

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

May 1, 2007

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday May 1, 2007 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:30 a.m.

Benefit Board members: Chair: Clyde D. Smith; Vice Chair: H. Russell White; Members: Steve D. Bumpus, Douglas D. Conquest, Sr., Gary R. Dowdy, B.R. Hall, Sr., Edna J. Jones, David Manning, Dorothy Shell-Berry and Betsy Walkup.

Other Members present: Nicki Eke, Attorney, Metro Legal Department and Dr. Christopher Fletcher, Civil Service Medical Examiner.

A. MINUTES: Chair Clyde D. Smith 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 April 3, 2007. With no corrections, nothing further was noted and Betsy Walkup moved for approval. Russell White seconded and the Board approved without objection.

B. APPEAL ANNOUNCEMENT:

Shannon Hall announced the process and timeframe for appealing a decision made by this Board.

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

The terms of the approval or extension of the items listed in the motions are specifically stated in these minutes.

Dr. Christopher Fletcher distributed an updated disability pensions spreadsheet and reported to the Board that he recommends approval of the new disability pension request, item 1, without stipulation of scheduled reexamination. Steve Bumpus moved for approval of the recommendation on item 1, for the length of time as recommended. B.R. Hall seconded and the Board approved without objection.

Dr. Christopher Fletcher reported to the Board that he recommends approval of the new disability pension request, item 2, for the length of time as recommended. After some discussion, Betsy Walkup moved for approval of the recommendation on item 2, for the length of time as recommended. Steve Bumpus seconded and the Board approved without objection.

On the reexaminations, items 5 & 6, Dr. Christopher Fletcher stated that he requests deferral pending additional medical information. Without objection items 5 & 6 were deferred for one month.

On item 8, Dr. Christopher Fletcher reported to the Board that he recommends this individual be removed from the return to work list at this time. B.R. Hall moved for approval of the recommendation to remove the individual from the return to work list. Steve Bumpus seconded and the Board approved without objection.

Dr. Christopher Fletcher reported to the Board that he recommends denial on the new disability pension request, item 3, based on lack of medical information to support the request. David Manning moved for approval of the recommendation to deny the disability pension request. Russell White seconded and the Board approved without objection.

On item 4, Dr. Christopher Fletcher reported to the Board that he recommends denial of the new disability pension request based on lack of medical information to support the request. Russell White moved for approval of the recommendation to deny the disability pension request. David Manning seconded and the Board approved without objection.

On item 7, Dr. Christopher Fletcher reported to the Board that the individual's restrictions do not impact the ability of the individual to perform her previous job and recommends that the individual be placed on the return to work list. David Manning moved for approval of the recommendation to return the individual to work. Edna Jones seconded and the Board approved without objection.

Dr. Christopher Fletcher noted that on the original spreadsheet there was an additional new disability pension request and that request was withdrawn by the individual.

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

NEW REQUESTS:

	Name	Department	IOD or Medical Disability	Recommendation
1.	William E. Baker	MNPS	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled reexamination.
2.	Josephine D. Felts	MNPS	Medical	As moved, seconded and approved, this disability pension request was approved for one month, (June 2007), with reexamination at that time.
3.	Roberta J. Miller	General Hospital	IOD	As moved, seconded and approved, this disability pension request was denied.
4.	Linda T. Tanner	General Hospital	IOD	As moved, seconded and approved, this disability pension request was denied.

REEXAMINATIONS:

	Name	Department	IOD or Medical Disability	Recommendation
5.	Michael H. Clouse	Water	IOD	Without objection, this disability pension reexamination was deferred for one month, (June 2007).
6.	Joseph O. Haywood	Police	IOD	Without objection, this disability pension reexamination was deferred for one month, (June 2007).
7.	Deidre R. Forte	Police	Medical	As moved, seconded and approved, this disability pension was continued and the individual placed on the return to work list.

OTHER:

	Name	Department	IOD or Medical Disability	Recommendation
8.	Ernest D. Felts	Sheriff	Medical	As moved, seconded and approved, this individual was removed from the return to work list.

At this time, Shannon Hall brought to the Board's attention the Social Security referrals spreadsheet and asked for clarification of placement of this item on the agenda and approval of those referrals.

After some discussion, Clyde Smith moved for approval of the Social Security referrals. B.R. Hall seconded and the Board approved without objection.

D. PENSIONS: (service, disability to service, options elected and survivor)

MOTION: B.R. Hall moved approval of the pensions. Steve Bumpus seconded and the Board approved without objection.

