

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**July 12, 2023**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Wednesday, July 12, 2023 in the Metropolitan Nashville Public Schools Board Room, 2601 Bransford Avenue, Nashville, Tennessee, at approximately 9:32 a.m.

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

Members G. Thomas Curtis and Shannon B. Hall were 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 June 6, 2023. With no corrections, nothing further was noted and B.R. Hall 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. Kenton Dodd, Civil Service Medical Examiner, (CSME), and Claire Cobb, CSME Assistant, reviewed the disability pensions with the Board.

\*Denotes the arrival of Harold Finch.

Dr. Kenton Dodd reported to the Board that he recommends approval of the disability pension new request, item 1, for the length of time as recommended. B.R. Hall moved for approval of the recommendation to approve the disability pension new request, item 1 for the length of time as recommended. Jeremy Moseley seconded, and the Board approved without objection.

The employee was present for item 2.

Dr. Kenton Dodd reported to the Board that he recommends approval of the disability pension new request, item 2, with a return to work and vocational case management. He stated that he also had a functional capacity evaluation recently and he would require restrictions and in the event they can not be accommodated he recommends approval until the return to work can be accomplished.

The employee addressed the Board regarding going on a disability pension.

Pam Crenshaw, Parks, was present and stated they can not accommodate his restrictions.

\*\*Denotes the arrival of Christine Bradley.

There was some discussion of a review date, how to handle the return-to-work part procedurally since the department can not return him to work, the department paying the pension and when vocational case management would start.

Jeremy Moseley moved for approval of the recommendation to approve the disability pension new request, item 2, for the length of time as recommended, (September 2023), with vocational case management. Jonathan Puckett seconded, and the Board approved with Gilbert Gonzales opposed.

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

Dr. Kenton Dodd reported to the Board that he recommends approval of the disability pension new request, item 3, with a return to work with restrictions.

Charles Bodie, Nashville Department of Transportation, (NDOT), was present and stated they cannot accommodate the restrictions.

After some discussion regarding a re-exam date, B.R. Hall moved for approval of the recommendation to approve the disability pension new request, item 3 with a return to work. Christine Bradley seconded.

There was also some discussion of approving a pension with a return to work being procedurally contradictory and vocational case management.

A vote was taken on the motion to approve the disability pension new request, item 3 with a return to work and vocational case management and the Board approved with Jeremy Moseley opposed.

Dr. Kenton Dodd reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 4 through 9 for the length of time as recommended.

After some discussion on item 7 regarding a return to work in 2021 and the loss of Social Security on item 8, B.R. Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 4 through 9 for the length of time as recommended. Christine Bradley seconded, and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that on items 10 and 11, he requests a deferral for the length of time as recommended. Christine Bradley moved for approval of the request to defer items 10 and 11 for the length of time as recommended. B.R. Hall seconded.

After some discussion of extending the re-exam date on item 10 to one year due to there being no service providers for treatment, a vote was taken on the motion to defer items 10 and 11 for the length of time as recommended and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that on item 12 he recommends approval of return to work.

Nadia Stevenson, Metropolitan Nashville Public Schools, stated they are able to return the individual to work.

B.R. Hall moved for approval of the return to work on item 12. Jeremy Moseley seconded, and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that on item 13 he recommends approval of return to work.

The disability pensioner and Jack Byrd, attorney, were present.

Seth Waltenbaugh, Police Department, stated they are prepared to start the process of returning him to work. He also noted that with sworn positions there are additional steps in bringing someone back after an extended absence to make sure they still meet the requirements.

Jeremy Moseley moved for approval of the return to work on item 13. Jonathan Puckett seconded, and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that on item 14 he recommends approval of return to work.

Jamie Summers, Fire Department, was present and stated they are prepared to return the individual to work.

Jonathan Puckett moved for approval of the return to work on item 14. Jeremy Moseley seconded, and the Board approved without objection.

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

Dr. Kenton Dodd reported to the Board that on item 15 the pensioner and the treating physician are requesting a gradual return to work to gain exposure to the workplace.

Jamie Summers, Fire Department, stated they can not accommodate such a request. She stated that they cannot return to duty if they are not fully released from their restrictions. Ms. Summers also stated they do not have any non-sworn vacancies available that would accommodate this request.

After some discussion of vocational case management, the pensioners condition and obtaining exposure to the work environment, Christine Bradley moved to continue the disability pension, item 15, for six months, with vocational case management. Jonathan Puckett seconded, and the Board approved without objection.

After clarification on the re-exam date, of six months, (January 2024), Christine Bradley moved to continue the disability pension, item 15, for six months, (January 2024), with vocational case management. Jonathan Puckett seconded, and the Board approved without objection.

