

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

July 7, 2009

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, July 7, 2009 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: Edna J. Jones; Vice Chair: G. Thomas Curtis; Members: Christine Bradley, *Ann V. Butterworth, Douglas D. Conquest, Sr., B.R. Hall, Sr., James H. Johnson, Richard M. Riebeling, Rita Roberts-Turner and Clyde D. Smith.

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

At this time, Chair Edna Jones welcomed Rita Roberts-Turner to the Board and Jim Kramer, Deputy Director, to the Human Resources staff.

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 2, 2009. With one correction, (duplication in the pension listing on page 4), nothing further was noted and Clyde Smith moved for approval. Tom Curtis seconded and the Board approved without objection.

* Denotes the arrival of Ann Butterworth.

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. Cynthia Perry 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. Ann Butterworth moved for approval of the recommendation to approve the disability pension new requests, items 1 through 5 for the length of time as recommended. Tom Curtis seconded and the Board approved without objection.

Dr. Cynthia Perry reported to the Board that on the disability pension reexaminations, items 6 through 14, she recommends approval for continuing items 6 through 11 for the length of time as recommended, with deferral for one month on items 12 through 14. Ann Butterworth moved for approval of the recommendation to continue the disability pension reexaminations, items 6 through 11 for the length of time as recommended and deferral on items 12 through 14. Christine Bradley seconded and the Board approved without objection.

Dr. Cynthia Perry reported to the Board that on the return to work requests, items 15 and 16, she recommends approval. She also indicated that the individuals have restrictions.

After some discussion of the restrictions, the individuals receiving case management assistance and the department's role in the return to work process, Ann Butterworth moved for approval of the return to work requests, items 15 and 16. Christine Bradley seconded and the Board approved without objection.

Shannon Hall reported to the Board that item 17 was approved for a disability pension at the last Board meeting. However, when staff began calculating the pension benefit, it was discovered that he did not have enough service credit to be eligible for a medical disability pension.

Ann Butterworth moved to rescind the previous decision to grant the individual a disability pension based on the individual not being eligible to receive the benefit. Tom Curtis seconded and the Board approved without objection.

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

NEW REQUESTS:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
1.	Alisa C. Boone	Register of Deeds	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (November 2009), with re-exam at that time.
2.	Sherrie R. Davids	State Trial Courts	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (November 2009), with re-exam at that time.
3.	Tony W. Flatt	Sheriff	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (January 2010), with re-exam at that time.
4.	Bobby R. Neeley, Sr.	General Sessions Court	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (July 2010), with re-exam at that time.
5.	Virnie J. Sanders	General Services	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (July 2010), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
6.	John T. Alexander, Sr.	Metro Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension was continued for six months, (January 2010), with re-exam at that time.
7.	Joe B. Hutcherson, Jr.	General Hospital	Medical	As moved, seconded and approved, this disability pension was continued for one year, (July 2010), with re-exam at that time.
8.	Thomas E. Matthews, Jr.	Criminal Court	Medical	As moved, seconded and approved, this disability pension was continued for three months, (October 2009), with re-exam at that time.
9.	Gerald M. Napier	Information Technology Services	Medical	As moved, seconded and approved, this disability pension was continued for three months, (October 2009), with re-exam at that time.

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

REEXAMINATIONS:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
10.	Thomas R. Rediker, II	Public Works	Medical	As moved, seconded and approved, this disability pension was continued for four months, (November 2009), with re-exam at that time.
11.	Sandra F. Smith	Water Services	Medical	As moved, seconded and approved, this disability pension was continued for six months, (January 2010), with re-exam at that time.
12.	Gloria J. Baker	Metro Nashville Public Schools	Medical	As moved, seconded and approved, this re-exam was deferred for one month, (August 2009), with re-exam at that time.
13.	Andrew W. Bell	General Services	In Line of Duty	As moved, seconded and approved, this re-exam was deferred for one month, (August 2009), with re-exam at that time.
14.	Ronald T. Chambers	Water Services	Medical	As moved, seconded and approved, this re-exam was deferred for one month, (August 2009), with re-exam at that time.

RETURN TO WORK:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
15.	ShaRhonda D. Cartwright	Metro Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this return to work request was approved.
16.	Richard D. Westfield	Parks and Recreation	Medical	As moved, seconded and approved, this return to work request was approved.

OTHER:

	Name	Department	In Line of Duty or Medical Disability	Recommendation
17.	Alan C. Floyd	Bordeaux	Medical	As moved, seconded and approved, the Board rescinded the previous decision to grant this disability pension based on the individual not being eligible to receive the benefit.

