

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

May 5, 2009

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday May 5, 2009 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:36 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: G. Thomas Curtis; Members: Douglas D. Conquest, Sr., B.R. Hall, Sr., James H. Johnson, *Richard M. Riebeling, and Clyde D. Smith.

Members Christine Bradley, Ann V. Butterworth, and Dorothy Shell-Berry were unable to be present.

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

Chair Edna Jones addressed a concern raised by a Board member at the last meeting regarding the method of voting. She stated that after review of the Metropolitan Employee Benefit Board by-laws, TCA (Tennessee Code Annotated) and Roberts Rules of Order, it is the ruling of the Chair that voting by the Metropolitan Employee Benefit Board will continue to be by a show of hands. She further stated that if anyone would like to challenge that ruling, there is a process where the by-laws can be amended.

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 April 7, 2009. With no corrections, nothing further was noted and Douglas Conquest moved for approval. 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.

*Denotes the arrival of Richard Riebeling.

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.

Shannon Hall reported to the Board that the Pension Committee met on Thursday, April 30, 2009 to deliberate on eligibility determination for in line of duty disability pension. She stated that the Committee is recommending the Board approve the in line of duty disability pension request (item 2) and related in line of duty medical care as a general government in line of duty disability pension. She stated the Committee also recommends to re-affirm that employees are eligible for an in line of duty disability pension from the first day of employment.

B.R. Hall moved to accept the recommendation of the Pension Committee to approve the in line of duty disability pension request (item 2) and related in line of duty medical care as a general government in line of duty disability pension and that employees are eligible for an in line of duty disability pension from the first day of employment. Clyde Smith seconded and the Board approved with Richard Riebeling abstaining.

Dr. Cynthia Perry reported to the Board that she recommends approval of the disability pension new requests, items 1 through 7, for the length of time as recommended and denial on item 8, as the individual has returned to work. Clyde Smith moved for approval of the recommendation to approve the disability pension new requests, items 1 through 7 for the length of time as recommended and denial on item 8. The motion was seconded and the Board approved without objection.

Dr. Cynthia Perry reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 9 through 15 for the length of time as recommended and deferral on item 16. B.R. Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 9 through 15 for the length of time as recommended and deferral on item 16. Clyde Smith seconded and the Board approved without objection.

Dr. Cynthia Perry reported to the Board that she recommends approval of the return to work requests, items 17 through 19.

There was discussion of restrictions and item 17 returning to work in a civilian position.

Clyde Smith moved for approval of the return to work requests, items 17 through 19, as recommended. James Johnson seconded and the Board approved without objection.

On item 20, Dr. Cynthia Perry reported to the Board that she is recommending the Board approve payment for a one time office visit in order to obtain additional medical information. Clyde Smith moved for approval of the recommendation to approve payment for a one time office visit in order to obtain additional medical information. Douglas Conquest seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
1.	Samuel Ensley	MNPS	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (September 2009), with re-exam at that time.
2.	Jeffrey S. Howe	Police	IOD	As moved, seconded and approved, this disability pension request was approved as a general government in line of duty disability pension for four months, (September 2009), with re-exam at that time.
3.	Pamela A. Love	MNPS	IOD	As moved, seconded and approved, this disability pension request was approved for three months, (August 2009), with re-exam at that time.
4.	Patricia J. Owen	MNPS	IOD	As moved, seconded and approved, this disability pension request was approved for six months, (November 2009), with re-exam at that time.
5.	Abdullah T. Sindy	MNPS	IOD	As moved, seconded and approved, this disability pension request was approved for five months, (October 2009), with re-exam at that time.
6.	Stanley K. Tidwell	Public Works	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (September 2009), with re-exam at that time.
7.	Helen W. Wilkerson	MNPS	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (November 2009), with re-exam at that time.
8.	James W. Anderson	Public Works	Medical	As moved, seconded and approved, this disability pension request was denied.

REEXAMINATIONS:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
9.	Joseph O. Haywood	Police	IOD	As moved, seconded and approved, this disability pension was continued for six months, (November 2009), with re-exam at that time.
10.	David W. McNeil	Public Works	IOD	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
11.	William R. McNeil	Bordeaux	IOD	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
12.	Toney W. Moore	Public Works	Medical	As moved, seconded and approved, this disability pension was continued for six months, (November 2009), with re-exam at that time.
13.	Julie A. Sloan	Fire Department	IOD	As moved, seconded and approved, this disability pension was continued for four months, (September 2009), with re-exam at that time.
14.	Mary T. Sowder	MNPS	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
15.	Tina M. Wright	General Hospital	Medical	As moved, seconded and approved, this disability pension was continued for six months, (November 2009), with re-exam at that time.
16.	Sharon M. Evans	General Services	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (June 2009).

RETURN TO WORK:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
17.	Michael E. Doss	Fire	Medical	As moved, seconded and approved, this return to work request was approved.
18.	Myra A. Laird	Bordeaux	IOD	As moved, seconded and approved, this return to work request was approved.
19.	Linda K. Thompson	MNPS	IOD	As moved, seconded and approved, this return to work request was approved.