It was noted that additional medical information has been provided on item 16.

The disability pensioner was present for item 16.

A point of order was called and Nicki Eke, Legal Department, recommended that the last two votes that were taken be rescinded.

Jeremy Moseley moved to rescind the last two votes on item 15. Kelly Flannery seconded, and the Board approved without objection.

Christine Bradley moved to continue the disability pension, item 15, for six months, (January 2024), with vocational case management. Jonathan Puckett seconded, and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that the medical complexity of the pensioners case has not decreased in any way. He stated that if the pensioner presented as a candidate, he would not be able to exclude them from fire service based on medical complexity of care.

Jamie Summers, Fire Department, stated that nothing has changed with her medical condition and she has not been released to full duty.

There was some discussion of the component that was covered under the presumption, the treating physician's statements regarding that condition, any other medical information and the potential exposure to Metro if she is returned to work outside of her treating physicians' recommendation.

Nicki Eke, Legal Department, stated that legally the definition of disability for a firefighter is the inability to perform the duties of a firefighter and this classification is included in the firefighter classification. She stated that the role of this Board is to determine based on the medical information whether or not this individual is able to perform the duties of a firefighter. She also stated that when you have conflicting information and different opinions from physicians the role of this Board is to weigh that information and determine what weight to ascribe to those opinions. Ms. Eke stated that if the Board determines that she is able to perform the duties of a firefighter, then it is return to work and if you determine that they are not able to perform the duties of a firefighter then the person remains on a pension.

The disability pensioner addressed the Board regarding her conditions.

After some discussion of the blood pressure readings in the medical record, changing the pension from injury on duty to medical, things that exclude her from being a firefighter and the treating physicians statement that she can not return to work, Gilbert Gonzales moved to continue the disability pension, item 16, without stipulation of scheduled re-exam. Jeremy Moseley seconded, and the Board approved with Harold Finch, Christine Bradley and Edna Jones opposed.

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

Dr. Kenton Dodd reported to the Board that on item 17, this individual had an allergic reaction to a face mask and the department was going to procure a face mask that he wouldn't have a reaction to. He stated that he was able to obtain one that he did not react to however, since that time he has developed a reaction to the provided face mask and is not able to perform the duties.

Jamie Summers, Fire Department, stated they can not return a firefighter to work who can not wear a mask. Jonathan Puckett moved to continue the disability pension, item 17, with vocational case management. Christine Bradley 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.	Nathan R. Hibbs	Sheriff's Office	In Line of Duty	As moved, seconded, and approved, this disability pension request was approved for nine months, (April 2024), with re-exam at that time.
2.	Jimmy W. Bowen	Parks	In Line of Duty	As moved, seconded, and approved, this disability pension request was approved with vocational case management for two months, (September 2023), with re-exam at that time.
3.	Darrell W. Kent	Nashville Department of Transportation	Medical	As moved, seconded, and approved, this disability pension request was approved with vocational case management and a return to work.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
4.	Carlos C. Angulo, Jr.	Police	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam.
5.	Jerry L. Jamison	Water	Medical	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam.
6.	Joshua T. Jent	Sheriff's Office	In Line of Duty	As moved, seconded, and approved, this disability pension was continued for seven months, (February 2024), with re-exam at that time.
7.	Ronald S. Lawson	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam.
8.	Lawanda D. Page	Sheriff's Office	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)**

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
9.	Evella R. Richardson	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension was continued for one year, (July 2025), with re-exam at that time.

**REEXAMINATIONS - DEFER:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
10.	Raeffel A. Grant, Sr.	Water	Medical	As moved, seconded, and approved, this disability pension re-exam was deferred for one year, (July 2024), with re-exam at that time.
11.	Douglas A. Pardue, II	Fire	Medical	As moved, seconded, and approved, this disability pension re-exam was deferred for three months, (October 2023), with re-exam at that time.

**RETURN TO WORK:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
12.	Tiffany M. Coleman	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this individual was returned to work.
13.	Andrew M. Injaychock	Police	Medical	As moved, seconded, and approved, this individual was returned to work.
14.	John B. Young	Fire	In Line of Duty	As moved, seconded, and approved, this individual was returned to work.

**OTHER – TO BE DETERMINED:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
15.	Erica L. Bruce	Fire	Medical	As moved seconded, and approved, this disability pension was continued with vocational case management for six months, (January 2024), with re-exam at that time.
16.	Jennifer C. Daniel	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam.
17.	John C. Dowlen	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued with vocational case management.

