

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

February 1, 2022

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, February 1, 2022 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; Members: Stephanie Bailey, *G. Thomas Curtis**, Harold W. Finch, II, ***Kelly Flannery, B.R. Hall, Sr., Shannon B. Hall, Jeremy Moseley, and Jonathan Puckett.

Vice Chair: Christine Bradley 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 January 4, 2022. With no corrections, nothing further was noted, and Jeremy Moseley moved for approval. Jonathan Puckett 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. Wright also introduced Dr. Kenton Dodd, the new CSME.

It was noted that item 3 has been withdrawn.

Dr. Gill Wright reported to the Board that he recommends approval of the disability pension new requests, items 1, 2 and 4, for the length of time as recommended. Dr. Wright stated that the original recommendation on item 4 was to be determined, however, after review of additional medical information he recommends approval for three months.

After some discussion of the restrictions on item 4, Jeremy Moseley moved for approval of the recommendation to approve the disability pension new requests, items 1, 2 and 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 he recommends approval for continuing the disability pension reexaminations, items 5 through 8 for the length of time as recommended. Stephanie Bailey moved for approval of the recommendation to continue the disability pension reexaminations, items 5 through 8 for the length of time as recommended. Jonathan Puckett seconded, and the Board approved without objection.

Dr. Gill Wright reported to the Board that on items 9 and 10, he requests a deferral for the length of time as recommended. B.R. Hall moved for approval of the request to defer items 9 and 10 for the length of time as recommended. Kelly Flannery seconded.

After some discussion of the deferral status on item 9, a vote was taken on the motion to defer items 9 and 10 and the Board approved without objection.

Dr. Gill Wright reported to the Board that on item 11 he recommends approval of return to work with restrictions.

Melissa Roberge, Metropolitan Nashville Public Schools, was present and stated they are able to return the individual to work.

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

The disability pensioner was also present.

It was also noted that there will be a salary supplement on item 11.

Shannon Hall moved for approval of the return to work. Stephanie Bailey seconded, and the Board approved with Harold Finch abstaining.

Dr. Gill Wright reported to the Board that on item 12 the individual is not following up with psychiatric care as recommended by his primary care physician and he is requesting guidance from the Board on this item.

The disability pensioner was not present.

After some discussion regarding assigning case management services in order to become compliant, Shannon Hall moved for approval of case management services and continuing the disability pension for three months. Jeremy Moseley seconded, and the Board approved without objection.

Dr. Gill Wright reported to the Board that on the reconsideration information was just received and he has not had a chance to review it in order to make a recommendation. He stated that he is requesting a deferral to the next meeting. Shannon Hall moved for approval of deferring the reconsideration to the next Board meeting. Jonathan Puckett seconded, and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Deborah A. Bruton-Reed	Metro Action Commission	Medical	As moved, seconded, and approved, this disability pension request was approved for two months, (April 2022), with re-exam at that time.
2.	Larry W. Kelley	Parks	Medical	As moved, seconded, and approved, this disability pension request was approved for four months, (June 2022), with re-exam at that time.
3.	Jerome Cornish, Jr.	Sheriff's Office	Medical	This disability pension request was withdrawn.
4.	Paula C. Barnes	Police	Medical	As moved, seconded, and approved, this disability pension request was approved for three months, (May 2022), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
5.	Christopher J. Jones	Police	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
6.	Brian S. McAfee	Fire	Medical	As moved, seconded, and approved, this disability pension was continued for three months, (May 2022), with re-exam at that time.

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

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
7.	James D. Murray	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
8.	Hugh L. Watson	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued for four months, (June 2022), with re-exam at that time.

REEXAMINATIONS - DEFER:

9.	Raeffel A. Grant, Sr.	Water	Medical	As moved, seconded, and approved, this disability pension re-exam was deferred for three months, (May 2022), with re-exam at that time.
10.	Mary E. Searcy	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension re-exam was deferred for two months, (April 2022), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
11.	Joseph R. Combs	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded, and approved, this individual was returned to work.

OTHER – TO BE DETERMINED

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
12.	Jerry L. Jamison	Water	Medical	As moved, seconded, and approved, this disability pension was continued for three months, (May 2022), and assigned case management services.

RECONSIDERATION - NEW REQUEST:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	Erika S. Peters	State Trial Courts	Medical	As moved, seconded, and approved, this reconsideration was deferred.

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.

Shannon Hall moved for approval of the referrals. Stephanie Bailey seconded, and the Board approved without objection.