D. PENSIONS: (service, disability to service, options elected and survivor)

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
George M. Baker	Water	Water Maint Leader 2	B	03/27/2007	07/01/2007
Lewis C. Teasley, Jr.	Parks	Greenskeeper 2	B	03/27/2007	04/14/2007
George U. Lanier, III	Parks	M&R Worker 2	B	03/27/2007	06/01/2007
Terri S. Johnson	Historical Commission	Office Support Manager	B	03/28/2007	05/01/2007
Patsey E. Winfrey	MNPS	Title 1 Tutor	B	03/29/2007	01/08/2007
Madlyon L. Waters	MNPS	Senior Secretary	B	03/29/2007	06/01/2007
Patricia L. Jenkins	MNPS	Education Assistant Level 11	B	04/03/2007	05/25/2007
Ectoria H. Redmond	MNPS	School Secretary/Bookkeeper	B	04/03/2007	06/29/2007
Claude T. Edwards	Fire	Fire Fighter 3	B	04/04/2007	04/05/2007
Gary B. Gentry	County Clerk	License Inspector 1	B	04/06/2007	06/16/2007
Lynda K. Seiter	MNPS	Occupational Therapist	B	04/09/2007	06/01/2007
Darlyne A. O'Connor	MNPS	Clerk – Employee Benefits	B	04/10/2007	07/01/2007
Nancy W. O'Dell	Water	Information Systems Application Analyst 3	B	04/10/2007	05/18/2007
Joseph C. Whitfield	MNPS	Custodian Helper	B	04/11/2007	06/02/2007
Aaron E. Pirtle	Bordeaux	Building Operations Mechanic	B	04/12/2007	09/16/2007
Robert S. Martin	Bordeaux	Environmental Services Technician	B	04/12/2007	07/01/2007
Hilda Nichols	MNPS	School Secretary/Bookkeeper	B	04/13/2007	06/01/2007
Judy F. Link	General Hospital	Education Manager	B	04/13/2007	06/15/2007
Addie L. Welfel	MNPS	School Bus Driver	B	04/16/2007	05/25/2007
Judy G. Batey	MNPS	Senior Control Clerk	B	04/16/2007	06/15/2007
Doris J. Redding	MNPS	Cashier-Food Service	B	04/17/2007	06/01/2007
Patrick J. Bauer	Sheriff	Administrative Services Officer 3	B	04/17/2007	05/04/2007
Lois S. Adkinson	MNPS	School Secretary/Clerk	B	04/18/2007	06/02/2007
Patricia A. Tuttle	Public Works	Office Support Representative 3	B	04/19/2007	06/01/2007*
Mattie L. Dowell	MNPS	Education Assistant	B	04/19/2007	05/25/2007
Dennis H. Donovan	Tax Assessor	Appraiser 4	B	04/20/2007	05/12/2007
John S. Sharlet	Parks	Office Support Representative 2	B	04/20/2007	05/01/2007*
Peggy R. Wright	MNPS	Cafeteria Assistant	B	04/24/2007	04/15/2007

* *Deferred Vested Benefit*

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Robert Austin	Public Works	A	02/01/2007
Bernard Godin	Fire	A	02/01/2007
William Bandy	Police	A	03/01/2007
Robert Searcy	Water	A	03/01/2007
Christy Berry	Fire	B	03/01/2007
William Grewcock	Parks	B	03/01/2007

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Cecil, Ernest Bernard	Police	Early Service	B	2/8/2007	A	
Lewis, Dorothy L	MNPS	Service	B	12/29/2006	Normal	3
Lewis, Gregory W	General Services	Early Service	B	12/14/2006	Normal	
Oertel, Ann Nancy	Parks	Early Service	B	2/23/2007	F	
Reynolds, David A	Police	P&F Service	B	3/1/2007	E	3
Rhodes, Charles E	General Services	Service	B	2/28/2007	E	
Sage, Phillip C.	Police	P&F Service	B	3/16/2007	F	3

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Sharp, Judy A.	Public Library	Service	B	12/14/2006	F	3
Taylor, Regina Anita	MNPS	Service	B	12/30/2006	Normal	
Taylor, Shirley K.	Assessor of Property	Service	B	02/20/2007	F	2
Thomas, Sylvester	Parks	Early Service	B	02/24/2007	Normal	
Williams, Alicia Frye	MNPS	Early Service	B	01/2007	F	

Pension options key:

- Normal - life annuity (no option elected)
- Option A - Joint & Survivor - 100% to surviving beneficiary
- Option B - Joint & Survivor - 50% to surviving beneficiary
- Option C - Social Security
- Option D - 120 payments certain and life
- Option E - Joint & Survivor - 100% to surviving beneficiary with pop-up feature
- Option F - Joint & Survivor - 50% to surviving beneficiary with pop-up feature

Survivor

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
Deborah Goins	Pensioner	Timothy Goins	B	04/06/2007
Roy E Walker	Pensioner	Robbie Walker	B	04/11/2007
David Adams	Fire	Cydney Adams	B	04/04/2007
Kenneth Allen	Pensioner	Geneva Adams	B	04/13/2007
William Moore Jr.	Pensioner	Carolyn Moore	B	03/26/2007

BENEFIT BOARD ITEMS

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

1. In line of duty death benefit for David E. Adams.

Shannon Hall reported to the Board that this has been reviewed by the Civil Service Medical Examiner and he stated that based on the death certificate it appears that he does meet the criteria covered under the State's Heart, Lung and Hypertension Act. Ms. Hall stated that in accordance with Metro Code section 3.20.040, staff recommends that the Board approve the in line of duty death benefit payable to his estate.

B.R. Hall moved for approval of the in line of duty death benefit. Steve Bumpus seconded and the Board approved without objection.