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

**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. Jeremy Moseley moved for approval of the referrals. Harold Finch seconded, and the Board approved without objection.

Item	Name	Department	Origin of Review	CM Referral	CSME Recommendation	Comments
1	Damte, Karen J.	Water	Pension Approval	Yes	Yes	Evaluation, May Meet SSA Guidelines
2	Lawton, Wanda	MNPS	Pension Approval	Yes	Yes	Likely to Meet SSA Medical-Vocational Guidelines
3	McBee, Kim M.	Parks	Pension Approval	Yes	Yes	Likely to Meet SSA 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. Jeremy Moseley seconded, and the Board approved without objection.

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Annetta Churchwell *	General Hospital	Care Partner II	B	05/16/2023	08/01/2021
John Rawls	Information Technology Service	Info Sys Comm Analyst 2	B	02/04/2023	06/26/2023
Tony Carter	Public Works	Maintenance & Repair Worker	B	06/15/2023	07/01/2023
Charles Pigg	Fire	Paramedic	B	06/15/2023	07/01/2023
Sherrie Reid	MNPS	ADMIN - RECORDS SCH FIN PAY II	B	06/05/2023	06/30/2023
Vicki Powers	MNPS	THERAPIST - AUDIOLOGY	B	06/20/2023	06/30/2023
Lisa Nistler	Health	Public Health Nurse 4	B	06/13/2023	09/09/2023
Brian Otto	Police	Police Officer 2	B	06/13/2023	10/24/2023
Richard Lewis	Public Works	Equipment Operator Senior	B	06/08/2023	07/07/2023
Leonard Johnson Iii	Sheriff	Correctional Officer Sergeant	B	06/13/2023	07/01/2023
Mark Barrett	Fire	Paramedic	B	05/25/2023	06/15/2023
Deborah Jackson	MNPS	ASST - FOOD SVC	A	06/01/2023	08/03/2023
Ronald Hickman Jr	Fire	Fire Fighter 2	B	06/15/2023	06/30/2023
Joe Rucker Jr	MNPS	ASST - FOOD SVC	B	06/18/2023	07/25/2023
Robert Storey	Sheriff	Database Admin	B	06/05/2023	07/08/2023
Thomas Babbs	Sheriff	Sheriff Maint Mechanic 2	B	05/30/2023	08/01/2023
Marc Ebbert	Sheriff	Sheriff Warrant Officer 2	B	06/05/2023	07/03/2023
Gregory Ernsberger	Police	Police Support Technician	B	06/05/2023	06/30/2023
Demetria Kimbro	Health	Health Manager 1	B	06/06/2023	10/01/2023
Jerry Carroll	Sheriff	Sheriff Maint Mechanic 2	B	05/18/2023	06/02/2023
Vicki Bailey	Clerk and Master	Supervisor Clerk & Maste	B	06/04/2023	07/01/2023
Michael Windsor	Police	Police Officer 2	B	06/13/2023	06/29/2023
Debra Newcomb	MNPS	DRIVER - BUS	B	05/24/2023	05/30/2023
Donn Clute	MNPS	SPEC - SUPPORT TECH DP	B	05/30/2023	07/01/2023
James Davis Jr *	Circuit Court Satellite	Satellite position	B	05/31/2023	05/01/2023
Gary Hale Jr *	Fire	Fire Fighter 2	B	05/30/2023	07/01/2023
Audrey Collins *	Bordeaux Long Term Care	Nursing Asst -Certified 1	B	06/08/2023	12/01/2022
Thomas O'neill *	Water Services	Info Systems App Analyst 1	B	04/20/2023	06/01/2023
Naomi Morgan *	MNPS	SECRETARY/CLERK	B	05/23/2023	03/01/2023
Kevin Walker *	Parks	Accountant 4	B	05/26/2023	03/01/2023

\* 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
Andrea Swisher	Police	B	06/01/2023
Carolyn Mclemore	MNPS	B	06/01/2023
Steve Bosley	BEN Metro Pension Plan-A&B	A	06/01/2023
Michael Millspaugh	Parks	B	02/01/2023
Clifton Chapman	Water Services	B	06/01/2023
Kimberly Searcy	Health	B	06/01/2023
James Rice	Knowles Home	B	06/01/2023
Jason Robbin	Fire	B	06/01/2023

