervisor	B	01/29/2020	03/07/2020
Cindy Huffines	Police	Police Officer 2	B	02/23/2020	02/29/2020
William Safley	Law	Deputy Metropolitan Attorney	B	02/20/2020	05/01/2020
Pamela Dunlap *	Bordeaux Long Term Care	Nursing Asst - Certified 1	B	02/04/2020	05/01/2018
Rhonda King *	MNPS	ASST - FOOD SVC	B	01/24/2020	09/01/2019
Melba Hunter *	MNPS	DRIVER - BUS	B	02/05/2020	03/01/2020

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

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Marcia Wells *	MNPS	WORKER - CUSTODIAL	B	01/30/2020	03/01/2020
Patryca Streater *	General Hospital	Registered Nurse	B	01/28/2020	02/01/2020
Russell Clanton *	Parks	Special Programs Coord	B	02/10/2020	09/01/2017
Steven Howd *	Police	Police Sergeant	B	02/10/2020	03/01/2020
Georgia Hightower *	General Services	Custodian 2	B	02/03/2020	11/01/2017
Mel Pendley *	Police	Police Officer 2	B	02/04/2020	02/01/2020
Karen Cummins-Marks *	General Hospital	Nurse Practitioner	B	02/12/2020	06/01/2019

* Deferred Benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Carol Baker	General Hospital	B	02/01/2020
Debra Russell	MNPS	A	02/01/2020
Shirley Wilford	Police	A	02/01/2020
Billy Marlowe Jr	Police	B	02/01/2020
William Mcneill Jr	Assessor of Property	B	02/01/2020
Linda Cook	MNPS	B	01/01/2020
Joann Bentley	Bordeaux Long Term Care	B	02/01/2020
Lisa Addleman	Police	B	02/01/2020

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Jennifer Ryan	Register of Deeds	Service With Option	B	01/02/2020	Option E	
Janwynella Henderson	Municipal Auditorium	Service With Option	B	01/03/2020	Option F	3
William Troup Jr	Parks	Service With Option	B	01/08/2020	Option F	
Anna Holbrook	Water Services	Service With Option	B	01/22/2020	Option F	3
Christopher Cotter	Fire	P&F Service Pen With Option	A	01/19/2020	Option A	3
Mary Brannon	Emergency Communication Center	Early Service Without Option	B	01/02/2020	Normal	
Jeffrey Massey	Police	P&F Service Pen With Option	B	01/08/2020	Option E	3
Gregory Julia	Police	P&F Service Pen Without Option	B	01/11/2020	Normal	3
Cynthia Walker	Fire	P&F Service Pen Without Option	B	01/01/2020	Normal	
Homer Ferguson	Health	Service With Option	B	01/01/2020	Option A	
Brinda Lumpkins	MNPS	Early Service With Option	B	01/03/2020	Option D	
Beverly McClain	MNPS	Service Without Option	B	01/01/2020	Normal	
Larry McMasters	MNPS	Service Without Option	B	01/01/2020	Normal	
Deborah Patterson	MNPS	Service With Option	B	01/10/2020	Option F	
Susan Jackson	MNPS	Early Service With Option	B	01/01/2020	Option A	
James Gray	Parks	Early Service With Option	B	02/01/2020	Option B	
Jesse Mcknight	General Hospital	Early Service With Option	B	01/01/2020	Option D	
Deborah Scott-Blake	Metro Action Commission	Service Without Option	B	01/11/2020	Normal	3
Vicki Gibbs	Health	Service Without Option	B	01/14/2020	Normal	2
Mary Drew	Water Services	Service With Option	B	01/04/2020	Normal	3
Michael Sullivan	Fire	P&F Service Pen With Option	B	01/16/2020	Option A	3
Eric Mcewen	Fire	Service Without Option	B	01/30/2020	Normal	
Bobby Murray	Fire	P&F Service Pen With Option	B	01/08/2020	Option A	3
James Pollard	Fire	P&F Service Pen With Option	B	01/15/2020	Option D	3
Walter Demonbreun Jr	Fire	P&F Service Pen With Option	B	01/22/2020	Option E	3
George Owen Jr	Fire	P&F Service Pen With Option	B	01/11/2020	Option A	1
David Merlin	Police	P&F Service Pen With Option	B	01/11/2020	Option E	3
Ronal Serpas	Police	Service With Option	B	02/01/2020	Option A	
Larry Buntley	General Hospital	Service Without Option	A	01/01/2020	Normal	
Frances Camacho	Police	P&F Service Pen Without Option	B	01/01/2020	Normal	
Douglas Jenkins	Public Works	Service With Option	B	01/01/2020	Option B	

