

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

March 2, 2010

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, March 2, 2010 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: Christine Bradley; Members: *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 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 February 2, 2010. With no corrections, nothing further was noted and Rita Roberts-Turner 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.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security 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 8, for the length of time as recommended. Rita Roberts-Turner moved for approval of the recommendation to approve the disability pension new requests, items 1 through 8 for the length of time as recommended. Charles Clariday 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 19 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 9 through 19 for the length of time as recommended. B. R. Hall seconded and the Board approved without objection.

On item 20, Dr. Cynthia Perry reported to the Board that she recommends that the individual be returned to work with restrictions.

After some discussion of the individual's success with the completion of obtaining their general education diploma, Christine Bradley moved for approval of the return to work with restrictions on item 20. Richard Riebeling seconded and the Board approved without objection.

On items 21, Dr. Cynthia Perry reported to the Board that she recommends deferral for one month pending additional medical information. B.R. Hall moved for approval of the recommendation to defer item 21 for one month. Clyde Smith seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
1.	Kenny G. Bush	Criminal Court	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2010), with re-exam at that time.

NEW REQUESTS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
2.	Nancy S. Grasso	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for one year, (March 2011), with re-exam at that time.
3.	DeAnna Y. Jones	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for five months, (August 2010), with re-exam at that time.
4.	Jessie J. Meadows	Police Department	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (July 2010), with re-exam at that time.
5.	Elsie C. Noel	Sheriff Department	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (July 2010), with re-exam at that time.
6.	Rickey L. Pharris	Parks	Medical	As moved, seconded and approved, this disability pension request was approved for four months, (July 2010), with re-exam at that time.
7.	Marvin B. Presley	Water	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (July 2010), with re-exam at that time.
8.	Penny W. Tibbs	Parks	Medical	As moved seconded and approved, this disability pension request was approved for six months, (September 2010), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
9.	Ian J. Abbott	Police Department	In Line of Duty	As moved, seconded and approved, this disability pension was continued for two months, (May 2010), with re-exam at that time.
10.	Victoria L. Elliott	Library	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
11.	Sharon M. Evans	General Services	Medical	As moved seconded and approved, this disability pension was continued for six months, (September 2010), with re-exam at that time.

REEXAMINATIONS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
12.	Jeffrey S. Howe	Police	In Line of Duty	As moved seconded and approved, this disability pension was continued for three months, (June 2010), with re-exam at that time.
13.	Jerry D. Lee, Jr.	Fire	In Line of Duty	As moved seconded and approved, this disability pension was continued for one year, (March 2011), with re-exam at that time.
14.	Loretta Minniffee	Bordeaux	Medical	As moved seconded and approved, this disability pension was continued for six months, (September 2010), with re-exam at that time.
15.	James H. Murff	Police	Medical	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
16.	Claudia L. Powell	Metropolitan Nashville Public Schools	Medical	As moved seconded and approved, this disability pension was continued for seven months, (October 2010), with re-exam at that time.
17.	Gregory S. Sullivan	Fire	In Line of Duty	As moved seconded and approved, this disability pension was continued for one year, (March 2011), with re-exam at that time.
18.	Charlene E. Tatum	Sheriff	Medical	As moved seconded and approved, this disability pension was continued for six months, (September 2010), with re-exam at that time.
19.	Mary E. Wright	Metro Action Commission	In Line of Duty	As moved seconded and approved, this disability pension was continued for three months, (June 2010), with re-exam at that time.
20.	John M. Brummett, Jr.	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this individual was placed on the return to work list.
21.	Virginia D. Russell	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (April 2010), with re-exam at that time.

SOCIAL SECURITY REFERRALS:

Dr. Cynthia Perry reported to the Board that she concurs with the case management recommendations on the social security referrals. Clyde Smith moved for approval of the recommendations on the social security referrals. Christine Bradley seconded and the Board approved without objection.

*Denotes the arrival of Ann Butterworth.

