

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**October 6, 2009**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, October 6, 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; Members: Christine Bradley, \*Ann V. Butterworth, Charles D. Clariday, Sr., B.R. Hall, Sr., James H. Johnson, \*\*Richard M. Riebeling, Rita Roberts-Turner and Clyde D. Smith.

Member Vice Chair: G. Thomas Curtis was 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.

**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 September 1, 2009. With no corrections, nothing further was noted and James Johnson moved for approval. Rita Roberts-Turner 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.

At this time, item 1, under Benefit Board items, Presentation of resolution, was taken out of order without objection.

Shannon Hall presented Dorothy Shell-Berry with a resolution honoring her service to the Metropolitan Employee Benefit Board.

\*Denotes the arrival of Ann Butterworth

#### **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 11, for the length of time as recommended. B.R. Hall moved for approval of the recommendation to approve the disability pension new requests, items 1 through 11 for the length of time as recommended. Charles Clariday seconded.

Edna Jones made note of the individuals being present for items 1 and 10.

A vote was taken on the motion to approve items 1 through 11 for the length of time as recommended and was approved by the Board without objection.

Dr. Cynthia Perry reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 12 through 19 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 12 through 19 for the length of time as recommended. Ann Butterworth seconded and the Board approved without objection.

Dr. Cynthia Perry reported to the Board that on items 21 and 22 she recommends the individuals be placed on the return to work list.

After some discussion of case management assistance on item 21, Clyde Smith moved for approval of the recommendation on items 21 and 22 to place the individuals on the return to work list with case management assistance on item 21. Christine Bradley seconded and the Board approved with B.R. Hall opposed.

\*\*Denotes the arrival of Richard Riebeling.

Dr. Cynthia Perry reported to the Board that on items 20, 23 and 24 she recommends deferral for one month. James Johnson moved for approval of the recommendation to defer items 20, 23 and 24 for one month. Clyde Smith seconded and the Board approved without objection.

**NEW REQUESTS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Recommendation</b>
1.	John B. Corcoran	Police	IOD	As moved, seconded and approved, this disability pension request was approved for one year, (October 2010), with re-exam at that time.
2.	Debra M. Goad	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (February 2010), with re-exam at that time.
3.	Deborah F. Holt	Health	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam.
4.	Abdul-Kareem Luqman	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (February 2010), with re-exam at that time.
5.	Juanita S. Neal	Bordeaux	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (April 2010), with re-exam at that time.
6.	Donald R. Pirtle	Police	IOD	As moved, seconded and approved, this disability pension request was approved for one year, (October 2010), with re-exam at that time.
7.	Claudia Powell	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for five months, (March 2010), with re-exam at that time.
8.	Judy A. Reasoner	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (October 2010), with re-exam at that time.
9.	Donald Schnakenberg	General Services	Medical	As moved, seconded and approved, this disability pension request was approved without stipulation of scheduled re-exam.

**NEW REQUESTS: (continued)**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Recommendation</b>
10.	David Vanderpool	Fire	IOD	As moved, seconded and approved, this disability pension request was approved for six months, (April 2010), with re-exam at that time.
11.	Mary E. Wright	Metro Action Commission	IOD	As moved, seconded and approved, this disability pension request was approved for five months, (March 2010), with re-exam at that time.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Recommendation</b>
12.	Teresa Brogdon	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam.
13.	Pamela Love	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this disability pension was continued for three months, (January 2010), with re-exam at that time.
14.	Thomas E. Matthews, Jr.	Criminal Court	Medical	As moved, seconded and approved, this disability pension was continued for four months, (February 2010), with re-exam at that time.
15.	James W. McDerman	Police	Medical	As moved, seconded and approved, this disability pension was continued for six months, (April 2010), with re-exam at that time.
16.	Gerald M. Napier	Information Technology Services	Medical	As moved, seconded and approved, this disability pension was continued for four months, (February 2010), with re-exam at that time.
17.	Abdullah T. Sindy	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this disability pension was continued for one year, (October 2010), with re-exam at that time.
18.	Gregory S. Sullivan	Fire	IOD	As moved, seconded and approved, this disability pension was continued for five months, (March 2010), with re-exam at that time.