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

<u>Key Codes</u>	
<u>Options</u>	<u>Drop Elections</u>
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

<u>Employee</u>	<u>Department</u>	<u>Survivor Name</u>	<u>Plan A/B</u>	<u>Effective Date</u>
David Freistuhler	Water Services	Kathy Freistuhler	B	02/01/2020
Roy Hooper	Public Works	Dorothy Hooper	B	10/04/2019
Joyce Hereford	MNPS	Philip Hereford	B	02/01/2020
John Lingley	Water Services	Martha Lingley	B	02/02/2020
Clyde Lord	Metro Action Commission	Veeda Lord	B	02/10/2020

BENEFIT BOARD ITEMS

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

1. Fiscal year 2021 Metropolitan Employee Benefit Board budget.

Christina Hickey reported to the Board that as discussed at the February Study Session, the proposed Benefit Board budget for fiscal year 2021 is being presented for review and approval.

Tom Eddlemon, Treasury, and Ginger Hall, Human Resources, were present for any questions.

Kevin Crumbo moved for approval of the 2021 Benefit Board budget. B.R. Hall seconded and the Board approved without objection.

2. 2021 Medical plan rates.

Christina Hickey reported to the Board that at the February Study Session, Findley presented information on the medical plan rates for 2021. She stated that the Board will need to determine the rates for 2021 and Joseph Meyers and Lauren Chrisman, with Findley are present for any questions.

Joseph Meyers gave an overview of the medical programs, the reserves, renewal assumptions, and the rate considerations for 2021.

After some discussion of the different scenarios, demographics of the plans and not using the fund balance, Christine Bradley moved for approval of scenario 4, a 7% increase for Blue Cross and 11% for Cigna, for the medical plan rates for 2021. Kevin Crumbo seconded and the Board approved without objection.

3. In Line of Duty Committee report.

Christina Hickey reported to the Board that the In Line of Duty Committee met on February 3, 2020 to deliberate on 9 In Line of Duty, (IOD), medical care requests. She stated that item 5 was withdrawn at the request of the appellant and item 9 does not fall under the jurisdiction of the Benefit Board due to the appellant's employment status as a part-time employee in accordance with Metro Code 3.05.020 Administration of In-Line-of-Duty Medical Treatment. The Committee's actions are outlined below.

Committee Chair Stacey Rucker asked if there were any amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting. With one correction, Harold Finch moved for approval of the In Line of Duty Committee minutes. Stacey Rucker seconded and the IOD Committee minutes were approved without objection.

Tracy Harvey, Alternative Service Concepts, (ASC), was present to discuss the cases.

On Committee item 1, the IOD medical care request for the former employee from Public Works, the Committee recommended to uphold the denial by ASC.

The former employee was present and discussed the incident and her conditions.

Tracy Harvey, ASC, stated that based on the medical evidence the physician stated that it was not the heat that caused the problem.

Charles Bodie, Public Works, was also present. He also discussed the incident.

After some discussion regarding the incident, the conditions of the building and the former employee's medications and medical conditions, Edna Jones moved to uphold the denial of the claim by ASC. Stephanie Bailey seconded and the Committee approved with B.R. Hall and Stacey Rucker opposed.

On Committee item 2, the IOD medical care request for the employee from the Fire Department, the Committee recommended to uphold the denial by ASC.

Stacey Rucker reported to the Board that the employee has requested to defer this item for two months.

Todd Henry moved to defer Committee item 2 for two months. B.R. Hall seconded and the Board approved with Stephanie Bailey opposed.

On Committee item 3, the IOD medical care request for the pensioner from the Fire Department, the Committee recommended to overturn the denial by ASC.

The pensioner and Dewey Brandstetter, attorney, were present.

Edna Jones moved for approval of the Committee's recommendation to overturn the denial of the claim by ASC. B.R. Hall seconded.

After some discussion regarding when the individual retired and the date of the claim a vote was taken on the Committee's recommendation to overturn the denial of the claim by ASC and the Board approved with Stephanie Bailey and Harold Finch opposed.

On Committee item 4, the IOD medical care request for the employee from the Fire Department, the Committee recommended to uphold the denial by ASC.

The employee was present.

There was some discussion regarding the initial incident being paid for, however, it does not fall under the presumption.

The employee addressed the Board regarding the incident.

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

Tracy Harvey, ASC, reviewed the claim and the initial charges.

