

## MINUTES

### METROPOLITAN EMPLOYEE BENEFIT BOARD

#### IN LINE OF DUTY COMMITTEE

November 20, 2018

The Metropolitan Employee Benefit Board's In Line of Duty Committee met on Tuesday, November 20, 2018 in the Sonny West Conference Room, Howard Office Building, 700 2<sup>nd</sup> Avenue South, Nashville, Tennessee, at approximately 10:54 a.m.

Committee Members present: Chair: Jerry Hall; Vice-Chair: Christine Bradley; Members: Edna J. Jones and Talia Lomax-O'dneal. Alternate(s): Shannon B. Hall and Stacey Rucker.

Benefit Board Members present W. Todd Henry.

Others present: Christina Hickey, Metro Human Resources and Nicki Eke, Attorney, Metro Legal Department and Dr. Gill Wright, Civil Service Medical Examiner.

Committee Chair Jerry Hall called the meeting to order and stated that the decisions of this Committee are only recommendations to the full Board for consideration. He also stated that any information that Alternative Service Concepts, (ASC), shares is simply what they have received from the medical provider.

Committee Chair Jerry Hall informed the Committee that item 8 has been withdrawn and items 2-7 have requested deferrals. Christine Bradley moved for approval of deferring items 2-7 to the next In Line of Duty Committee meeting. Edna Jones seconded and the Committee approved without objection.

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

1. In line of duty medical care appeal – Pensioner from Police Department.

Vickie Hampton and Tracy Patterson, Alternative Service Concepts, (ASC), were present.

The pensioner was also present.

Tracy Patterson reviewed the claim with the Committee. She reported to the Committee that the pensioner has an active heart claim and is currently treating. She stated that he contacted ASC in June of 2018 regarding a new diagnosis of type II diabetes and that the condition was due to medications (steroids) prescribed for the heart condition. She stated that the medical records obtained indicate that the pensioner was first diagnosed with diabetes in 2004 and the claim was denied.

The pensioner addressed the Committee regarding his conditions and the claim. He stated that he is a transplant recipient and that he was told by his physician that the steroid medication caused the type II diabetes.

There was some discussion that the steroids are being taken in relation to a transplant and not the heart condition, which would not be covered under the presumption.

Dr. Gill Wright addressed the Committee regarding the steroids, which are being taken to prevent rejection of the transplant and how the condition has become worse because of the use of the steroid.

Edna Jones moved to uphold the denial by ASC on item 1, the in line of duty medical care appeal - pensioner from Police Department. Christine Bradley seconded and the Committee approved without objection.

2. In line of duty medical care appeal – Employee from Police Department.

This in line of duty medical care appeal was deferred.

3. In line of duty medical care appeal – Pensioner from Fire Department.

This in line of duty medical care appeal was deferred.

4. In line of duty medical care appeal – Employee from Fire Department.

This in line of duty medical care appeal was deferred.

5. In line of duty medical care appeal – Former employee from Fire Department.

This in line of duty medical care appeal was deferred.

6. In line of duty medical care appeal – Pensioner from Fire Department.

This in line of duty medical care appeal was deferred.

7. In line of duty medical care appeal – Employee from Metropolitan Nashville Public Schools.

This in line of duty medical care appeal was deferred.

8. In line of duty medical care appeal – Employee from Metropolitan Nashville Public Schools.

This in line of duty medical care appeal was withdrawn.

9. In line of duty medical care appeal – Employee from Metropolitan Nashville Public Schools.

Tracy Patterson, ASC, reviewed the claim. She reported to the Committee that the employee sought treatment for bilateral hand pain under her personal health insurance. She stated that she was diagnosed with possible carpal tunnel syndrome and referred out for testing. She stated that she subsequently filed a 101 Form and sought treatment at the injury on duty clinic where the treating physician agreed with the primary care physician's assessment pending diagnostics. However, the current literature does not support the condition as greater than 50% work related. Ms. Patterson stated that the employee appealed the denial and has submitted diagnostic testing that confirms the carpal tunnel and ASC maintains the denial based on the fact that the treating physician does not feel that it is work related.

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

Edna Jones moved to uphold the denial by ASC on item 9, the in line of duty medical care appeal – employee from MNPS based on the medical evidence to causation in this case. Talia Lomax-O'dneal seconded and the Committee approved without objection.

10. In line of duty medical care appeal – Employee from Sheriff's Office.

Tracy Patterson, ASC, reviewed with claim. She reported to the Committee that in December of 2017 the employee reported a seven year history of bilateral hand, wrist and forearm pain that she felt was work related. She stated that the employee sought treatment and the Metro IOD clinic where the treating physician contacted the primary care physician and they both agreed that the employee likely had carpal tunnel syndrome and the treating physician opined that the literature does not support causation. Ms. Patterson stated that the employee contacted the treating physician at the IOD clinic again after receiving the results of the diagnostic testing that shows carpal tunnel syndrome and was advised again that it was not work related.

Edna Jones moved to uphold the denial by ASC on item 10, the in line of duty medical care appeal – employee from Sheriff's Office, based on the medical evidence to causation in this case. Christine Bradley seconded and the Committee approved without objection.

Nicki Eke, Legal Department, clarified that the motion indicates that there is not competent medical evidence to reflect that causation of this particular injury in this case is work related.

With nothing further presented the meeting was adjourned at 11:09 a.m.

ATTEST:

APPROVED:

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

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**Jerry Hall, Chair**  
**In Line of Duty Committee**