

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**September 2, 2008**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday September 2, 2008 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: Ann V. Butterworth; Vice Chair: Clyde D. Smith; Members: Christine Bradley, G. Thomas Curtis, B.R. Hall, Sr., James H. Johnson, Edna J. Jones, Richard M. Riebeling, and Dorothy Shell-Berry.

Member **Douglas D. Conquest, Sr.** was unable to be present.

Others present: Shannon B. Hall, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Celia Goodson, Civil Service Medical Examiner.

**A. MINUTES:** Chair Ann Butterworth 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 August 5, 2008. With one correction, nothing further was noted and Richard Riebeling moved for approval. Christine Bradley seconded and the Board approved without objection.

Ann Butterworth welcomed G. Thomas Curtis to the Board.

B.R. Hall moved for approval of a resolution for H. Russell White honoring his service to the Board. Clyde Smith 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)**

Dorothy Shell-Berry reported to the Board that Dr. Celia Goodson has been designated Civil Service Medical Examiner and introduced her to the Board.

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

Dr. Celia Goodson reported to the Board that she recommends approval of the disability pension new requests, items 1 through 5, for the length of time as recommended. Clyde Smith moved for approval of the recommendation to approve the disability pension new requests, items 1 through 5 for the length of time as recommended. Edna Jones seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 8 and 9 for the length of time as recommended. Dorothy Shell-Berry moved for approval of the recommendation to continue the disability pension reexaminations, items 8 and 9 for the length of time as recommended. Christine Bradley seconded and the Board approved without objection.

On item 10, Dr. Celia Goodson reported to the Board that she recommends that the individual be placed on the return to work list with restrictions. Dorothy Shell-Berry moved for approval of the recommendation on item 10 to place the individual on the return to work list with restrictions. James Johnson seconded.

After some discussion of the individual's restrictions and a job assessment, Jessica Jackson, Metro Health Department, reported to the Board that the individual has requested a deferral on this request pending additional medical information.

Clyde Smith moved to defer item 10.

Dorothy Shell-Berry withdrew the motion to return the individual to work. James Johnson withdrew his second.

Dorothy Shell-Berry moved to defer item 10. Clyde Smith seconded and the Board approved without objection.

On items 11 and 12, Dr. Celia Goodson reported to the Board that deferral is recommended pending additional medical information. Dorothy Shell-Berry moved for approval of the recommendation to defer items 11 and 12 pending additional medical information. Christine Bradley seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that denial is recommended on the disability pension new request, item 6, based on lack of medical information to support the claim. Richard Riebeling moved for approval of the recommendation to deny the disability pension new request item 6. Clyde Smith seconded and the Board approved without objection.

On item 7, Dr. Celia Goodson reported to the Board that denial is recommended on the disability pension new request, item 7, based on lack of medical information to support the claim.

There was discussion of the medical information and the individual having additional testing completed.

Clyde Smith moved to defer item 7 pending additional medical information. Edna Jones seconded and recommended that case management be assigned to assist with obtaining additional medical information. A vote was taken on the motion to defer item 7 and was approved without objection.

**NEW REQUESTS:**

	<b>Name</b>	<b>Department</b>	<b>IOD or Medical Disability</b>	<b>Recommendation</b>
1.	Daniel L. Kephart	Fire	IOD	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam.
2.	Judy C. Petty	Police	Medical	As moved, seconded and approved, this disability pension request was approved for three months, (December 2008), with re-exam at that time.
3.	Milton S. Rose	Circuit Court	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (March 2009), with re-exam at that time.
4.	Richard D. Westfield	Parks	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (January 2009), with re-exam at that time.
5.	Mary S. Whitley	General Hospital	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (September 2009), with re-exam at that time.
6.	Marianne Greenwood	Health	Medical	As moved, seconded and approved, this disability pension request was denied.
7.	George T. Wade	Fairgrounds	Medical	As moved, seconded and approved, this disability pension request was deferred.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>IOD or Medical Disability</b>	<b>Recommendation</b>
8.	Vivian L. Blackshear	Bordeaux	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
9.	Princess A. Martindale	Water	Medical	As moved, seconded and approved, this disability pension was continued for one year, (September 2009), with re-exam at that time.
10.	Marcia L. Turntine	General Hospital	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month.
11.	Danny L. Campbell	Water	IOD	As moved, seconded and approved, this disability pension re-exam was deferred for one month.
12.	Cherrion L. Pointer	MNPS	IOD	As moved, seconded and approved, this disability pension re-exam was deferred for one month.