SOCIAL SECURITY REFERRALS:

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral
1	Kevin Bloomfield	Fire	Pension Approval	No	No

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

SOCIAL SECURITY REFERRALS:

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral
2	Brenda Edwards	Register of Deeds	Pension Approval	Yes	Yes
4	Octavia Holt	MNPS	Pension Approval	No	No
5	James McDerman	Police	Pension Approval	No	No
6	Thomas Owens	General Svcs	Pension Approval	No	No
8	Beverly Valentine	MNPS	Pension Approval	No	No
9	Michelle Woodberry	General Hospital	Pension Approval	No	No

Dr. Cynthia Perry reported to the Board that she concurs with the recommendations on the Social Security referrals. Ann Butterworth moved for approval of the recommendations. Christine Bradley seconded and the Board approved without objection.

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

MOTION: B.R. Hall moved for approval of the pensions. Clyde Smith seconded and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
George W. Thompson	General Services	Equipment Operator 1	B	05/27/2009	06/27/2009
Anne Cannady	Finance	Application Tech 1	B	05/28/2009	06/27/2009
Sue W. Bond (Carney)	Health	Ob-Gyn Nurse Practitioner	B	06/01/2009	07/01/2009
James French	Water	Maintenance Leader 2	B	06/02/2009	07/04/2009
Ralph E. Cotnoir	Fire	Fire Captain	B	06/02/2009	08/22/2009
Lorene Harris	MNPS	Educational Assistant	B	06/02/2009	05/22/2009
William R. Marshall, Jr.	Library	Library Associate 1	B	06/03/2009	06/27/2009
Joan A. Rucker	MNPS	School Secretary/Bookkeeper	B	06/04/2009	07/01/2009
Margaret A. Williams	Municipal Auditorium	Office Support Rep 2	B	06/01/2009	07/01/2009
Carol L. Long	General Hospital	LPN	B	06/03/2009	07/01/2009
Susan R. Grannis	Circuit Court Clerk	Steno Clerk 2	B	06/08/2009	05/30/2009
Earl G. Woolwine, III	Parks	Parks & Rec Supervisor	B	06/09/2009	07/01/2009
Henry Collins, Jr.	Police	Police Officer 2	B	06/09/2009	05/26/2009
Ronnie B. Burch	Public Works	Equipment Operator 2	B	06/10/2009	07/11/2009
Richard W. Neathery	General Services	Information Systems Communication Analyst 3	B	06/11/2009	07/01/2009
Ralph W. Barnes	Register of Deeds	n/a	B	06/11/2009	09/01/2009
Judith A. Woodard	Water	Office Support Specialist 2	B	06/11/2009	07/01/2009
Barney A. Farmer	MNPS	Purchasing Assistant	B	06/16/2009	06/20/2009
Linda M. Kelley	MNPS	Cafeteria Assistant	B	06/16/2009	08/14/2009
Richard C. Ciero	Information Technology	Info Systems Advisor 1	B	06/16/2009	07/01/2009
David F. Eubank	Parks	Facilities Manager	B	06/17/2009	07/01/2009
Helen P. Neeley	Police	Police Officer 2	B	06/18/2009	06/19/2009

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

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Roger W. Dixon	Sheriff	Warrant Officer 1	B	06/17/2009	07/01/2009
Dorothy E. Thompson	General Hospital	Monitor Technician	B	06/23/2009	07/09/2009
Deloris Y. Dowell	Social Services	Office Support Rep 1	B	06/25/2009	06/13/2009
Raymond E. Lambert	MNPS	Lead Plumber/Steamfitter	B	06/25/2009	08/01/2009
Bobby R. Murphy	Water	Water Maintenance Leader 2	B	06/25/2009	06/26/2009
Walter L. Smith	Sheriff	Administrative Services Manager	B	06/29/2009	07/01/2009
Steven B. Lee	Sheriff	Classification Counselor	B	06/29/2009	07/01/2009
Dennis C. Winters	Sheriff	Administrative Services Officer 2	B	06/29/2009	07/01/2009
Steve Morales	Sheriff	Pre-Trial Services Officer 1	B	06/29/2009	07/01/2009
Demetrius C. King	Sheriff	Correctional Officer 2	B	06/29/2009	07/01/2009

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Alberta Harrison	Police	B	06/01/2009
Roy L. Davis	Codes	B	06/01/2009
Patricia D. West	Bordeaux	B	06/01/2009
Thurman C. Trice	MNPS	B	11/01/2007