OTHER:

20.	Ronald T. Chambers	Water	Medical	As moved, seconded and approved, the Board granted payment of an office visit for additional medical information.
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SOCIAL SECURITY REFERRALS:

Item	Name	Department	Review Originated From	Case Mgmt Rec for Referral	CSME Rec for Referral	Comments
1	John Alexander	MNPS	Pension Approval	Yes	Yes	
2	Johnny Clinard	MNPS	Pension Approval	Yes	Yes	
3	Renaldo Hall	MNPS	Pension Approval	Yes	Yes	
4	Robert Holt	MNPS	Pension Approval	Yes	Yes	
5	Denise Hooper	Fire	Pension Approval	Yes	Yes	
6	Thomas Jones Jr	Police	Pension Approval	No	No	
7	Jennifer Lanier	MNPS	Pension Approval	Yes	Yes	
8	Thomas Matthews	Criminal Ct	Pension Approval	No	No	
9	Gerald Napier	ITS	Pension Approval	No	No	
10	John Smith	Planning Comm	Pension Approval	Yes	Yes	
11	Sandra Smith	Water	Pension Approval	No	No	
12	Marcia Turntine	MNGH	Pension Approval	Yes	Yes	SS claim approved
13	Daulton Walker	Fairgrounds	Pension Approval	Yes	Yes	

Dr. Cynthia Perry reported to the Board that she concurs with the recommendations on the Social Security referrals. B.R. Hall moved for approval. Douglas Conquest seconded and the Board approved without objection.

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

MOTION: Richard Riebeling moved for approval of the pensions. James Johnson seconded and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Barbara H. Denning	MNPS	Educational Assistant	B	03/31/2009	05/23/2009
Earl J. Sadler, Jr.	Sheriff	Case Worker 2	B	03/02/2009	04/01/2009
Mary E. Starkey	MNPS	Cafeteria Assistant	B	04/07/2009	05/23/2009
Georgia A. Cox	MNPS	Cashier Cluster – Lead Worker	B	04/08/2009	05/23/2009
Mark A. Garafola	Police	Police Sergeant	B	04/09/2009	05/01/2009
Gay Nell Daniel	General Services	Custodian 2	B	04/09/2009	04/01/2009*
Janice F. Shreeve	General Services	Emergency Telecommunication Officer 4	B	04/13/2009	03/28/2009
Michael J. Calvin	Fire	Fire Captain	B	04/14/2009	04/15/2009
Stephen E. Newman	Parks	Concession Clerk	B	04/14/2009	05/01/2009*
Kay E. Williams	MNPS	Clerk–Employee Benefits	B	04/15/2009	07/01/2009
Stephanie A. Roth	General Hospital	Clinical-Quality Specialist	B	04/15/2009	05/16/2009
Brenda J. Bruce	MAC	Teacher Assistant-CSBG	B	04/15/2009	05/16/2009
Iris J. Epperson	Sheriff	Major Area Head	A	04/13/2009	06/01/2009*
Morris Green	Public Works	Equipment Operator 3	B	04/16/2009	05/02/2009
William C. Radcliffe	Fire	Fire Fighter 3	B	04/16/2009	05/01/2009
Dorothy J. Hatchett	MNPS	General School Asst	B	04/21/2009	05/23/2009
Sandra G. Russell	MNPS	School Library Clerk	B	04/21/2009	05/22/2009
Christy D. Sowell	MNPS	Special Services Assistant	B	04/22/2009	05/22/2009
Allie B. Norman, Jr.	MNPS	In-School Suspension Monitor	B	04/22/2009	04/25/2009
Mary A. Carathers	MNPS	Spec Ed MIP – Educational Assistant	B	04/22/2009	05/22/2009

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Christine J. Everett	MNPS	Spec Ed MIP – Educational Assistant	B	04/22/2009	05/22/2009
Hazel A. Edde	MNPS	Pre-K – Educational Assistant	B	04/23/2009	05/22/2009
David A. Justice	Police	Police Officer 2	B	04/23/2009	05/16/2009
Georgia J. Houston	General Hospital	Senior Medical Transcriptionist/Typist	A	04/23/2009	06/01/2009*
John E. Jordan, Jr.	Health	Environmentalist 2	B	04/24/2009	05/30/2009

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Billie L. Reid	MNPS	B	04/01/2009
Diane W. Clark	State Trial Court	B	10/01/2004