Item	Name	Department	Origin of Review	CM Referral Recommendation	CSME	Comments
1	Shearron, Sarah E.	MNPS	Pension Approval	Yes	Yes	Likely Meets SSA Medical-Vocational Guidelines
2	Smith, Julianne B.	State Trial Courts	Pension Approval	Yes	Yes	Meets SSA Guidelines, Listing 13.07B
3	Tydus, Rochelle S.	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)

B.R. Hall moved for approval of the pensions. Jonathan Puckett seconded, and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Steven Wall *	Water Services	Engineering Tech 3	B	12/20/2021	08/01/2021
Michael White	MNPS	Monitor - School Bus	B	01/18/2022	01/17/2022
Dennise Meyers	Finance	Finance Officer 3	B	01/18/2022	03/05/2022
Edward Tuggle	MNPS	Para Pro - Ex Ed PreK (Slfctnd)	B	12/30/2021	01/21/2022
James Cannon	Register of Deeds	Satellite position	B	12/29/2021	02/01/2022
Barbara Schwarz	Sheriff	Correctional Officer 2	B	12/20/2021	04/08/2022
James Stanfield	MNPS	Spec - Support Tech Dp	B	12/27/2021	12/30/2021
Tracey DeMoss	MNPS	Manager - Transportation	B	12/16/2021	12/17/2021
Michelle Pardue	Health	Bureau Director 2	B	12/29/2021	04/01/2022
Wesley Henderson	Police	Police Officer 2	B	12/28/2021	12/31/2021
Gwendolyn Marable	General Hospital	Medical Secretary	B	12/30/2021	02/01/2022
Laura Carrillo	Parks	Office Support Rep Sr	B	12/09/2021	11/26/2021
Sheila Stinson	Sheriff	Sheriff Education Coord	B	12/20/2021	04/07/2022
Isaac Martinez	Police	Police Operations Coord 1	B	01/11/2022	01/21/2022
Carl Booker	Fire	Fire Asst Chief	B	12/14/2021	12/24/2021
Carolyn Wells	Social Services	Social Worker Senior	B	12/27/2021	01/15/2022
Timothy Tawater	Fire	Fire Engineer	B	12/27/2021	12/30/2021
Algenor Robinson	Codes Administration	Office Support Rep Sr	B	11/19/2021	01/01/2022
Salley Lyons	Emergency Communication Center	Emer Telecommunications Off 4	B	12/21/2021	12/31/2021
Sheila Conn	Emergency Communication Center	Emer Telecommunications Off 4	B	01/10/2022	12/31/2021
Rhonda Shedd	Emergency Communication Center	Emer Telecommunications Supervisor	B	12/15/2021	12/11/2021
Charles Boles	Police	Police Officer 2-Fld Training Officer	B	12/28/2021	12/30/2021
Tanya Stone	Emergency Communication Center	Emer Telecommunications Supervisor	B	12/28/2021	12/31/2021
James Laster Jr	Police	Police Officer 2	B	01/18/2022	01/29/2022
Vienafe Jornadal-Recinto	General Hospital	Metro Hospital Auth Employee	B	01/03/2022	01/29/2022
Wilfred Klotzback Jr	Police	Police Sergeant	B	12/28/2021	12/31/2021
David Humes	Police	Police Sergeant	B	12/23/2021	12/31/2021
Gordon Howey Jr	Police	Police Captain	B	12/21/2021	12/31/2021
Steven Dozier	Fire	Fire Captain	B	12/22/2021	12/31/2021

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
Margaret Trevino *	General Hospital	Secretary-Dept	B	01/13/2022	10/01/2021
Leigh Palmore *	General Hospital	Patient Accounts Rep	B	01/03/2022	02/01/2022
Kathy Pack *	General Hospital	Health Information Technician	B	12/30/2021	08/01/2021
Robert Browning *	Information Technology Service	Info Systems App Analyst 3	B	01/04/2022	02/01/2022
Lynn Jones *	MNPS	Tech - Acctg IT	B	01/12/2022	12/01/2021

* Deferred Benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
David Oliver	General Services	B	01/01/2022
Lisa Bennett	Information Technology Service	B	01/01/2022
Cynthia Wood	Planning Commission	B	01/01/2022

