

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**June 6, 2023**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, June 6, 2023 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue South, Nashville, Tennessee, at approximately 9:34 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: \*Harold W. Finch, II, \*\*\*Kelly Flannery, \*\*Gilbert Gonzales, B.R. Hall, Sr., Shannon B. Hall, Jeremy Moseley, and Jonathan Puckett.

Member G. Thomas Curtis was unable to be present.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke and Courtney Mohan, Metro Legal Department and Dr. Kenton Dodd, 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 May 2, 2023. With no corrections, nothing further was noted and Jeremy Moseley moved for approval. Kelly Flannery seconded, and the Board approved without objection.

Chair Edna Jones stated that public comments will be allowed on the Benefit Board items after a vote on how many and the time limit. She also stated that due to the length of the agenda the Board will be taking a break midway.

#### **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. Kenton Dodd, Civil Service Medical Examiner, (CSME), and Claire Wells, CSME Assistant, reviewed the disability pensions with the Board.

Dr. Kenton Dodd noted that he would like to discuss item 1 separately.

Dr. Kenton Dodd reported to the Board that he recommends approval of the disability pension new requests, items 2 through 6, for the length of time as recommended. B.R. Hall moved for approval of the recommendation to approve the disability pension new requests, items 2 through 6 for the length of time as recommended. Jonathan Puckett seconded, and the Board approved without objection.

On the disability pension new request item 1, Dr. Kenton Dodd reported to the Board that he is recommending approval based on the medical condition that impacts her ability to function at work, however, he stated that at the time of evaluation he had no medical information related to the current treatment of the disabling condition.

The employee and her attorney, Mike Williamson, were present.

A representative from the Police Department was not present.

Mike Williamson addressed the Board regarding the neuropsychic testing and her impairments potentially being permanent.

There was some discussion regarding a re-exam date of six months and the condition improving with treatment.

\*Denotes the arrival of Harold Finch.

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

Jonathan Puckett moved for approval of the disability pension new request, item 1 for the length of time as recommended. Christine Bradley seconded, and the Board approved with Jeremy Moseley opposed and Harold Finch abstaining.

Dr. Kenton Dodd reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 7 through 9 for the length of time as recommended with case management services where noted. Jeremy Moseley moved for approval of the recommendation to continue the disability pension reexaminations, items 7 through 9 for the length of time as recommended with case management services where noted. Harold Finch seconded, and the Board approved without objection.

The disability pensioner was present for item 10.

A representative from the Police Department was not present.

Dr. Kenton Dodd reported to the Board that on item 10 he cannot recommend approval of the request to return to work in a sworn position. He stated that he would be in support of a fitness for duty evaluation with review in three months.

It was also noted that a previous action released him to return to work in a non-sworn status.

The disability pensioner was present and addressed the Board regarding returning to work in a sworn position.

After some discussion of the evaluations for returning to full duty and anything noted in the medical record indicating limitations, Shannon Hall moved for approval of the recommendation on item 10 to continue the disability pension for three months with a fitness for duty evaluation. Jeremy Moseley 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.	Paula C. Barnes	Police	Medical	As moved, seconded, and approved, this disability pension request was approved for six months, (December 2023), with re-exam at that time.
2.	Freda A. Brooks	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension request was approved without stipulation of scheduled re-exam at that time.
3.	Karen J. Damte	Water	Medical	As moved, seconded, and approved, this disability pension request was approved for one year, (June 2024), with re-exam at that time.
4.	Wanda Lawton	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension request was approved without stipulation of scheduled re-exam at that time.
5.	Kim M. McBee	Parks	Medical	As moved, seconded, and approved, this disability pension request was approved for six months, (December 2023), with re-exam at that time.

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

**NEW REQUESTS:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
6.	Michael J. Toews	Sheriff's Office	In Line of Duty	As moved, seconded, and approved, this disability pension request was approved for five months, (November 2023), with re-exam at that time.

**REEXAMINATIONS:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
7.	Ashley R. Brown	Parks	In Line of Duty	As moved, seconded, and approved, this disability pension was continued for one year, (June 2024), with re-exam at that time.
8.	Jonathan S. Lowe	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded, and approved, this disability pension was continued with vocational case management for three months, (September 2023), with re-exam at that time.
9.	Steven A. McClure	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.