**REEXAMINATIONS: (continued)**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Recommendation</b>
19.	Michele F. Woodberry	General Hospital	Medical	As moved, seconded and approved, this disability pension was continued for three months, (January 2010), with re-exam at that time.
20.	Ronald Chambers	Water	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2009), with re-exam at that time.
21.	Jennifer Kee	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this individual was placed on the return to work list.
22.	Devita M. Roberts	Metropolitan Nashville Public Schools	IOD	As moved, seconded and approved, this individual was placed on the return to work list.
23.	James R. Edens	General Services	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2009), with re-exam at that time.
24.	Jennifer F. Lanier	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2009), with re-exam at that time.

Dr. Cynthia Perry reviewed the Social Security referrals with the Board and stated that she concurs with the recommendations. Ann Butterworth moved for approval of the recommendations. Clyde Smith seconded and the Board approved without objection.

**SOCIAL SECURITY REFERRALS:**

	<b>Name</b>	<b>Department</b>	<b>Review Originated from</b>	<b>CM Recommendation for Referral</b>	<b>CSME Recommendation for Referral</b>
1.	Beal, Thyra	MNGH	Pension approval	No	No
2.	Bowden, Roberta	MNPS	Pension approval	Yes	Yes
3.	Harris, Danny	Info Technology	Pension approval	Yes	Yes
4.	Hayes, Kenneth	Police	Pension approval	No	No
5.	Howe, Jeffrey	Police	Pension approval	No	No
6.	Itoh, Carol	MNPS	Pension approval	Yes	Yes
7.	Owen, Helen	General Services	Pension approval	No	No
8.	Owens, Thomas	General Services	Pension approval	Yes	Yes
9.	Robertson, Paula	MNGH	Pension approval	Yes	Yes

**SOCIAL SECURITY REFERRALS: (continued)**

	Name	Department	Review Originated from	CM Recommendation for Referral	CSME Recommendation for Referral
10.	Smith-Talbot, Tammy	Public Works	Pension approval	Yes	Yes
11.	Tidwell, Stanley	Public Works	Pension approval	Yes	Yes

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

**MOTION:** Clyde Smith moved for approval of the pensions. Christine Bradley seconded and the Board approved without objection.

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Charles E. Banniza	Water	Water Maintenance Leader 1	B	08/25/2009	10/01/2009
Frank R. Whitus	Assessor of Property	Office Support Rep. 2	B	08/25/2009	08/21/2009
Donzetta Turner	MNPS	Senior Clerk	B	08/26/2009	11/01/2009
James H. Daly	Codes	Mechanic/Gas Inspector Chief	B	08/19/2009	10/15/2009
Ronnie M. Ramsey	MNPS	Senior Painter	B	08/25/2009	09/01/2009
Kenneth E. Ham	Criminal Court Clerk	Deputy Criminal Court Clerk 5	B	09/01/2009	10/01/2009
Marsha J. Blades	Criminal Court Clerk	Deputy Criminal Court Clerk 4	B	09/01/2009	10/01/2009
Peggy J. Armstrong	General Hospital	Patient Accounts Rep.	B	09/02/2009	11/01/2009
Stephen Schuller	Water	Water Maintenance Leader 2	B	09/02/2009	09/19/2009
Karl E. Meyer	Fire	Fire Fighter 2	B	09/03/2009	09/01/2009
Mary Ann Johnson	MNPS	School Secretary/bookkeeper	B	09/08/2009	10/01/2009
Craig E. Kennedy	Public Works	Equipment Operator 3	B	09/08/2009	10/06/2009
William C. Brown	MNPS	Custodian Helper	B	09/10/2009	03/10/2009
Cynthia A. Turner	MNPS	Educational Assistant	B	09/10/2009	10/24/2009
Manse R. Stanfield	Sheriff	Administrative Assistant	B	09/14/2009	10/23/2009
Thomas M. Smith, Sr.	MNPS	Custodian Helper		09/15/2009	10/10/2009
Bobby D. Sandlin	Parks	Maintenance & Repair District Supervisor	B	09/16/2009	09/26/2009
Eddie L. Lowe	MNPS	Lead – AC/Refrigeration	B	09/17/2009	11/21/2009
Robert D. Butterworth	MNPS	Custodian Helper	B	09/22/2009	01/01/2010
Steven B. Moore	General Services	Equipment & Supply Clerk 2	B	09/22/2009	09/09/2009
Douglas C. VanTassel	Fire	Fire Engineer	B	09/23/2009	10/01/2009
Edna P. Mackie	MNPS	Educational Assistant	B	09/5/2009	09/15/2009
Joe T. Redman	Assessor of Property	Appraiser Analyst 1	B	09/29/2009	12/01/2009
Michael E. Evans	Fire	Fire Engineer	B	09/29/2009	11/01/2009