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Anderson, Dorris R.	General Hospital	Early Service	B	4/4/2009	Option F	
Buck, James P.	Police	P&F Service	B	4/1/2009	Option E	3
Campbell, Charles A.	Juvenile Court	Service	B	4/1/2009	Option F	2
Carter, Campbell M	Fire	P&F Service	B	3/9/2009	Option F	3
Curran III, William J	Fire	P&F Service	B	4/1/2009	Option A	3
Deardorff, Kenneth W.	Public Works	Service	B	3/21/2009	Option E	3
Fendley, Albert L	MNPS	Service	B	3/28/2009	Option A	1
Garrett, Carole A	Circuit Court Clerk	Service	B	3/1/2009	Option E	
Goodman, Bettie J	MNPS	Early Service	B	1/27/2009	Option E	
Jones, Henry H	Water Services	Early Service	B	3/14/2009	Option A	
Lecompte, Carolyn F.	Police	P&F Service	B	3/16/2009	Normal	3
Martin, Phillip W	General Services	Service	B	4/4/2009	Option F	
Moore, Mary E	MNPS	Service	B	3/24/2009	Option C	3
Moskovitz, Marvin L	Water Services	Service	B	3/21/2009	Option F	
Osborne, Ronald W	Human Resources	Service	B	4/1/2009	Option F	
Phillips, Janna D.	Bordeaux Long Term Care	Early Service	B	3/12/2009	Normal	
Walker, Edith M.	Caring for Children	Service	B	5/1/2008	Normal	
Watson, Valena J	Police	Early Service	B	3/7/2009	Option D	
Wilson, Billy W	Water Services	Service	B	3/14/2009	Option A	1
Young, Clara J.	Circuit Court Clerk	Early Service	B	1/24/2009	Normal	

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
Chester Broughton	Water	Willeen Broughton	A	04/02/2009
Felix Ware	MNPS	Ethel Ware	B	03/22/2009
Gerald Sullivan	Water	Marsha Celeste Sullivan	B	04/07/2009
John Niedzwiecki	Police	Elizabeth Niedzwiecki	B	04/12/2009
Sanford Rogers	MNPS	Norma Rogers	A	04/12/2009

Survivor

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
Blanca Ocon	MNPS	Maximiliano Ocon	B	04/11/2009
Thomas Baldwin	Public Works	Shirley Baldwin	A	04/16/2009
Linda Everett	Parks	Waymond Everett	B	04/25/2009
Robert F. Gray, Jr.	Fire	Reba Gray	Old Closed	04/19/2009
Robert B. Taylor	Water	Virginia Taylor	B	04/24/2009
Najmaddin Ali	MNPS	Zomairan Ahmad	Vested B	09/20/2008

BENEFIT BOARD ITEMS

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

1. Committee Reports:

a. Investment Committee.

Fadi Bousamra and Lannie Holland were present. Mr. Bousamra reported to the Board that the Investment Committee conducted a search for a real estate fund as a possible addition to investment choices for the 457 plan. He stated that the Committee is recommending that the Board add the First American Real Estate Fund as an investment choice for the MetroMax 457 plan.

After some discussion of the asset class of the fund, Clyde Smith moved for approval of the recommendation to add the First American Real Estate Fund as an investment choice for the MetroMax 457 plan. Thomas Curtis seconded and the Board approved without objection.

There was also discussion on communication to employees.

b. Medical and Life Committee.

Shannon Hall reported to the Board that the Medical and Life Committee met on Thursday, April 23, 2009 to deliberate on several self insured PPO and CCF plan appeals and discuss correspondence regarding the premium offset for Medicare parts A & B. She stated that the minutes from this meeting are being presented for approval. Ms. Hall stated that on item 1 the Committee recommendation that the Board approve the drug coverage for the two dependents only based on the medical evidence that shows this drug is medically necessary as a replacement and on item 2 approve coverage of the additional residential treatment days the member utilized. Ms. Hall also reported that the Committee deferred the three plan appeals regarding the denial of pre-determination for bariatric surgery and recommends that the Board have the review of the plan administrator's medical necessity policies for bariatric surgery presented within 30 days.

B.R. Hall moved for approval of the recommendations to approve the drug coverage for the two dependents only based on the medical evidence that shows this drug is medically necessary as a replacement, coverage of the additional residential treatment days the member utilized and that the Board have the review of the plan administrator's medical necessity policies for bariatric surgery presented within 30 days. Richard Riebeling seconded and the Board approved without objection.

The individual regarding the drug coverage was present and addressed the Board.

The individual regarding the additional residential treatment days was present and addressed the Board.

Committee Chair B.R. Hall reviewed the minutes from the April 23, 2009 Medical and Life Committee meeting. Richard Riebeling moved for approval of the April 23, 2009 Medical and Life Committee meeting minutes. Clyde Smith seconded and the minutes were approved without objection.

1. Committee Reports: (continued)

c. Pension Committee.

This item was taken out of order and acted upon accordingly.

2. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts. (reported quarterly)
- d. Correspondence regarding disability pension appeal.

Items 2.-a. through 2.-d. were for information only and no action was required.

On item 2.-d., Kevin Klein, Metro Legal Department, reviewed the request and gave a summary of the case.

Nicki Eke, Metro Legal Department, stated that she informed the individual's attorney that the Board has no authority to honor the request and has to follow through with the court order.

3. 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 3.-a. through 3.-i. were for information only and no action was required.

4. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:05 a.m.

ATTEST:

APPROVED:

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

***Ms. Edna J. Jones, Chair
Employee Benefit Board***