**REQUEST - RETURN TO WORK:**

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
10.	Richard T. Foley, III	Police	Medical	As moved, seconded, and approved, this disability pension was continued for three months, (September 2023), with a fitness for duty evaluation.

**SOCIAL SECURITY REFERRALS:**

Dr. Kenton Dodd 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. Jonathan Puckett seconded, and the Board approved without objection.

Item	Name	Department	Origin of Review	CM Referral	CSME Recommendation	Comments
1	Brooks, Freda A.	MNPS	Expedited Review, Pending Likely Pension Approval	Yes	Yes	May Meet SSA Guidelines, Listing 4.02A1
2	Coleman, Tiffany M.	MNPS	Pension Approval	Yes	Yes	Evaluation
3	Cummings, Christie L.	MNPS	Pension Approval	Yes	Yes	May Meet SSA Guidelines
4	Feliciano, Wanda I.	MNPS	Pension Approval	Yes	Yes	May Meet SSA Guidelines

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

Jeremy Moseley 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
Juanita Stewart *	General Hospital	Mgr Safety, Accred & Compli	B	04/13/2023	05/01/2023
Joseph Clinard III	Information Technology Service	Info Systems Div Mgr	B	05/11/2023	07/07/2023
Deborah Kraski	MNPS	SECRETARY-CLERK	B	05/08/2023	05/31/2023
Brenda James	MNPS	MGR - FOOD SERVICE CLUSTER	B	05/03/2023	05/19/2023
Rosemary Herron	MNPS	PARA-PRO - EX ED	B	05/04/2023	05/26/2023
Robin Moore	Public Library	Circulation Assistant	B	04/26/2023	05/31/2023
Gail Mondelli	MNPS	ADMIN - RECORDS SCH FIN PAY I	B	05/17/2023	07/05/2023
Nancie Woodard	MNPS	SECRETARY-CLERK	B	04/16/2023	05/26/2023
Brenda Lillard	MNPS	ASST - FOOD SVC	B	04/06/2023	05/27/2023
Carla Stone	MNPS	ASST - FOOD SVC	B	05/04/2023	05/29/2023
Kimberly Ward	MNPS	CASHIER - CLUSTER LD	B	05/08/2023	05/18/2023
Louis Caldwell Jr	Metro Action Commission	Custodian	B	05/02/2023	06/09/2023
Michelle Flowers	MNPS	MONITOR - IN-SCHOOL SUSPENSION	B	04/14/2023	05/27/2023
Roy Phillips	MNPS	Support Campus	B	05/04/2023	05/25/2023
Joanne Moore	MNPS	ASST - RESTORATIVE PRACTICE	B	05/15/2023	05/26/2023
Deborah Umans	MNPS	ASST - ADMIN	B	05/16/2023	06/30/2023
Sheri Colgan	MNPS	SPEC - DATA QUALITY	B	04/20/2023	06/30/2023
Brenda Davis	MNPS	SECRETARY-CLERK	B	05/15/2023	05/31/2023
Kevin Johnson	Sheriff	Admin Svcs Mgr	B	04/27/2023	04/28/2023
Sherri Stinson	MNPS	SPEC - PLACEMENT	B	05/04/2023	06/01/2023
Robert Sipple	Police	Bldg Maint Mechanic	B	05/22/2023	06/02/2023
David Kestner	Public Works	Customer Service Field Rep	B	04/21/2023	07/10/2023
Margaret Keck	Information Technology Service	Info Systems Asst Dir	B	04/18/2023	06/14/2023
Richard King	Police	Police Officer 2	B	04/20/2023	03/01/2023
Arthur Kirkpatrick Jr	Public Works	Admin Svcs Division Manager	B	04/27/2023	06/01/2023
Jerry Upchurch	Public Works	Technical Specialist 1	B	05/01/2023	06/10/2023
Harrell Ellis III	Public Library	Human Resources Analyst Senior	B	04/16/2023	05/12/2023
Vernita Adams	Bordeaux Long Term Care	Medical Data Specialist	B	04/19/2023	06/01/2023
Marty Ragland	Public Works	Technical Specialist 2	B	04/26/2023	05/12/2023
Anthony Sims	Water Services	Cust Svc Supv	B	05/15/2023	06/10/2023
Kevin Quin II	Water Services	Info Systems App Analyst 3	B	04/27/2023	05/11/2023
Cindy Diedrickson	Sheriff	Correctional Officer 2	B	01/31/2023	05/18/2023
Harvey Owens III	Criminal Court Clerk	Deputy Criminal Ct Clerk 5	B	05/09/2023	06/30/2023
Leanne Scott	Water Services	Water Svcs Asst Dir	B	05/11/2023	07/08/2023
Vernon Johnson	Community Oversight Board	Admin Svcs Officer 4	B	05/04/2023	04/28/2023
David Lewis	State Fair Board	Bldg Maint Supt	B	04/26/2023	01/10/2023
Mike Madden	MNPS	Mgr Asst Warehouse	B	04/26/2023	06/02/2023
Jeffrey Crawford	Fire	Fire Captain	B	04/14/2023	04/28/2023
Genella Rogers	MNPS	MONITOR - SCHOOL BUS	B	05/17/2023	05/30/2023
Benedict Nwokeabia *	General Hospital	RN-CC Team Leader	B	03/20/2023	06/01/2023
Randy Floyd *	Bordeaux Long Term Care	Respiratory Therapist Certif	B	04/21/2023	05/01/2023
Jennifer Cammuse *	General Hospital	Community Outreach Coordinator	B	03/20/2023	05/01/2023
Deborah Smith *	Health	Office Support Spec 1	B	03/22/2023	01/01/2023
Amanda Alvis *	Mayor's Office	Special Asst-Legis Affairs	B	04/11/2023	10/01/2022
Robert Green Jr *	General Sessions Court	Probation & Pretrial Svc Dir	B	04/27/2023	06/01/2022
Dean Diggs *	Fire	Fire Fighter/Paramedic	B	03/21/2023	07/01/2022
Robin Brown *	Human Resources	Human Resources Asst Dir	B	05/10/2023	04/01/2023
Phylishia Orr *	General Hospital	Metro Hospital Auth Employee	B	03/20/2023	03/01/2021
Kathy Burlason *	MNPS	ASST - FOOD SVC	B	04/13/2023	05/01/2023
Connie Ferguson *	Water Services	Cust Svc Rep 3	B	01/20/2023	05/01/2023
Connie Ferguson *	Water Services	Cust Svc Rep 3	B	01/20/2023	05/01/2023