2. Discussion on group medical plans.

Shannon Hall reported to the Board that several of the medical carriers that have submitted proposals on the group medical plan are able to coordinate FSA administration as part of the medical plan administration. Ms. Hall stated that if the Board is interested in exploring this possibility, staff will ask the evaluation committee to request detailed clarification and information on the finalists' ability to provide this service and include it as part of the selection process for the RFP.

The Board discussed advantages and disadvantages of coordination between the two plans and concluded that this needs to be discussed in detail. The Board requested that the evaluation committee request detailed information about the FSA administration piece from the finalists.

3. Benefit statements.

The Board reviewed the statement noting one minor change and also discussed inserting a qualifier regarding military time. After discussion of those changes, Russell White moved for approval of the benefit statement as amended. Steve Bumpus seconded and the Board approved without objection.

4. Legislation on ethical standards.

Shannon Hall reviewed the report with the Board.

Nicki Eke, Metro Legal, stated that this legislation is still pending and any questions or comments should be directed to Council members.

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

5. IOD medical care request(s) - Employee from Fire Department.

Shannon Hall reviewed the request with the Board. She stated that Dr. Christopher Fletcher has reviewed the new medical information provided related to the request and he is not recommending a reversal of the department's initial denial for the IOD medical care.

Dr. Christopher Fletcher stated that there is no information contained in the medical record to support the IOD claim and he recommends denial of the request.

After discussion, David Manning moved to defer any further consideration of the matter until such time as additional medical information is presented to validate the IOD claim. Betsy Walkup seconded.

A vote was taken on the motion and approved with B.R. Hall and Douglas Conquest opposed.

6. HealthSpring issues.

Shannon Hall reported to the Board that staff is working with HealthSpring regarding communication to plan members on the network changes and the Legal Department is reviewing the contract to see if all requirements are being met by HealthSpring. She also stated that staff will report back to the Board to determine the next appropriate steps.

7. Retiree health insurance.

Shannon Hall reported to the Board that the legal opinion requested by the Board on how items considered by the Study & Formulating Committee are handled and the Board's duty related to their final report is attached for the Board's review.

The Board discussed upcoming changes related to the GASB rule and how to address the liability going forward.

David Manning moved that action on this item be deferred one meeting in order to discuss at the Study Session.

There was discussion of having a Special Called meeting after the Study Session in order to act upon recommendations made by the Study & Formulating Committee and related to this issue.

There was further discussion related to codifying the retiree health insurance.

Betsy Walkup seconded the motion to defer action on this item. A vote was taken on the motion which resulted in a tie vote.

The Board discussed what is considered a reasonable amount of time as indicated in the legal opinion and what is unreasonable related to forwarding the report to Council.

It was the opinion of the Chair that this Board should go on record and send the request to codify language for the current retirees and current vested employees regarding retiree health insurance.

Betsy Walkup moved that a Special Called meeting be set after the Study Session in order to consider any recommendations on this item from the Study & Formulating Committee final report discussed at the Study Session. Russell White seconded.

The Board discussed the purpose of the Elected Members Committee's recommendations to the Board and some members expressed opinions on regarding what they believe to be unnecessary delays on proceeding with this item.

A vote was taken on the motion to have a Special Called meeting directly following the Study Session in order to consider any recommendations from the final report discussion and approved with a vote of 6/4.

8. Committee Report(s):

- a. Elected Members Committee: (Chair: Steve Bumpus; Vice Chair: Douglas Conquest; Members: B.R. Hall, Sr., Edna J. Jones and Clyde D. Smith)

Shannon Hall reported to the Board that the Elected Members Committee met on March 22, 2007 to continue deliberation and prioritize the items contained in the Study and Formulating Committee report. Ms. Hall stated that the Committee presented their recommendations to the Board at the last meeting, with the minutes from that meeting being presented today for approval.

Committee Chair Steve Bumpus asked for approval of the March 22, 2007 Elected Members Committee minutes. Douglas Conquest moved for approval. B.R. Hall seconded and the Committee approved without objection.

9. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from HealthSpring. (not available at this time)
- d. Utilization report from Walgreens Health Initiatives & rebate.
- e. Pharmacy comparison. (not available at this time)

Items 9.-a. through 9.-e. were for information only and no action was required.

On item 9.-d., Dr. Christopher Fletcher inquired about rebates on the IOD prescriptions and David Manning requested a more detailed report from utilization report from WHI.

10. Reports for your information:

- a. Return to work.
- b. Social Security approvals.
- c. Refund of pension contributions. (not available at this time)
- d. Repayment of pension contributions. (not available at this time)
- e. Reports from Treasury.
- f. Non-compliant disability pensioners. (none to report at this time)
- g. Pending litigations. (reported quarterly)
- h. Disability status reports.
- i. Denial log from Alternative Service Concepts.

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

11. Late item(s):

There were no late items reported.

With nothing further presented, the meeting adjourned at 11:05 a.m.

ATTEST:

APPROVED:

***Mrs. Dorothy Shell-Berry, Interim Director
Human Resources***

***Mr. Clyde D. Smith, Chair
Employee Benefit Board***