Edna Jones moved to uphold the denial of the claim by ASC. Christine Bradley seconded.

There was clarification that everything was paid on the initial claim and the incident does not fall under the presumption as there is no heart diagnosis.

There was also some discussion regarding the employee's blood pressures before and after the incident and the complexity of the run.

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

It was reiterated that this injury was not related to the presumption law.

Nicki Eke, Legal Department, stated that there is actually no claim currently active and no outstanding expenses.

A vote was taken on the recommendation from the Committee to uphold the denial of the claim by ASC and the Committee approved with Stacey Rucker and Todd Henry opposed.

On Committee item 6, the IOD medical care request for the Pensioner from the Police Department, the Committee recommended to overturn the denial by ASC.

The pensioner was present and addressed the Board regarding the claim, the medical record and physicals.

Tracy Harvey discussed the medical information.

Dr. Gill Wright, CSME, discussed the pre-employment physical in the medical record, the hearing test showing some hearing loss and his ear conditions.

The pensioner discussed going to be checked for hearing aids.

The Board discussed whether or not there is a presumption for hearing.

Nicki Eke, Legal Department, stated that there is no presumption for hearing loss and that the appellant would have to prove that this injury or condition was related to employment.

After confirming that there is not a 101 on file for this pensioner and there being no direct link to his employment, Edna Jones moved to uphold the denial of the claim by ASC. Shannon Hall seconded.

A point of order was called regarding speaking on an issue and also making a motion.

There was further discussion regarding hearing tests and the diagnosis of his ear condition that is noted in the medical record.

There was also some discussion regarding the exposures related to hearing loss.

B.R. Hall moved to overturn the denial by ASC.

It was noted that there is already a motion on the floor.

It was also noted that it is not a legal motion according to Roberts rules of Order.

Nicki Eke, Legal Department, stated that anyone on this Board can make the motion.

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

It was noted that the Board needs to be consistent and often times there has been discussion and the member makes a motion. It was also noted that now is not the time for a challenge and that Roberts Rules of Order should be followed but not at this time.

Nicki Eke, Legal Department, stated that the motion made is a valid motion and is consistent with how this Board has conducted its meetings.

It was one members opinion that is not consistent with Roberts Rules of Order, which this Board adopted.

A vote was taken on the motion to uphold the denial by ASC and the motion failed with Shannon Hall and Edna Jones in favor and Stephanie Bailey, Harold Finch, Christine Bradley, Todd Henry, Stacey Rucker and B.R. Hall opposed the Committee approved with Stacey Rucker and Todd Henry opposed.

Todd Henry moved on Committee item 6, the IOD medical care request for the Pensioner from the Police Department, to overturn the denial by ASC. Harold Finch seconded and the Board approved with Edna Jones opposed and Shannon Hall abstaining.

On Committee item 7, the IOD medical care request for the employee from the Police Department, the Committee recommended to uphold the denial by ASC.

The employee was not present.

Christine Bradley moved to uphold the denial by ASC. Stephanie Bailey seconded and the Board approved without objection.

On Committee item 8, the IOD medical care request for the employee from the Police Department, the Committee recommended to uphold the denial by ASC.

The employee was not present.

Christine Bradley moved to uphold the denial by ASC. Stephanie Bailey seconded and the Board approved without objection.

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.

5. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Repayment of pension contributions.
- d. Denial log from Alternative Service Concepts, (ASC).
- e. Benefit Board budget reports.

Items 5.-a. through 5.-e. were for information only.

6. Late item(s): Discuss plans administration related to coronavirus testing.

Christina Hickey reported to the Board that both Blue Cross and Cigna fully insured plans are covering the coronavirus COVID-19 testing at 100%. She stated that the Board will need to decide if the self-insured plans will cover this testing. She stated that if the Board wishes to cover the testing at 100% or as a preventative service, which is subject to co-pays, co-insurance and deductibles.

6. Late item(s): Discuss plans administration related to coronavirus testing. (continued)

Ginger Hall stated she believes this would be covered under the plans as they are now, however, she wanted to bring this to the Board for a formal vote.

Harold Finch moved for approval of coverage of the testing. B.R. Hall seconded and the Board approved without objection.

Christina Hickey reported to the Board that a Study & Formulating Committee has been appointed, however, no meetings have been scheduled as of yet.

There was also some discussion of a contingency plan regarding Board meetings.

With nothing further presented, the meeting adjourned at 3:35 p.m.

ATTEST:

APPROVED:

Shannon B. Hall, Director
Human Resources

Edna J. Jones, Chair
Employee Benefit Board