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Amaro, Elsie	General Hospital	Service	B	6/1/2009	Option E	
Batey, Winfred E	MNPS	Early Service	B	3/21/2009	Normal	
Bruce, Brenda J	Metro Action Commission	Early Service	B	5/16/2009	Normal	
Buck Jr, Marvin E	Fire	P&F Service	B	5/17/2009	Option B	
Cooper, James H	Police	Early Service	B	5/16/2009	Option C	
Cox, Georgia Ann	MNPS	Service	B	5/23/2009	Normal	
Denning, Barbara H	MNPS	Service	B	5/22/2009	Option F	
Edde, Hazel A	MNPS	Early Service	B	5/22/2009	Normal	
Epperson, Iris J	Sheriff	Service	A	6/1/2009	Normal	
Everett, Christine J	MNPS	Service	B	5/22/2009	Option D	3
Gillespie, Beverly M	Public Works	Service	B	5/30/2009	Option F	1
Hatchett, Dorothy J	MNPS	Service	B	5/23/2009	Option D	
Herrman, George W	Assessor of Property	Service	B	5/30/2009	Normal	
Houston, Georgia J	General Hospital	Service	A	6/1/2009	Normal	
Justice, David A.	Police	P&F Service	B	5/16/2009	Option E	3
Maclin, Mamie S.	General Hospital	Service	B	11/1/2004	Normal	
Morrow, Lee Ann	MNPS	Early Service	B	5/22/2009	Normal	
Patterson, Jo E	MNPS	Early Service	B	4/18/2009	Normal	
Prater, Virginia K.	General Hospital	Service	B	5/30/2009	Option F	3
Radcliffe, William C	Fire	P&F Service	B	5/6/2009	Option D	2
Ridley Jr, Donald G.	Fire	P&F Service	B	5/16/2009	Option A	3
Roth, Stephanie A.	General Hospital	Service	B	5/16/2009	Option E	3
Sanders, Connie	MNPS	Service	B	6/1/2009	Option F	
Sawyers, Lois J	MNPS	Service	B	5/22/2009	Option F	

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

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Sowell, Christy D	MNPS	Service	B	5/22/2009	Normal	
Starkey, Mary E	MNPS	Service	B	5/23/2009	Normal	
Storment, John L	Police	Early Service	B	5/6/2009	Option F	
Trammell, Glenda D.	General Hospital	Early Service	B	5/29/2009	Option A	
Van Brackle, Cynthia H	Health	Service	B	5/14/2009	Normal	
Walters, James	MNPS	Early Service	B	5/22/2009	Option A	
Wilhoite, Mary V	Police	Service	B	5/30/2009	Option D	3

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
George Hansel	Health	Shirley Hansel	B	05/21/09
Morris T. Rogers	Police	Quincy Rogers	A	05/05/09
Melinda Holder	Police	James Holder	B	06/03/09
Curtis Venson	MNPS	Georgia Venson	B	06/09/09
James Allen	Water	Linda Allen	B	06/11/09
Samuel Hollins, Jr.	Water	Joyce Hollins	Old City	05/24/09
Nicholas Marino	Police	Virginia Marino	B	06/24/09
Glenn Davis	MNPS	Gwendolyn F. Davis	B	06/17/09
Charles Kellum	MNPS	Katherine Kellum	Old City	06/30/09

BENEFIT BOARD ITEMS

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

1. Committee Reports:
 - a. In Line of Duty Committee: (Chair: James H. Johnson; Vice-Chair: Christine Bradley; Members: Ann V. Butterworth and Clyde D. Smith. Alternates: B.R. Hall Sr. and Rita Roberts-Turner)

Shannon Hall reported to the Board that the In Line of Duty Committee met on Wednesday, June 10, 2009 to deliberate on an in line of duty medical care request from the Sheriff's Office and in line of duty medical care requests from Metro Nashville Public Schools. She stated that the minutes from this meeting are being presented for approval. Ms. Hall reported that on the in line of duty medical care request from the Sheriff's Office, the Committee recommends the Board uphold the initial denial determination for this claim. Ms. Hall reported that on the in line of duty medical care requests from Metro Nashville Public Schools (MNPS), the Committee deferred action on these requests and recommended that Alternative Service Concepts (ASC) obtain the additional medical information from the employee and have an independent medical review/second opinion provided based on all the medical information related to the requests.

1. Committee Reports: (continued)

- a. In Line of Duty Committee: (Chair: James H. Johnson; Vice-Chair: Christine Bradley; Members: Ann V. Butterworth and Clyde D. Smith. Alternates: B.R. Hall Sr. and Rita Roberts-Turner)

Ann Butterworth moved for approval of the recommendations to 1) uphold the initial denial determination for the in line of duty medical care request from the Sheriff's Office and that Alternative

Service Concepts (ASC) obtain the additional medical information from the employee and 2) have an independent medical review/second opinion provided based on all the medical information related to the in line of duty medical care requests from MNPS. Christine Bradley seconded and was approved by the Board with B.R. Hall and Clyde Smith opposed.