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Billy Bell	MNPS	Service With Option	B	01/02/2022	Option A	
Esther Kennedy	MNPS	Service With Option	B	01/01/2022	Option D	
Adrean Williams	Sheriff	P&F Service Pen With Option	B	01/01/2022	Option A	
Brenda Lyle	Health	Early Service Without Option	B	01/01/2022	Normal	
Felicia Zagula	MNPS	Service Without Option	B	01/01/2022	Normal	
Michael Stratton	Sheriff	Early Service Without Option	B	01/01/2022	Normal	
Harold Wells	Police	P&F Service Pen Without Option	B	01/01/2022	Normal	
Catherine Chisam	General Hospital	Early Service Without Option	B	01/01/2022	Normal	
Bernadette Hugan	Public Library	Service Without Option	B	01/01/2022	Normal	2
Renesa Davis	Public Works	Service With Option	B	01/01/2022	Option E	3
Karen Osborn	Water Services	Service With Option	B	01/01/2022	Option A	
Paul Burton	Police	P&F Service Pen With Option	B	01/01/2022	Option B	
James Stephens	Police	P&F Service Pen With Option	B	01/01/2022	Option B	2
Judy Langston	Emergency Communication Center	P&F Service Pen Without Option	A	01/01/2022	Normal	3
David Pickral	Police	P&F Service Pen With Option	B	01/01/2022	Option A	
Jeffrey Phillips	Police	P&F Service Pen With Option	B	01/02/2022	Option E	
Deborah Hawkins	Water Services	Service With Option	B	01/02/2022	Option D	
Gloria Lindsay	Emergency Communication Center	Service Without Option	B	01/01/2022	Normal	
Debra Almon	Convention Center	Service With Option	B	01/02/2022	Option A	

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
Colleen Singh	MNPS	Puran Singh	B	01/05/2022
James Dupree	Parks	Dlaon Dupree	B	01/11/2022

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

Survivor (continued)

Employee	Department	Survivor Name	Plan A/B	Effective Date
Fredie Braswell	Fire	Peggy Braswell	Closed	12/24/2021
Peter Bernhart	Fire	Adonna Bernhart	B	01/10/2022
Patricia Magee	Metro Action Commission	Landon Magee	B	01/12/2022
Lynda Bowling	Finance	Neil Bowling	B	01/15/2022
Charles Simpson	Parks	Stella Simpson	B	12/21/2021
Willis Amos	Police	Susan Amos	B	01/05/2022
Carl Davids	Police	Waldine Davids	Closed	12/24/2021
Ronnie Boatright	Sheriff	Peggy Boatright	B	
Glenn Floyd	Parks	Donna Wade	B	01/06/2022

BENEFIT BOARD ITEMS

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

1. Reconsideration for medical disability pension for employee from State Trial Courts.

This item was deferred to the next Board meeting.

2. Appeal regarding eligibility to apply for disability pension with split service.

The appellant was unable to be present, however, he requested union representation.

Scotty Davidson, and Brenda Waybrandt, Service employees International Union, (SEIU), were present.

*Denotes the arrival of G. Thomas Curtis.

Kevin Sullivan, USI, (Findley), was present.

Dylan Lynch, Human Resources staff, was also present.

Christina Hickey reported to the Board that Joseph Yount, a Water Services employee with split service, is requesting to apply for a disability pension even though he met his unreduced retirement date and is eligible for a service pension. She stated that Mr. Yount has 6 years and 11 months of Police/Fire service and 15 years 10 months of General Government service credit. She stated that the Benefit Board has previously interpreted the Unreduced Retirement Date (URD) for individuals with split service and according to the Board's policy, Mr. Yount reached his unreduced retirement date in January of 2018, and since he is eligible for an unreduced service pension, he would not be eligible to apply for a disability pension in accordance with Metro Code Section 3.29.050B. She also stated that choosing a different URD other than what is required in the policy and Code for Mr. Yount, would impact every other pensioner's split service calculation and URD and make the URD later for all split service pensioners which would effectively keep them from getting their full, unreduced service pension until a later date or face a permanent reduction longer.

Ms. Hickey stated it is HR's recommendation that since the Code clearly defines a disability pension is only payable until the member's unreduced retirement age and in accordance with the Board's split service policy, the member's unreduced retirement date was in January 2018, therefore, the member is not eligible to apply for a disability pension and is only eligible for a service pension.

Scotty Davidson, SEIU, addressed the Board regarding the appeal.

Brenda Waybrandt, SEIU, read a statement from the employee to the Board.

2. Appeal regarding eligibility to apply for disability pension with split service.

Kevin Sullivan, USI, gave some background on the split service policy.

There was some discussion regarding the request to apply for a disability pension, the unreduced retirement date, the disability section that states if you have met your unreduced retirement date you can not apply for a disability pension and the impact on other members.

Nicki Eke, Legal Department, stated that there are two components. She stated that one is the unreduced retirement date, which is a particular date, and second is a reduction in the benefit for General Government. Ms. Eke stated that the Board may want to review the component that says you get a reduction.

There was some discussion of the intent of the provision, the number of employees that may be in this situation, the impact of changing the policy and that he will not be able to get a disability pension based on the unreduced retirement date.

There was also some discussion regarding what the Code states regarding the unreduced retirement date.