**RETURN TO WORK:**

There were no return to work requests.

**SOCIAL SECURITY REFERRALS:**

<b>Name</b>	<b>Department</b>	<b>Review Originated From</b>	<b>Case Mgmt. Rec. for Referral</b>	<b>CSME Rec. for Referral</b>	<b>Comments</b>
Rosary Elliott	MNPS	Pension Approval	Yes	Yes	
Matthew England	Police	Pension Approval	No	No	
John Humes	Police	Pension Approval	No	No	
Darlene Lumpkin	MNPS	Pension Approval	Yes	Yes	
D. Hall-Tucker	General Svs.	Pension Approval	Yes	Yes	
Margaret Merritt	MNPS	Pension Approval	Yes	Yes	
Byron Wilson	Water	Pension Approval	Yes	Yes	

Richard Riebeling moved for approval of the social security referrals. Edna Jones seconded and the Board approved without objection.

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

**MOTION:** Clyde Smith moved for approval of the pensions. Dorothy Shell-Berry seconded and the Board approved without objection.

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Jacqueline S. Jefferson	State Trial Courts	Program Specialist 2	B	08/01/2008	08/01/2008
Glenda T. Cheek	MNPS	School Library Clerk	B	08/04/2008	08/11/2008
Carmelita Y. Wallace	General Services	Emergency Telecom Officer 4	B	08/04/2008	08/14/2008
Donna L. Hawkins	Police	School Crossing Guard	B	08/05/2008	09/11/2008
Lewis A. Morgan IV	Assessor of Property	Appraiser 4	B	08/13/2008	08/07/2008
Ricky Boleyjack	Sheriff	Correctional Officer 2	B	08/14/2008	09/06/2008
Dorislynn McGee	Codes	Customer Service Supervisor	B	08/14/2008	11/01/2008
William F. Warfield	MNPS	Painter	B	08/15/2008	09/10/2008
Margaret Larobardiere	Circuit Court Clerk	Deputy Clerk	B	08/19/2008	11/01/2008
Peggy D. Dean	Police	Police Operations Coord. 1	B	08/19/2008	10/01/2008
David R. Carrell	Police	Police Officer 2	B	08/19/2008	02/01/2007*
Julia D. Kinsolving	Health	Office Support Rep 3	B	08/20/2008	12/01/2008
Otie C. Kinsolving	Codes	Plumbing Inspector 2	B	08/20/2008	12/13/2008
Glenn M. Sircy	MNPS	Carpenter	B	08/21/2008	10/25/2008
Annie Anthony	General Hospital	Monitor Technician	B	08/26/2008	11/01/2008
William D. Dozier	Fire	Fire Captain	B	08/26/2008	09/24/2008

\* Deferred Benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Janet E. Barnes	County Clerk	A	07/01/2008
Larry C. Rawls	Fire	A	08/01/2008
Claude W. Smith	Fire	A	08/01/2008
Mary F. Pomeroy	MNPS	B	08/01/2008

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Carpenter, Freddie B.	MNPS	Service	B	7/2/2008	Normal	3
Colley, Alma J.	Public Works	Service	B	7/1/2008	Normal	
Cunningham, Brenda J.	Trustee	Service	B	5/20/2008	Normal	1
Emerton, Ralph	Public Works	Service	B	6/28/2008	Option B	
Fuller, Edwin R.	Circuit Court Clerk	Service	B	6/28/2008	Option D	
Garrett, John A.	Police	P&F Service	B	6/24/2008	Option F	
Hassler, Dana N.	Fire	P&F Service	B	7/1/2008	Normal	2
Lynam, Mark J.	General Services	Early Service	B	7/1/2008	Option B	
McCutchen, Jackie M.	Fire	P&F Service	B	7/6/2008	Normal	3
Parks, Gaile F.	Parks	Service	B	6/24/2008	Normal	
Sullivan, James M.	Police	P&F Service	B	7/1/2008	Option F	
Williams, Norman E.	Municipal Auditorium	Service	B	7/1/2008	Option B	