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Ronald W. Holt	MNPS	B	09/01/2009
Judy M. Cope	State Trial Court	B	09/01/2009

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

**Disability to service**

Ernestine Patterson	General Hospital	A	09/01/2009
James R. Morrow	MNPS	A	09/01/2009
Gloria A. McDowell	General Hospital	B	09/01/2009
Myra W. Thompson	Police	A	09/01/2009

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Anderson, Linda A.	Public Library	Option A	B	9/1/2009	Service	
Barnes, Ralph W.	Register of Deeds	Option E	B	9/1/2009	Service	3
Bennett Sr, David Clinton	Fire	Option E	B	8/30/2009	P&F Service	3
Bledsoe, Sandy Jo	MNPS	Option E	B	8/14/2009	Early Service	
Cole Jr, Lawrence E	Fire	Option E	B	8/14/2009	P&F Service	
Cotnoir, Ralph E	Fire	Option F	B	8/19/2009	P&F Service	3
Dorminey, Charles J.	Police	Option A	B	8/1/2009	P&F Service	
Graham, Martha J	MNPS	Option F	B	8/14/2009	Early Service	
Gray, Shelly E	Water Services	Normal	B	9/5/2009	Service	3
Hippensteel, Vernon D.	Public Works	Option E	B	9/1/2009	Service	3
Jackson, Bonnie K	MNPS	Normal	B	8/14/2009	Early Service	
Jackson, Corine B	MNPS	Normal	B	8/15/2009	Early Service	
Kelley, Linda Mai	MNPS	Option D	B	8/14/2009	Service	
King, Anthony D	MNPS	Option F	B	8/8/2009	Early Service	
Long, Carol L.	General Hospital	Normal	B	8/7/2009	Service	
Macdonald, Mary Linda	MNPS	Normal	B	8/29/2009	Service	
Morrow, Gerdine	General Hospital	Option B	B	8/8/2009	Early Service	
Mullins, Sandra Jean	MNPS	Normal	B	8/14/2009	Service	
Oliver, Jerry D	Water Services	Option B	B	8/4/2009	Service	
Pettus, James L	Bordeaux Long Term Care	Normal	B	9/1/2009	Service	
Rivera, Marvin	Police	Normal	B	7/1/2009	P&F Service	3
Schauman, Claudia J.	Public Library	Normal	B	8/8/2009	Service	
Smith, Earl R	Police	Normal	B	9/1/2009	P&F Service	3
Smoot, Barbara C.	General Services	Normal	B	9/4/2009	Service	3
Swift, Ralph Sammy	MNPS	Normal	B	8/1/2009	Service	
Thomas, Vernon D.	Public Works	Option E	B	9/5/2009	Service	3
Thompson, Ronald B	Health	Option E	B	8/1/2009	Service	
Whitmore, Lawrence E	MNPS	Normal	B	8/29/2009	Service	
Whitus, Frank R	Assessor of Property	Option A	B	8/21/2009	Service	