SOCIAL SECURITY REFERRALS:

Item	Name	Department	Review Originated From	Case Management Rec. for Referral	CSME Rec. for Referral	Comments
1	Leslie Anderson	MNPS	Pension Approval	Yes	Yes	
2	Kenneth Barnes	Fire	Pension Approval	No	No	
3	Andrew Bell	General Services	Pension Approval	Yes	Yes	
4	Elaine Browning	Police	Pension Approval	No	No	Review 6/2010
5	Ronald Chambers	Water	Pension Approval	No	No	Review 8/2010
6	Tony Flatt	Sheriff	Pension Approval	No	No	Review 8/2010
7	Sandra Harding	General Services	Pension Approval	Yes	Yes	
8	Abdul-Kareem Luqman	MNPS	Pension Approval	No	No	Review 8/2010
9	Gregory Manson	Bordeaux	Pension Approval	Yes	Yes	
10	Thomas Matthews	Criminal Court	Pension Approval	No	No	
11	Gerald Napier	ITS	Pension Approval	No	No	Review 7/2010
12	Peggy Price	MNPS	Pension Approval	Yes	Yes	
13	Gale Sims	MNPS	Pension Approval	Yes	Yes	

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

Ann Butterworth moved for approval of the pensions. Rita Roberts-Turner seconded and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Timothy R. Roberts	Fire	Paramedic 2	B	01/21/2010	02/01/2010
Larry R. Barnes	Water	Technician Specialist 2	B	01/26/2010	03/01/2010
Mack Beason	MNPS	Senior Custodian	B	01/26/2010	04/27/2010
Michael S. Varnell	MNPS	Educational Assistant	B	01/27/2010	01/16/2010
Frances L. Scates	Police	Police Sergeant	B	02/02/2010	03/01/2010
Imogene G. Garrett	Police	Police Operations Coordinator 2	B	01/28/2010	02/01/2010
Michael A. Bradley	Finance	Special Projects Manager	B	01/27/2010	04/01/2010
Michael F. Ayers	MNPS	Campus Supervisor	B	02/03/2010	03/01/2010
Susan E. Johnson	Library	Librarian 3	B	02/10/2010	03/01/2008*
Arthur B. Wagner	Sheriff	Offender Program Coordinator	B	02/10/2010	02/05/2010
Robert L. Murphy, Jr.	MNPS	Senior Custodian	B	02/10/2010	01/23/2010
Dorothy J. Pye	MNPS	School Bus Driver	B	02/11/2010	03/01/2010
Naomi L. Dorton	Water	Office Support Specialist 2	B	02/16/2010	06/01/2010
Leonard Moody	Bordeaux	Environmental Services Technician	B	02/17/2010	03/01/2010
Martha N. Hammonds	MNPS	School Bus Driver	B	02/18/2010	03/01/2010

* Deferred Benefit

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

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Margie J. Arendall	Bordeaux	B	01/01/2010
Helen F. Owen	General Services	B	02/01/2010
Juanita S. Smith	MAC	B	02/01/2010
Velma J. Odem	Health	B	02/01/2010
Ernest D. Felts	Sheriff	B	02/01/2010
Carol F. Thompson	MNPS	B	01/01/2010

Survivor

Employee Name	Department	Survivor Name	Plan Membership
David Crowder	Police	Michelle Crowder	B
Willie Grigsby	MNPS	Cordelia Grigsby	B
Beverly Vaughn	MAC	Kevin Vaughn	B
Kenneth Gregory	Water	Diane Gregory	B
Juanita Smith	MAC	Carlton Smith	B
William R. Smith	Public Works	Judy Smith	A
Paul Bradley	State Trial Courts	Frances Bradley	A
John Webb	Police	Betty Webb	Old Closed
Donald Schnakenberg	General Services	Beverly Diane Schnakenberg	B
John Horton	Public Works	Alma Horton	B
Joe W. Small	Water	Mary Small	B
Martin L. Briskey	MNPS	Dorothy Briskey	B