\* Deferred Benefit

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

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Richard Smith	Parks	B	05/01/2023
James Trotter	Parks	B	05/01/2023
Michael Donaldson	Police	B	05/01/2023

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Delphia Kinnard	Bordeaux Long Term Care	Service With Option	B	01/01/2023	Option E	
Phyllis Ewing	MNPS	Early Service With Option	B	03/25/2023	Option D	
Cathy Moreland	Circuit Court Satellite	Early Service Without Option	B	03/22/2023	Normal	
Tim Townsend	State Trial Courts	Service With Option	B	03/04/2023	Option A	
Tim Townsend	State Trial Courts	Service With Option	B	03/04/2023	Option A	
Caren Wiggins	MNPS	Service With Option	B	04/01/2023	Option F	
Stanley Truitt	Police	Early Service With Option	B	06/01/2023	Option A	
Araceli Alamillo	Water Services	Service With Option	B	02/10/2023	Option D	
Robin Trollinger	MNPS	Service Without Option	B	04/15/2023	Normal	
Teresa Oglesby	State Trial Courts	Early Service With Option	B	04/01/2023	Option B	
Mary Watson	MNPS	Service With Option	B	02/01/2023	Option F	
Sharon Kelley	Public Library	Early Service With Option	B	03/04/2023	Option A	
Mark Norfleet	Public Works	Early Service Without Option	B	04/08/2023	Option D	
Ricky Biggs	Fire	P&F Service Pen Without Option	B	06/01/2023	Normal	2
Lisa Pyles	County Clerk	Service Without Option	B	02/11/2023	Normal	
James Derrick Jr	Fire	P&F Service Pen With Option	B	06/01/2023	Option E	3
Susan Sparks	Social Services	Service With Option	B	04/06/2023	Option F	
Mary Montgomery	General Hospital	Service With Option	B	10/01/2020	Option A	
Rex Jackson	Fire	P&F Service Pen With Option	B	06/01/2023	Option A	3
Cynthia Riley	General Hospital	Service With Option	B	01/01/2023	Option D	
Tara Coats	Register of Deeds	Service Without Option	B	01/01/2023	Normal	
Michelle Williams	Emergency Communication Center	Service Without Option	B	03/01/2023	Normal	
Tina Beard	MNPS	Service With Option	B	04/01/2023	Option F	
Kathy Burlason	MNPS	Service Without Option	B	05/01/2023	Normal	