**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
John D. Russell	Water	Serena Wilkinson	B	08/21/08
William Bauer, Jr.	General Sessions Court	Lillian Bauer	A	08/02/08
Thomas R. Gill	Fire	Dora Gill	Old City	08/16/08
George K. Bess	Police	Betty Bess	A	08/13/08
Ross Alderman	Public Defender	Patricia Cottrell	B	08/10/08
Joseph Sullivan	Sheriff	Elizabeth Sullivan	A	08/09/08
Rudolph Coleman	MNPS	Mary Coleman	A	07/29/08
William Felkins	Public Works	Judy Felkins	A	08/07/08
Leroy Youngs	Sheriff	Devin Youngs	A	08/03/08
Wilton D. Wright	Water Services	Margaret Wright	A	08/03/08
Martin K. McKoy	Public Works	Chanel McKoy	B	08/04/08
William E. Jones	Parks	Sue C. Jones	B	07/29/08
William Breedlove	Water Services	Esther M. Breedlove	B	07/30/08
John L. Rucker	General Sessions Court	Bernice Rucker	B	07/26/08
Charles R. Parrish, Sr.	Fire	Emily Parrish	Old City	07/30/08

**BENEFIT BOARD ITEMS**

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

1. Return to work appeal(s): Disability pensioner from Parks Department.

Shannon Hall reported to the Board that this individual was granted an in line of duty disability pension and also cleared to return to work. She stated that the individual is appealing the decision since being cleared to work and during the return to work process the individual was approved for Social Security disability benefits. Ms. Hall stated that staff recommends the Board examine the medical record and Board policy regarding Social Security disability benefits and determine whether the return to work decision should be upheld.

Edna Jones moved to remove the individual from the return to work list and to continue the disability pension without stipulation of scheduled re-exam in accordance with the Board policy regarding receipt of Social Security disability benefits. B.R. Hall seconded and the Board approved without objection.

2. Life insurance update.

Rob Goren, Buck Consultants, presented additional information to the Board regarding the life insurance.

Shannon Hall recapped the actions regarding this issue thus far.

Mr. Goren stated that with the new life insurance contract there is the option to continue as is for the age reduction or consider the proposed age reduction on coverage to 50% at age 70 for active employees. He reviewed the impact of the current (65% at age 65) and the proposed (50% at age 70) age reduction for active employees.

After some discussion, Clyde Smith moved to keep the life insurance reduction as is, 65% at age 65, for active employees. B.R. Hall seconded and the Board approved with Edna Jones and James Johnson abstaining.

3. Infertility benefit for grandfathered members.

Shannon Hall reviewed previous action regarding this item on those who qualified for this benefit under the Cigna HMO plan and entered the Cigna Choice Fund. She stated that those individuals that were

3. Infertility benefit for grandfathered members. (continued)

grandfathered for the 2008 plan year will lose that provision at the end of 2008. She stated that staff recommends that the Board determine the next appropriate steps for the 2009 plan year.

After some discussion of the eligibility of the same 22 members, Clyde Smith moved to continue grandfathering those individuals in the Cigna Choice Fund for the 2009 plan year, with review to determine whether this coverage should remain. Edna Jones seconded.

There was discussion of costs associated with continuance of that coverage for those individuals.

A vote was taken on the motion to continue grandfathering the 22 individuals in the Cigna Choice Fund for 2009 and was approved without objection.

4. Committee reports:

- a. In Line of Duty Committee: (Chair: Edna J. Jones; Vice-Chair: Christine Bradley; Members: Ann Butterworth and Clyde D. Smith. Alternates: B.R. Hall, Sr. and Dorothy Shell-Berry)

Shannon Hall reported to the Board that the In Line of Duty Committee met on Tuesday, July 29, 2008 to deliberate on two IOD medical care requests and an in line of duty death benefit request. Ms. Hall stated that the minutes from that meeting are being presented for approval at this time.

Committee Chair, Edna Jones asked if there were any amendments, corrections or questions of the minutes from that meeting. With no corrections, Clyde Smith moved for approval. Ann Butterworth seconded and the Committee approved without objection.

5. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Walgreens Health Initiatives. (not available)
- d. Utilization report from Alternative Service Concepts. (reported quarterly)
- e. Medical coverage for part time employees.

Items 5.-a. through 5.-e. were for information only and no action was required.

Shannon Hall noted the correspondence received from the Parks Department.

Nicki Eke addressed the response on the request from the Parks Department.

6. Reports for your information:

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

Items 6.-a. through 6.-i. were for information only and no action was required.

7. Late item(s):

There were no late items reported.

With nothing further presented, the meeting was adjourned at 10:22 a.m.

ATTEST:

APPROVED:

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

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***Ms. Ann V. Butterworth, Chair  
Employee Benefit Board***