Committee Chair James Johnson reviewed the June 10, 2009 Committee minutes. With no corrections, Ann Butterworth moved for approval of the June 10, 2009 In Line of Duty Committee minutes. Christine Bradley seconded and the Committee minutes were approved without objection.

- b. Medical and Life Committee: (Chair: B.R. Hall, Sr.; Vice-Chair: To be elected; Members: Ann V. Butterworth, James H. Johnson, Rita Roberts-Turner and Clyde D. Smith. Alternates: G. Thomas Curtis and Edna J. Jones)

Shannon Hall reported to the Board that the Medical and Life Committee met on Thursday, June 25, 2009 to deliberate on several self insured plan appeals, discussion on the bariatric medical policy review, correspondence from Council regarding smokers surcharge, and correspondence from a retiree regarding the premium offset for Medicare A&B. She stated that the minutes from this meeting are being presented for approval.

Ann Butterworth moved for approval of the June 25, 2009 Medical and Life Committee meeting minutes. Committee Chair B.R. Hall reviewed the June 25, 2009 Medical and Life Committee meeting minutes. Rita Roberts-Turner seconded and the Committee minutes were approved without objection.

Shannon Hall reported to the Board that on the plan appeal regarding the denial of continuation for growth hormone therapy, the Committee recommends the Board continue coverage for this dependent for this case only based on information from the treating physician that this care is medically necessary and appropriate. Ann Butterworth moved for approval of the recommendation to continue coverage for this dependent for this case only based on information from the treating physician that this care is medically necessary and appropriate. B.R. Hall seconded and the Board approved without objection.

Shannon Hall reported to the Board that on the plan appeal regarding the denial of prescription drug Xenazine, the Committee referred this item to the Civil Service Medical Examiner for her review and recommendation.

Shannon Hall reported to the Board that on the bariatric medical policy review, the Committee recommends the Board approve the following process for 2nd level appeals for denial of predetermination for bariatric surgery: If the member does not meet the 10% weight loss criteria for this benefit, then the appeal will be submitted to the Civil Service Medical Examiner for review. If the Civil Service Medical Examiner recommends it is medically appropriate to waive the 10% weight loss criteria for the appeal, this recommendation will be presented directly to the Board for consideration. If the Civil Service Medical Examiner recommends it is not medically appropriate to waive the 10% weight loss criteria for the appeal, the item will be referred back to the Medical and Life Committee for consideration. All other appeals regarding this benefit will continue to be referred to the Medical and Life Committee for consideration. Ann Butterworth moved for approval of this recommendation regarding the bariatric medical policy and appeals. Clyde Smith seconded and the Board approved without objection.

Shannon Hall reported to the Board that on the plan appeal regarding the denial of predetermination for bariatric surgery, the Committee recommends this appeal be referred to the Civil Service Medical Examiner for review and recommendation.

1. Committee Reports: (continued)

- b. Medical and Life Committee: (Chair: B.R. Hall, Sr.; Vice-Chair: To be elected; Members: Ann V. Butterworth, James H. Johnson, Rita Roberts-Turner and Clyde D. Smith. Alternates: G. Thomas Curtis and Edna J. Jones)

Shannon Hall reported to the Board that on the correspondence from Council regarding the smoking surcharge, the Legal Department advised that this change would first need to be considered by a Study and Formulating Committee before such a change could be made.

Shannon Hall reported to the Board that on the correspondence from a retiree regarding the premium offset for Medicare A&B, the Committee recommends the Board consider this information as part of the overall rate structure discussion. Clyde Smith moved for approval of the recommendation to consider this information as part of the overall rate structure discussion. Tom Curtis seconded

After discussion of communicating this information to all those involved in determining the rate structure, a vote was taken on the motion to consider this information as part of the overall rate structure discussion and was approved without objection.

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. Access TN assessment.

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

Shannon Hall made note of item 2.-d. Access TN assessment from Blue Cross Blue Shield.

There was a question of what happens if Metro does not pay the assessment and if Metro could be fined.

Nicki Eke, Legal Department, informed the Board that this is pursuant to the provisions of a state statute and the law does require that the assessment be made and paid.

3. Reports for your information:

- a. Return to work. (none to report)
- 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.
- j. Police & Fire Wellness update.

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

Shannon Hall made note of item 3.-j. Police & Fire Wellness update.

4. Late item(s):

Items to be listed under this section will be reported at the meeting.

With nothing further presented, the meeting adjourned at 9:53 a.m.

ATTEST:

APPROVED:

***Mrs. Rita Roberts-Turner, Interim Director
Human Resources***

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