**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
Ricky L. Brown, Sr.	Public Works	Ricky Jr. and April Brown	B	08/20/2009
Richard Kimbro	Fire	Shirley Kimbro	B	08/29/2009

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

**Survivor**

Employee Name	Department	Survivor Name	Plan Membership	Effective Date
Calvin Hunter		Cicelia Hunter	Old City	08/31/2009
Albert Curtis Bates	Fire	Ann	Old City	08/30/2009
William D. Lovell	Fire	Orvileen Lovell	A	09/04/2009

**BENEFIT BOARD ITEMS**

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

1. Presentation of resolution.

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

2. Dependency audit.

Shannon Hall reported to the Board that in the proposal for dependent eligibility verification, the staff would work with Buck Consultants to conduct the process. She stated that an outline of the process and estimated timeframe is being presented to the Board for review.

After some discussion of an appeals process for individuals, Richard Riebeling moved for approval of the process and estimated timeframe, with updates as necessary. Christine Bradley seconded and the Board approved with B.R. Hall opposed.

3. Confirmation of vaccination administration fees.

Shannon Hall reported that the Board is being asked to confirm the administration of vaccination fees for the H1N1 flu vaccine for Blue Cross Blue Shield (BCBS). She stated that BCBS will be offering coverage of this vaccination for their fully insured plans and is requesting clarification for the Metro self-insured plan. Ms. Hall also stated the Cigna Choice Fund preventative benefits are covered at 100% and members of that plan will not incur a cost. Ms. Hall stated that the Board has three options regarding coverage for H1N1 vaccine administration: 1) cover it at 100%; 2) cover the administration as you cover other vaccinations currently; or 3) not cover the administration of this vaccination.

After some discussion of the three options and an additional estimated cost to the plan, Richard Riebeling moved for approval to cover the vaccination at 100% for those enrolled in the BCBS plan under the current \$750 wellness benefit, however, if the wellness benefit has already been exhausted for the plan year, then the vaccination will still be covered. Clyde Smith seconded and the Board approved without objection.

There was also some discussion of tracking additional costs related to potential pandemics.

4. Summary plan documents compliance update.

Shannon Hall reported to the Board that the last open compliance update items are being presented for review as well as the full document of all the medical plan compliance changes previously discussed by the Board. She also stated that a revised version of the Board's direct pay premium policy is attached for review.

John O'Donnell, Buck Consultants, reviewed the direct pay premium policy changes with the Board.

There was discussion of payment grace periods, any potential issues with claims being paid, the policy terminating, retroactive termination and COBRA notifications upon termination.

4. Summary plan documents compliance update. (continued)

Ann Butterworth moved for approval of all the compliance changes to the plan documents and revised direct pay policy. Christine Bradley seconded.

After some discussion of the coverage termination date and services incurred prior to that date, a vote was taken on the motion and approved with B.R. Hall and Charles Clariday opposed.

5. Committee Reports:

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

Shannon Hall reported to the Board that the In Line of Duty Committee met on Wednesday, September 16, 2009 to deliberate on five in line of duty medical care requests; 1) employee from MNPS; 2) employee from Police Department; 3) employee from Police Department; 4) employee from Police Department and 5) employee from Fire Department. Ms. Hall stated the minutes from this meeting are being presented today for approval and there are five recommendations from the Committee for consideration by the Board.

Committee Chair James Johnson asked if there were any amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting held on September 16, 2009. With no corrections, nothing further was noted, Ann Butterworth moved for approval of the In Line of Duty Committee minutes. Rita Roberts-Turner seconded and the minutes were approved without objection.

Committee Chair James Johnson reviewed recommendations 1-5 with the Committee.