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Anthony, Annie	General Hospital	Service	B	1/16/2010	Option D	1
Bean, Henry L.	Bordeaux Long Term Care	Service	B	12/12/2009	Option E	1
Bedell, Katherine A	MNPS	Early Service	B	1/16/2010	Normal	
Bennett, Gail S.	Parks	Service	B	1/2/2010	Normal	
Biggs, Malcolm R	General Services	Early Service	B	12/26/2009	Option F	
Bolden, William H	MNPS	Service	B	1/1/2010	Option E	2
Brown, Homer C.	Codes Administration	Service	B	5/19/2009	Normal	
Brown, Thomas A.	Circuit Court Clerk	Service	B	2/1/2010	Normal	
Burns, Martin T.	Police	P&F Service	B	1/16/2010	Option C	
Caldwell III, Joseph A	MNPS	Service	B	1/1/2010	Option E	
Carter, Alice S	Health	Early Service	B	12/1/2009	Option D	
Deal, James C	MNPS	Service	B	1/1/2010	Option D	
Dial, Elizabeth F	Juvenile Court	Service	B	1/9/2010	Normal	
Dooley, Ann B	Water Services	Service	B	1/1/2010	Normal	3
Fox, Offie Charles	General Services	Service	B	1/6/2010	Option A	2
Holman, Rebecca A.	Information Technology Service	Service	B	1/1/2010	Normal	
Howard, Annie S	MNPS	Service	B	1/2/2010	Normal	3
Johnson, Jesse E	MNPS	Service	B	1/1/2010	Option F	3
Jones, Gary A	Water Services	Service	B	1/1/2010	Option D	3
King, William B	MNPS	Service	B	12/19/2009	Option B	1
Knowles, Judith Ann	MNPS	Service	B	1/1/2010	Option E	
Marable, Jimmy L	MNPS	Early Service	B	1/1/2010	Option B	
Matanic, Robert S.	Parks	Service	B	1/2/2010	Option A	
Mayes, Pamela P	Police	Service	B	1/16/2010	Option C	3
Moreland, Jewel A.	Public Library	Early Service	B	1/2/2010	Normal	

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
Parker, William J	Health	Service	B	12/1/2009	Normal	2
Parmer, Joan W	Metro Action Commission	Early Service	B	12/24/2009	Option E	
Patterson, Marjorie E.	Metro Action Commission	Service	B	1/9/2010	Normal	
Payton, Fredrick L	Water Services	Service	B	1/2/2010	Option A	3
Puckett, Shannon L	MNPS	Service	B	1/1/2010	Option E	3
Putman, Gerald T	Fire	P&F Service	B	12/1/2009	Option E	
Reed, Annie L	MNPS	Service	B	12/31/2009	Normal	2
Riggsby, Thomas O	Water Services	Service	B	1/1/2010	Option E	
Roberson, Eugenia H	MNPS	Service	B	1/1/2010	Option D	
Scott, Belinda J	General Hospital	Early Service	B	12/1/2009	Normal	
Spain, Loreen K	Internal Audit	Service	B	12/12/2009	Normal	
Summar, Carol M	MNPS	Service	B	12/26/2009	Normal	
Sutton, Steven W.	Police	P&F Service	B	1/30/2010	Option E	3
Swor Jr, John R.	Police	Early Service	B	11/16/2009	Option C	
Townsend, Beverly M.	Public Library	Service	B	1/16/2010	Option E	3
Warman, Wilbur D	Fire	P&F Service	B	1/5/2010	Option E	
Winfrey, Geraldine	Police	Service	B	1/9/2010	Option B	
Young, Johnny A	MNPS	Service	B	12/15/2009	Option D	

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

BENEFIT BOARD ITEMS

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

1. Request for proposal – optional vision plans.

Shannon Hall reported to the Board that the contract for vision plan services currently offered through United Healthcare Vision (formerly Spectera) expires December 31, 2010. She stated that as a result, a request for proposal for these services should be issued in order to secure a vendor and services prior to this year's annual enrollment.

Clyde Smith moved for approval of issuance of a request for proposal for vision plan services. Charles Clariday seconded and the Board approved without objection.

There was some discussion of the contract being renewed and those who would like to serve as an advisor to the committee for this request for proposal.

2. Committee Reports:

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

Shannon Hall reported to the Board that the Medical and Life Committee met on Wednesday, February 10, 2010 to deliberate on two Cigna Choice Fund plan appeals. Ms. Hall stated the minutes from this

2. Committee Reports: (continued)

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

meeting are being presented today for approval and there is one recommendation from the Committee for consideration by the Board. Ms. Hall further stated that the Committee deliberated on the second plan appeal and deferred it pending additional information. However based on recent developments, it is being presented to the Board for consideration.

Committee Chair Clyde Smith asked if there were any amendments, corrections or questions of the minutes from the Medical and Committee meeting held on February 10, 2010. With no corrections, nothing further was noted and the Medical and Life Committee minutes were approved without objection.

Shannon Hall stated that on recommendation one, the plan appeal regarding the denial of additional residential treatment days, the Committee recommends the Board approved the coverage of the additional residential treatment days the dependent utilized.

