

## MINUTES

### METROPOLITAN EMPLOYEE BENEFIT BOARD

#### MEDICAL & LIFE COMMITTEE

May 10, 2017

The Metropolitan Employee Benefit Board's Medical & Life Committee met on Wednesday, May 10, 2017 in the Sonny West Conference Room, Howard Office Building, 700 2<sup>nd</sup> Avenue North, Nashville, Tennessee at approximately 9:31 a.m.

Committee Members present: Committee Chair Jerry Hall; Vice-Chair: Christine Bradley; Members: Stephanie Bailey, Christine Bradley, Charles D. Clariday and B.R. Hall, Sr. and John P. Kennedy. Alternate: Edna J. Jones.

Others present: Christina Hickey, Metro Human Resources and Nicki Eke, Attorney, Metro Legal Department.

Committee Chair Jerry Hall called the meeting to order and informed those present that this Committee only makes a recommendation to the full Board for consideration.

#### BENEFIT BOARD ITEMS

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

1. Opt-out appeal – Employee from Metropolitan Nashville Public Schools.

The employee was present and addressed the Committee regarding the issue of receiving incorrect information from MNPS, who told him he could opt out of Metro's insurance with Medicare coverage.

There was some discussion regarding the opt-out form.

Nicki Eke, Legal Department, stated that the Code gives the Board the authority to determine what is appropriate alternate coverage for an active employee to be able to opt-out. She also stated that this is in the plan documents as well. She stated that the Board can determine whether or not to change the policy going forward. She also stated that at the time this happened the policy is that Medicare is not considered an appropriate alternate coverage for an active employee.

There was some discussion regarding which coverage is primary for an active employee with Medicare.

Christi Mayo stated that the employer's coverage is primary over Medicare whenever someone is actively working.

There was some discussion regarding what the employee was told by MNPS, how that influenced his decision to apply for Medicare, the money that he has spent on premiums and stopping his Medicare.

The Committee discussed the policy and how MNPS did not follow that policy.

The employee expressed his concerns with receiving the wrong information from someone who is suppose to be a specialist at administering employee's benefits.

Christi Mayo informed the Committee that back in 2014 and August of last year the opt out form and policy were sent to David Hines office regarding opting out and how to opt-out.

The Committee discussed the employee not receiving the correct information and paperwork and how this Board has no jurisdiction over the Board of Education to make them correct this mistake.

Nicki Eke, Legal Department, informed the Committee that because this is a benefits issue it comes before

this Board. She stated that the personnel issues falls under the Board of Education, if there are any that are raised.

There was some discussion as to why Medicare is not considered an appropriate health care coverage for a senior employee.

Christi Mayo stated that when looking at the policy it was from the standpoint of an active employee as well as pensioners. She stated for employees that are actively working the employer coverage is going to be primary and Medicare would be secondary. She also stated that there are several reasons why it was decided to limit it to other non-Medicare coverage such as, Metro's plans provide greater coverage, Medicare typically does not cover prescriptions and to avoid adverse selection.

The employee further expressed concerns with being given the wrong information and training for them, not being able to have a coverage that works for him. He also noted that he would have been satisfied with Cigna, if he was given the correct information, that the policy should have a clause for senior employees and could be considered age discrimination.

John Kennedy informed the Committee that he intends to reach out to David Hines to see about possibly reimbursing the employee.

There was some discussion that the choice of the insurance carrier is the employee's choice within the plans and policy.

There was also discussion regarding MNPS interpreting a policy or benefit that they don't set being problematic.

B.R. Hall moved to follow the policy. Stephanie Bailey seconded and the Committee approved without objection.

It was requested that this policy be looked at, specifically the non-Medicare statement, to see if it needs to be modified.

With nothing further presented, the meeting adjourned at 10:08 a.m.

ATTEST:

APPROVED:

---

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

---

**Jerry Hall, Chair  
Medical & Life Committee**