It was noted that Rita Roberts-Turner abstained from the vote on the recommendation on item 3.

Ann Butterworth moved for approval of recommendations 1-5 to uphold the initial determinations made on the in line of duty claims with the exception of item 3. Christine Bradley seconded and the Board approved without objection.

Clyde Smith moved for approval of the recommendation on item 3 to uphold the initial determination made on the in line of duty claim. Charles Clariday seconded and the Board approved with Rita Roberts-Turner abstaining.

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

Shannon Hall reported to the Board that the Medical and Life Committee met on Thursday, September 17, 2009 to deliberate on a Choice Fund plan appeal and three Blue Cross Blue Shield plan appeals. Ms. Hall stated the minutes from this meeting are being presented today for approval and there are two recommendations from the Committee for consideration by the Board.

Committee Chair B.R. Hall asked if there were any amendments, corrections or questions of the minutes from the Medical and Life Committee meeting held on September 17, 2009. With no corrections, nothing further was noted, James Johnson moved for approval of the Medical and Life Committee minutes. Rita Roberts-Turner seconded and the minutes were approved without objection.

Committee Chair B.R. Hall reported to the Board that on the Choice Fund plan appeal regarding the denial of prescription drug Xenazine, the Committee recommends that the Board approve this prescription for this member as recommended by the Civil Service Medical Examiner with review by the

5. Committee Reports: (continued)

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

Civil Service Medical Examiner in two months. Clyde Smith moved for approval of the Committee's recommendation that the Board approve the prescription for this member as recommended by the Civil Service Medical Examiner with review by the Civil Service Medical Examiner in two months. Charles Clariday seconded and the Board approved without objection.

Committee Chair B.R. Hall reported to the Board that on the plan appeal regarding the denial of predetermination for bariatric surgery, the Committee recommends the Board waive the 10% weight loss criteria for this member as recommended by the Civil Service Medical Examiner. Clyde Smith moved for approval of the recommendation to waive the 10% weight loss criteria as recommended by the Civil Service Medical Examiner. Charles Clariday seconded and the Board approved with Ann Butterworth and Christine Bradley opposed and Edna J. Jones abstaining.

- c. Pension Committee. (Chair: Edna J. Jones; Vice-Chair: Christine Bradley; Members: Ann V. Butterworth, B.R. Hall, Sr. Alternate members: G. Thomas Curtis and Clyde D. Smith)

Shannon Hall reported to the Board that the Pension Committee met on Wednesday, September 23, 2009 to deliberate on a request regarding inclusion of clothing allowance in pension earnings. She stated the minutes from this meeting are being presented today for approval and there is one recommendation from the Committee for consideration by the Board.

Committee Chair Edna Jones asked if there were any amendments, corrections or questions of the minutes from the Pension Committee meeting held on September 23, 2009. With no corrections, nothing further was noted, Ann Butterworth moved for approval of the Pension Committee minutes. James Johnson seconded and the minutes were approved without objection.

Committee Chair Edna Jones reviewed the recommendation with the Committee to exclude the clothing allowance in final average earnings for pension calculations in accordance with the Board's policy. Christine Bradley moved for approval of the recommendation to exclude the clothing allowance in final average earnings for pension calculations in accordance with the Board's policy. Ann Butterworth seconded and the Board approved with B.R. Hall, Charles Clariday, and Clyde Smith opposed.

6. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts. (reported quarterly)
- d. Police and Fire wellness update.
- e. Claims statements from Blue Cross Blue Shield.

Shannon Hall made note of items 6.-d. and 6.-e.

7. 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.
- f. Non-compliant disability pensioners. (none to report)
- g. Pending litigations. (reported quarterly)
- h. Disability status reports.

7. Reports for your information: (continued)
  - i. Denial log from Alternative Service Concepts.
  - j. Voluntary benefit plan correspondence – American General.

Shannon Hall made note of item 7.-j.

8. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:06 a.m.

ATTEST:

APPROVED:

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

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