**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**

Employee	Department	Plan A/B	Case Type
Dorothy Johns	MNPS	B	QDRO Pensioner
Reginald Sims	Parks	B	QDRO Non-Pensioner
Darryl Herring	Fire	B	QDRO Non-Pensioner

**Survivor**

Employee	Department	Survivor Name	Plan A/B	Effective Date
Francis Milan	MNPS	Fred Milan	B	04/25/2023
Bobby Stubblefield	Water Services	Peggy Stubblefield	B	05/17/2023
Wayne Hayes	Bordeaux Long Term Care	Sheila Hayes	B	04/13/2023
James Hunt	Water Services	Tracy Hunt	B	04/15/2023

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

**Survivor**

Employee	Department	Survivor Name	Plan A/B	Effective Date
Paul Woodroof Sr	Fire	Ann Woodroof	B	05/13/2023
Bobby Scott	Water Services	Nancy Scott	B	04/25/2023
Frank Jordan III	Codes Administration	Glendra Jordan	B	04/20/2023

**BENEFIT BOARD ITEMS**

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

Jeremy Moseley moved to open the meeting to public comment allowing 10 individuals the maximum length of 2 minutes per speaker. Jonathan Puckett seconded, and the Board approved without objection.

1. Gender reassignment coverage.

A point of order was raised as this item has been voted on previously by the Board and according to Roberts Rules of Order, it can not be discussed without a motion for reconsideration.

Nicki Eke, Legal Department, stated that the Board can make a motion for reconsideration.

Kelly Flannery moved to reconsider this item. Christine Bradley seconded.

It was noted that the motion to reconsider has to be made by someone in the majority from the last action. Christine Bradley moved to reconsider this item. Kelly Flannery seconded.

B.R. Hall called for a point of order referencing that Roberts Rules of Order be followed in order to be able to reconsider this item.

At this time the Board took a ten-minute break so the Legal Department could get clarification on what is a reasonable and acceptable timeframe when new information comes forward that would preclude the Board from considering anything regarding benefits. acceptable standard reconsidering this item.

Edna Jones reconvened the meeting and stated that the Legal Department has clarified that no motion for reconsideration is needed for this item.

The motion and second were withdrawn.

It was also noted that the Board would like clarification on when a reconsideration is needed.

Jeff Eslick, Ellen Angelico, Arts Commission member, Nancy VanReese, Councilwoman, RJ Robles, Human Relations Commission, Alexandria Danner, Public Library, Phil CaBucci, Inclusion TN, Davie Tucker, Executive Director, Human Relations Commission, Benjamin Eagles, Mayors Office, Reverend Meredith Cox, Vanderbilt and Brad Rayson, Service Employees International Union, (SEIU), addressed the Board regarding this benefit.

Christina Hickey reported to the Board that at the May Study Session, the Mayor's Office presented information on gender reassignment benefits. The information from the May Study Session is included in your Board packet as well as the information provided by the Human Relations Commission. Ms. Hickey stated that this issue was previously discussed in 2021 and per the Board's request, the previous information on this issue presented by the Human Relations Commission, along with information from Deloitte Consulting on the estimated increase in Metro's self-funded plans' claim cost if coverage for all medically necessary services to treat gender dysphoria were added as a covered benefit is also included.

1. Gender reassignment coverage. (continued)

She stated the Board will need to decide if they would like to add coverage to Metro's self-funded medical plans for gender reassignment procedures deemed medically necessary to treat gender dysphoria and if yes, the Board must also decide the effective date to add the coverage.

Kelly Flannery moved for approval of adding coverage to Metro's medical plans for gender reassignment procedures deemed medically necessary to treat gender dysphoria effective July 1, 2023. Gilbert Gonzales seconded.

It was also noted to look at other areas that may impact gender identity.

The Board discussed dependents of employees being affected by this, the input from the Mayor's Office on this particular issue, cosmetic surgery, individuals having the right to get the treatment and the issue being is who pays for it, whether or not this benefit helps with recruitment or employee retention, negatives and positives of this care, mental health, what is to be covered, what is medical necessity and costs.