Ann Butterworth moved for approval of the recommendation to approve the coverage of the additional residential treatment days the dependent utilized. Charles Clariday seconded and the Board approved without objection.

Shannon Hall reviewed the second Cigna Choice Fund plan appeal regarding the predetermination for a MEG (magnetoencephalography) study. Ms. Hall reviewed the additional medical information presented, other similar services, costs, and other plans that cover this service.

Clyde Smith moved for approval of the MEG (magnetoencephalography) study for this individual in this case only. Charles Clariday seconded.

There was some discussion of medical necessity.

After some clarification/discussion on the motion that the study is being approved for this case only, a vote was taken and was approved unanimously by the Board.

- b. In Line of Duty Committee: (Chair Clyde D. Smith; Vice-Chair: Christine Bradley; Members: Charles Clariday, and Richard Riebeling. 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 Tuesday, February 23, 2010 to deliberate on utilization review correspondence from Alternative Service Concepts, a disability pension reexamination for an employee from General Services, an IOD medical care request from Metro Nashville Public Schools, and 4 IOD medical care requests from the Police Department. Ms. Hall stated the minutes from this meeting will be presented at the April Board for approval.

Shannon Hall reported to the Board that on the disability pension reexamination for an employee from General Services, item 2, the Committee recommends this item be deferred to the June 2010 Board meeting for action.

Clyde Smith moved for approval of the recommendation to defer the disability pension reexamination for an employee from General Services to the June meeting for action. Charles Clariday seconded and the Board approved without objection.

Shannon Hall reported to the Board that on the IOD medical care request from Metro Nashville Public Schools, item 3, the motion to uphold the initial determination to deny this specific claim as in line of duty compensable ended in a tie vote of 2/2. As a result, there is no recommendation from the Committee on this item.

2. Committee Reports: (continued)

- b. In Line of Duty Committee: (Chair Clyde D. Smith; Vice-Chair: Christine Bradley; Members: Charles Clariday, and Richard Riebeling. Alternate members: B.R. Hall, Sr. and Rita Roberts-Turner)

Richard Riebeling moved to uphold the initial determination to deny this specific claim as in line of duty compensable. Rita Roberts-Turner seconded.

There was some discussion of the individual's injuries and credited service time.

A vote was taken on the motion to uphold the initial determination to deny this specific claim as in line of duty compensable and was approved 5/3/1 with Charles Clariday, B.R. Hall, and Clyde Smith opposed and James Johnson abstaining.

Shannon Hall reported to the Board that on the IOD medical care request from the Police Department, item 4, the Committee recommends that the Board uphold the initial determination for this claim as in line of duty compensable.

**Denotes Richard Riebeling leaving the meeting.

Clyde Smith moved for approval of the recommendation to uphold the initial determination for this claim as in line of duty compensable. Charles Clariday seconded and the Board approved with Ann Butterworth abstaining.

Shannon Hall reported to the Board that on the IOD medical care request from the Police Department, item 6, the motion to uphold the initial determination to deny this specific claim as in line of duty compensable ended in a tie vote of 2/2. As a result, there is no recommendation from the Committee on this item.

***Denotes Richard Riebeling returning to the meeting.

B.R. Hall moved to uphold the initial claim as in line of duty compensable. Clyde Smith seconded.

Shannon Hall made note of a memorandum from the Legal Department and some Board minutes that are applicable to any discussion.

A vote was taken on and the motion failed 4/5 with Ann Butterworth, Richard Riebeling, Rita Roberts-Turner, Christine Bradley and Edna J. Jones opposed.

Shannon Hall reported to the Board that on the IOD medical care request from the Police Department, item 7, the Committee requested that the Civil Service Medical Examiner review the information on this item and it be referred to the Board meeting for consideration.

Dr. Cynthia Perry stated that after review there is evidence that suggests the original condition was aggravated by the injury.

B.R. Hall moved to uphold this claim as in line of duty compensable. Clyde Smith seconded and the Board approved without objection.

3. Correspondence:

- a. Utilization report from BlueCross BlueShield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts. (reported quarterly)
- d. BlueCross BlueShield hard drive theft update.

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

Shannon Hall made note of item 3.-d.

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

Items 4.-a. through 4.-i. were for information only and no action was required.

There was some discussion on the litigation report with regards to suits regarding investment managers and medical subrogation cases.

5. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:09 a.m.

ATTEST:

APPROVED:

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

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