

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

IN LINE OF DUTY COMMITTEE

February 21, 2024

The Metropolitan Employee Benefit Board's In Line of Duty Committee met on Wednesday, February 21, 2023 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue South, Nashville, Tennessee at approximately 9:32 a.m.

Committee Members present: Chair: Jonathan Puckett; Vice-Chair: Christine Bradley; Member: Edna Jones. Alternate: *Shannon Hall.

G. Thomas Curtis was unable to be present.

Benefit Board Members present: Robert Weaver

Others present: Christina Hickey, Metro Human Resources, Nicki Eke and Courtney Mohan, Attorneys, Metro Legal Department, Vickie Hampton and Kimberly Binkley, Davies, and Dr. Kenton Dodd, Civil Service Medical Examiner.

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

1. Public Comment Period

A maximum of five (5) 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 beginning of the meeting.

There were no public comments.

Kimberly Binkley and Vickie Hampton, Davies, were present. Ms. Binkley stated that items 2 and 4 were previously denied because it did not meet the requirements to be accepted under the current PTSD presumption. She stated that after the presumption went into effect on January 1st of 2024 the claim was reviewed, and it met the criteria, and the denial was overturned.

2. Previous denial reversed to approve in line of duty medical care – Pensioner from the Fire Department.

This item required no action by the Committee.

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

Christina Hickey noted some additional medical information has been provided.

The pensioner was present.

*Denotes the arrival of Shannon Hall.

There was some discussion of deferring this item in order for it to be reviewed again based on the new information.

There was some discussion of the already approved hypertension claim and the recent Reliable Review Services, (RRS), review of the recent diagnosis (pulmonary hypertension), which indicates it would also be related to heart disease which is covered under the presumption.

Kimberly Binkley, Davies, stated that in light of the discussion it will be overturned by Davies.

Shannon Hall moved to overturn the denial by Davies. Christine Bradley seconded, and the Committee approved without objection.

4. Previous denial reversed to approve in line of duty medical care – Employee from the Fire Department.

This item required no action by the Committee.

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

The employee was not present.

Kimberly Binkley reviewed the claim with the Committee. She stated that on June 26, 2022 the employee treated with General Hospital for chest pain and was released. She stated he was seen in follow up with his primary care physician who referred him to a cardiologist and was later admitted for a stent procedure. She stated they have made numerous attempts obtain the employee's recorded statement and have not been successful and there has been a delay in getting the records due to not receiving the release from the employee. She stated the records were sent to RRS for review and the review states the diagnosis is coronary artery disease with contributing risk factors that predate employment.

Christine Bradley moved to uphold the denial. Shannon Hall seconded, and the Committee approved without objection.

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

The pensioner was present with union representative Danny Yates.

Kimberly Binkley reviewed the claim with the Committee. She stated the pensioner was seen on March 29, 2023, at Mid-State Ear, Nose & Throat and was diagnosed with bilateral hearing loss and filed a claim for the hearing loss on April 6, 2023. She stated the medical records were sent to the Civil Service Medical Examiner's Office for review and opinion. She stated that Dr. Kenton Dodd advised that the hearing loss appeared to be presbycusis based on available records, however there are signs of noise related hearing loss during his service that seems to have been exacerbated yet the current tracings show mainly evidence of age-related hearing loss.

Danny Yates addressed the Committee regarding the claim, the exposures he was subjected to and lack of protective gear.

There was some discussion of the physical records and if this exposure could have delayed responses on the hearing loss.

There was also some discussion regarding the medical plans not offering hearing aid coverage and reviewing these types of claims on a case-by-case basis.

After much discussion the Committee was unable to come to a recommendation.

There was further discussion of the medical record and any work-related hearing loss.

Claire Wells, CSME, noted his last audiogram dated December 5, 2011, and Dr. Dodd reviewed it with the Committee and stated that it showed association to noise induced.

Christine Bradley moved to overturn the denial. Edna Jones seconded, and the Committee approved without objection.

With nothing further presented the meeting was adjourned at 10:47 a.m.

ATTEST:

APPROVED:

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

**Jonathan Puckett, Chair
In Line of Duty Committee**