After some discussion of statistics showing this care is not being given to those under 18, Shannon Hall amended the motion to limit the care to those over the age of 18.

There was some discussion that the plan currently covers bariatric surgery after certain medical, physical and psychological standards are met and that pre and post coverage is provided for this just not the actual gender reaffirming procedure. There was also some discussion of letting the providers cover this as it is in the fully insured products.

Nicki Eke, Legal Department, stated that the Legal Department has not opined on the legality of the State law addressing gender reaffirming care for minors as that matter is still under litigation. She also stated that the medical plans do have a definition of medical necessity that the plan administrators follow.

After restating the motion to approve adding coverage to Metro's self-insured medical plans for gender reassignment procedures for those over the age of 18 deemed medically necessary by the insurance administrators to treat gender dysphoria effective July 1, 2023, a vote was taken on the motion and failed with Kelly Flannery, Gilbert Gonzales, Shannon Hall and Christine Bradley in favor and B.R. Hall, Harold Finch, Edna Jones, Jeremy Moseley, and Jonathan Puckett opposed.

2. Cost of living adjustments for closed plans.

Christina Hickey reported to the Board this cost of living adjustment is pursuant to Resolution No. RS2001-659 and applies to the plans referenced in Section 2 of the resolution – the Former City of Nashville Pension Plan and the former Davidson County Pension Plan. She stated this increase is built into the Metro Code and cannot be adjusted without a change to the Code. As a result of the 4.98% increase in the Consumer Price Index, a cost of living adjustment increase of 5.00% should be granted to retirees eligible to receive a cost of living increase under the closed plans beginning July 1, 2023.

After some discussion of the population of those plans, B.R. Hall moved for approval of the cost of living adjustment increase of 5.00% to retirees eligible to receive a cost of living increase under the closed plans beginning July 1, 2023. Kelly Flannery seconded, and the Board approved without objection.

3. Medical & Life Committee report.

Christina Hickey reported to the Board that the Medical & Life Committee met on May 17, 2023 to deliberate on a 2 medical care requests. She stated the first is for a member participating in the self-insured Cigna plan and the second is for a member participating in the self-insured BCBST PPO plan.

Committee Chair Harold Finch asked if there were any amendments, corrections, or questions of the minutes from the May 17, 2023 Medical & Life Committee meeting. With no corrections, B.R. Hall moved for approval of the Medical and Life Committee minutes. Christine Bradley seconded, and the Committee minutes were approved without objection.

3. Medical & Life Committee report. (continued)

Committee Chair Harold Finch reported to the full Board that on Committee item 1, Employee from Human Resources - Self-insured Cigna plan appeal - denial of dependent's VIVI cap for insulin the Committee recommends approval of this VIVI cap for this member under these circumstances.

Edna Jones moved for approval of the Committee's recommendation to approve this VIVI cap for this member under these circumstances. Christine Bradley seconded, and the Board approved without objection.

Committee Chair Harold Finch reported to the full Board that on Committee item 2, Employee from General Services - Self-insured BCBST PPO plan appeal – denial of laparoscopy, surgical, esophageal sphincter augmentation procedure, placement of sphincter augmentation device (i.e. magnetic band) the Committee recommends approval of this procedure for this member under these circumstances.

B.R. Hall moved for approval of the Committee's recommendation to approve this procedure for this member under these circumstances. Edna Jones seconded, and the Board approved without objection.

After some discussion of how the VIVI cap helps to store insulin at controlled temperatures, Shannon Hall moved to have this discussed at a Study Session to be added as a covered benefit. Edna Jones seconded, and the Board approved without objection.

4. Retiree medical strategy.

Christina Hickey reported to the Board that at the May Study Session, Deloitte presented information on how Metro can mitigate the impact on retirees in the Metro's Medicare Advantage plan if the plan's insurer terminates a contract with a major provider that causes a significant disruption for the retirees. She stated there were two options presented by Deloitte; however, one option is not currently available for the Board to approve because it requires a Study & Formulating Committee recommendation before any Board action. She stated the second option is currently available to the Board for consideration and is to offer retirees two Medicare Advantage plans effective January 1, 2025, with both plans having the same plan design as Metro's current Medicare Advantage plan. She also noted that the Board also has the right to not take action at this time and keep one Medicare Advantage plan for retirees.