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Juanita Stewart	General Hospital	Service Without Option	B	05/01/2023	Normal	
Diana Adams	MNPS	Service Without Option	B	05/05/2023	Normal	3
Kevin Johnson	Sheriff	Early Service Without Option	B	04/28/2023	Normal	
Kenneth Braden	Police	Service Without Option	B	04/29/2023	Normal	
Philip Krakowiak	Public Library	Early Service Without Option	B	05/01/2023	Normal	
Vernita Adams	Bordeaux Long Term Care	Service Without Option	B	06/01/2023	Normal	
Marty Ragland	Public Works	Service With Option	B	05/13/2023	Option A	3
Kevin Quin li	Water Services	Early Service With Option	B	04/29/2023	Option A	
Johnathan Carlisle	Police	Early Service With Option	B	05/01/2023	Option A	
J Atkins li	Health	Service Without Option	B	05/13/2023	Option C	
Desmond Sumerel	Police	P&F Service Pen With Option	B	05/01/2023	Option E	
James White	Health	Early Service Without Option	B	04/14/2023	Normal	
James Walls	Information Technology Service	Service With Option	B	04/29/2023	Option B	
Baron Harmon	District Attorney	Service With Option	B	04/29/2023	Option A	
Vernon Johnson	Community Oversight Board	Early Service With Option	B	04/29/2023	Option E	
David Lewis	State Fair Board	Service With Option	B	04/29/2023	Option E	
Tommie Eddlemon	Finance	Service With Option	B	04/29/2023	Option A	2
Randy Floyd	Bordeaux Long Term Care	Service With Option	B	05/01/2023	Option E	
Jennifer Cammuse	General Hospital	Service With Option	B	05/01/2023	Option A	
Deborah Smith	Health	Service Without Option	B	01/02/2023	Normal	
Willie Roland	Knowles Home	Service With Option	B	01/01/2023	Option D	
Benedict Nwokeabia	General Hospital	Service With Option	B	06/01/2023	Option A	
Dean Diggs	Fire	P&F Service Pen Without Option	B	01/01/2023	Normal	
Thomas O'neill	Water Services	Service Without Option	B	06/01/2023	Normal	
Lata Surti	MNPS	Service With Option	B	01/02/2023	Option B	
Annetta Churchwell	General Hospital	Service Without Option	B	01/01/2023	Normal	
Robert Green Jr	General Sessions Court	Service With Option	B	01/01/2023	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**

Employee	Department	Plan A/B	Case Type
Robert Storey	Sheriff	B	QDRO – Non-Pensioner
Paul Wright II	Fire	B	QDRO – Non-Pensioner

**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
Sterling Tatum	Water Services	Nancy Tatum	B	05/22/2023
David Eddings	Police	Barbara Eddings	B	05/21/2023
Surajit Sircar	General Hospital	Erin Sircar	B	05/27/2023
Jerry Scott	Police	Patsy Scott	A	06/01/2023
George Stephens	MNPS	Felicia Stevens	B	06/18/2023
David Rives Sr	Fire	Tracy Rives	B	06/15/2023
James Elliott	Water Services	Sue Elliott	B	06/09/2023

**BENEFIT BOARD ITEMS**

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

1. Public Comment Period.

A maximum of 10 persons who write their names on the sign-up sheet provided at the meeting will be allowed to comment on matters that are germane to items on the Agenda. Comments are limited to a maximum of two (2) minutes per person. To provide comment, you must sign up prior to the end of Item D on the Agenda.

There were no public comments.

2. Pension Committee report.

Christina Hickey reported to the Board that the Pension Committee met on June 20, 2023 and the matter before the Committee was deferred to the next Pension Committee pending additional information. She stated the minutes are being presented for review and approval.

Committee Chair Christine Bradley asked if there were any amendments, corrections, or questions of the minutes from the June 20, 2023 Pension Committee meeting. With no corrections, Edna Jones moved for approval of the Pension Committee minutes. B.R. Hall seconded, and the Committee minutes were approved without objection.

3. Humana plan rates for 2024.

Christina Hickey reported to the Board that the 2024 Humana plan rates will be presented by USI for the Board's consideration and approval. She noted that these rates will be effective January 1, 2024.

Joe Meyers, USI, reported to the Board that this the annual follow up to the first rate setting meeting. He stated that this was not presented last year due to the request for proposal process. Mr. Meyers reviewed current participation in the plan, how the rate is calculated, and the rate history.

Kelly Flannery moved for approval of the recommended Humana plan rates for 2024. Christine Bradley seconded, and the Board approved without objection.

4. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Blue Cross Blue Shield – GLP1 drugs to require prior authorization.

Items 4.-a. through 4.-c. were for information only.



5. Reports for your information:

- a. Social Security approvals.
- b. Denial log from Davies.
- c. Benefit Board expense reports.

Items 4.-a. through 4.-c. were for information only.

6. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 11:13 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**