Tom Curtis moved to refer the issue of reduction with split service to a Study Session for discussion. Harold Finch seconded.

After clarification that the Board can not legally grant the request for a disability pension and that the Board will study the issue regarding a reduction with split service a vote was taken on the motion to refer the reduction with split service to a Study Session for discussion and the Board approved with Kelly Flannery opposed.

3. Addition of 3rd contribution rate tier in medical plans for pensioners without Medicare.

Christina Hickey reported to the Board that at the January Study Session Deloitte presented information on a request to offer retirees who are not eligible for Medicare an additional coverage tier option of Employee + Child(ren) in the two self-insured medical plans. She stated this would align with the Board's decision in 2016, to move from a 2-tier contribution structure in the medical plans to a 3-tier for the active employees effective January 1, 2017. She stated the change was made in order to provide the most fair and equitable rates to those who are only covering a child(ren) and the Board must decide if they would like to add the additional medical plan contribution structure option of Employee + Child(ren) for Metro retirees effective January 1, 2023.

After some discussion of the new rate and savings to the retiree, Jeremy Moseley moved for approval of the addition of 3rd contribution rate tier in medical plans for pensioners without Medicare. Stephanie Bailey seconded, and the Board approved without objection.

4. Group medical plan RFP vendor awards.

This item was deferred.

5. Pensioners eligible for Medicare Part B but not enrolled.

Christina Hickey reported to the Board that at the January Study Session Deloitte presented information on 46 retirees and/or their dependents that are eligible to enroll in Medicare Part B but have not done so. She stated since October 1, 1993, Metro's medical plan documents and Board policy have required retirees and their dependents to enroll in Medicare Part B when eligible and due to the Benefit Board's decision and the Metro Council's legislation, effective January 1, 2023, the only medical plan option available to Medicare-eligible retirees and whose dependents are Medicare-eligible will be the Medicare Advantage plan. She stated that

therefore, these 46 retirees and/or dependents cannot be enrolled in the Medicare Advantage Plan if they are not enrolled in Medicare Part B. She stated that Metro HR has already conducted outreach calls to these members to inform them they are required to enroll in Medicare Part B and if they elect not to enroll in Part B, then they will not have any Metro medical insurance after 2022. Ms. Hickey also stated follow up letters will also be sent to these retirees and dependents stating the same information encouraging them to enroll in Part B during CMS's enrollment window open until March 31, 2022.

She also noted that going forward, in accordance with this legislation pensioners and their dependents who refuse to enroll in Part B will no longer be eligible for Metro's medical insurance (along with their dependents) and coverage will be terminated effective the end of the month before the Part B coverage would have taken effect.

It was also noted that it is problematic that the Board was not aware of this prior to voting.

6. Pension plan valuation – final results.

Christina Hickey reported to the Board that USI, (Findley), will be presenting the final results of the annual actuarial valuation on the pension plans. She stated that in accordance with Metro Code Section 3.16.050, the Board will need to adopt the contribution rate for next year by the end of February.

Kevin Sullivan, Findley, gave a summary of the plan provisions and employee data statistics of the plans (open and closed). He reviewed the plans assets and liabilities. Mr. Sullivan reviewed future trends and projected contribution assumptions, existing gains, and losses. He reviewed a summary of the calculation of the recommended contribution rate of 12.455%.

After some discussion, Kelly Flannery moved for approval of lowering the discount rate to 7% and a contribution rate of 12.455%. Tom Curtis seconded, and the Board approved without objection.

**Denotes G. Thomas Curtis leaving the meeting.

7. BCBS PPO medical ID cards.

Christina Hickey reported to the Board that member Edna Jones has requested that BCBS provide Board members an explanation regarding the delay in pensioners and employees receiving their new medical ID cards.

Russ Henderson and John Mackey, BCBS, were present and explained to the Board what happened with the ID cards being delayed.

***Denotes Kelly Flannery leaving the meeting.

8. Request for Board approval of termination of disability pension due to pensioner's refusal to accept offered original position.

After some discussion of the attempts made to the pensioner, Jeremy Moseley moved for approval of terminating the disability pension due to pensioner's refusal to accept offered original position. Stephanie Bailey seconded, and the Board approved without objection.

9. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.

This item was for information only and no action was required.

10. Reports for your information:

- a. Social Security approvals.
- b. Repayment of pension contributions.
- c. Privacy notice.
- d. TN Open Meetings Act.
- e. Denial log from Davies.
- f. Benefit Board budget reports.

Items 10.-a. through 10.-f. were for information only and no action was required.

11. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 11:32 a.m.

ATTEST:

APPROVED:

Shannon B. Hall, Director
Human Resources

Edna J. Jones, Chair
Employee Benefit Board