Ms. Hickey stated the Board will need to determine if they would like to offer two Medicare Advantage plans effective January 1, 2025. Because offering a second Medicare Advantage plan requires a request for proposal (RFP), contract, and additional system setup, the Board will need to approve a second Medicare Advantage plan option in June 2023 for a January 2025 effective date. If the Board chooses this option at a later date it will be implemented in a later plan year.

\*\*Denotes Gilbert Gonzales leaving the meeting.

After some discussion of the timeline, Jonathan Puckett moved to proceed with the request for proposal for a second Medicare Advantage plan. Kelly Flannery seconded, and the Board approved with Jeremy Moseley and Edna Jones opposed.

It was also noted that with the active plans the Board needs to discuss one company having both medical plans.

At this time the Board took a 7 minute break and then reconvened the meeting.

5. MetroMax 457b deferred compensation provision changes.

Christina Hickey reported to the Board that at the May Study Session, Finance presented information on provision changes to the MetroMax 457b plan. There is a new law, Secure 2.0 Act of 2022 which is part of the Consolidated Appropriations Act (CAA) and it builds on a similar law issued in 2019, referred to as the SECURE Act of 2019. Secure 2.0 has 92 new provisions to promote savings for retirement. The legislation affects most retirement savings options – including our MetroMax 457b Plan. Some provisions are effective now and others will come in waves over the next few years. She stated the Roth Catch-up provision will require Board action. Employees who earn more than \$145,000 in the prior calendar year (2023), will be required to make all their catch-up contributions into a Roth account (after-tax dollars). Individuals making less than this amount will be



5. MetroMax 457b deferred compensation provision changes. (continued)

exempt from this provision and will continue to deposit their pre-tax catch-up contributions in to the MetroMax 457b Plan. If Metro does not offer a Roth option in 2024, under the Roth Catch-Up provision, the MetroMax Plan will not be able to offer employees the 50+ catch-up savings option. She stated the Board will need to decide if they accept Finance's recommendation to add a MetroMax Roth plan, for which all Metro employees would have access to, that will allow eligible participants to continue the 50+ catch-up as prescribed under the new legislation effective January 1, 2024.

Michelle Bosch, Treasurer, was present for any questions.

Kelly Flannery moved for approval of the recommendation to add a MetroMax Roth plan, for which all Metro employees would have access to, that will allow eligible participants to continue the 50+ catch-up as prescribed under the new legislation effective January 1, 2024. Christine Bradley seconded, and the Board approved without objection.

6. Hospital Authority clinic incentive program review.

Christina Hickey reported to the Board that the Board will need to consider the annual review of the Hospital Authority clinic incentive program. She stated this program is reviewed annually by the Board to ensure there is no adverse impact to the plans as a result of this incentive program and the Board will need to determine whether they would like to continue this program for the 2024 plan year.

Christine Bradley moved for approval to continue the program. Jeremy Moseley seconded, and the Board approved without objection.

\*\*\*Denotes Kelly Flannery leaving the meeting.

7. Benefit policies for Board approval.

Christina Hickey reported to the Board the benefit policies are being presented for the Board's review and approval. She stated these policies have been modified and/or created to account for the implementation of the Medicare Advantage plan and additional benefit policies are provided for review and approval and have been modified to allow active employees to opt out with proof of Medicare coverage.

Christi Mayo, Human Resources, was present for any questions.

Jonathan Puckett moved for approval of the updates, Jeremy Moseley seconded, and the Board approved without objection.

8. Public comment period for meetings.

Christina Hickey reported to the Board that newly enacted law, House Bill 448, requires a public comment period during Board meetings. She stated the new law applies to the Board's regular, specially called, and committee meetings but does not apply to the Board's study sessions. She stated a copy of the new law as well as a memo from Legal with recommendations has been provided for the Board to consider and the Board will need to vote on and approve a method for public comment.

Jeremy Moseley moved for approval of the method on pages 2 and 3 provided by the Legal Department. Shannon Hall seconded, and the Board approved without objection.

9. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Cigna network change.

Items 9.-a. through 9.-c. were for information only.

10. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Repayment of pension contributions.
- d. Denial log from Davies.
- e. Benefit Board expense reports.
- f. Investment Committee minutes.

Items 10.-a. through 10.-f. were for information only.

11. Late item(s):

Items to be listed under this section will be reported at the meeting.

With nothing further presented, the meeting adjourned at 11:58 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**