

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

June 1, 2010

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, June 1, 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., **G. Thomas Curtis, 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.

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 May 12, 2010. With no corrections, nothing further was noted and Christine Bradley 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.

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 3, for the length of time as recommended. Christine Bradley moved for approval of the recommendation to approve the disability pension new requests, items 1 through 3 for the length of time as recommended. Clyde Smith 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 4 through 6 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to continue the disability pension reexaminations, items 4 through 6 for the length of time as recommended. Charles Clariday seconded and the Board approved without objection.

On items 7 and 8, Dr. Cynthia Perry reported to the Board that she recommends return to work. Clyde Smith moved for approval of the recommendation on items 7 and 8 to return the individuals to work. The motion was seconded and the Board approved without objection.

*Denotes the arrival of James Johnson.

On items 9 and 10, Dr. Cynthia Perry reported to the Board that she recommends return to work (with restrictions).

Shannon Hall indicated that the individual on item 9 is present and passed out some additional information to the Board. The individual also addressed the Board.

**Denotes the arrival of G. Thomas Curtis.

Jason Reinbold, Police Department, was present and addressed the Board regarding the training/testing and practices at the police academy. Mr. Reinbold also addressed the individual's completion of training and the injury.

There was some discussion of other positions for the individual and Sue Bibb, Police Department Human Resources, addressed the Board on other positions, (civilian positions) within the department.

There was also some discussion of the individual being eligible for positions in any Metro department.

Richard Riebeling moved for approval of the recommendation on item 9 to return the individual to work and assign case management. Tom Curtis seconded.

There was some discussion of the length of rehab and requested more information from the case manager on the rehabilitation.

A vote was taken on the motion on item 9 to return the individual to work with case management working with the appropriate departments and the Board approved without objection.

On item 10, Ricky McQueen, Metro Action Commission, was present and addressed the Board on the return to work. Ms. McQueen requested a functional capacity evaluation to help in accommodating and identifying a position for the individual.

***Denotes the arrival of Ann Butterworth.

There was some discussion of case management working with the department in identifying positions for the individual and their capabilities and also the length of time.

Clyde Smith moved to continue the disability pension, item 10, for two months, defer the return to work, pending the outcome of the case management assistance. Charles Clariday seconded and the Board approved with Ann Butterworth abstaining.

Dr. Cynthia Perry reported to the Board that deferral is recommended on items 11 through 13 for one month pending additional medical information. Ann Butterworth moved for approval of the recommendation to defer on items 11 and 13 for one month. Christine Bradley seconded and the Board approved without objection.

On item 14, Dr. Cynthia Perry reported to the Board that the individual is requesting vocational case management.

Clyde Smith moved for approval of the recommendation on item 14, to assign vocational case management. Tom Curtis seconded and the Board approved without objection.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
1.	Brenda S. Burgess	Fire	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for six months, (December 2010), with re-exam at that time.
2.	Larry G. McCord	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved for six months, (December 2010), with re-exam at that time.
3.	Carol E. Ramsey	General Hospital	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for four months, (October 2010), with re-exam at that time.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
4.	Elaine F. Browning	Police	Medical	As moved, seconded and approved, this disability pension was continued for six months, (December 2010), with re-exam at that time.
5.	Debra M. Goad	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for six months, (December 2010), with re-exam at that time.
6.	Victoria Windoloski	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension was continued for six months, (December 2010), with re-exam at that time.
7.	Jamie J. Reeser	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued and the individual returned to work.
8.	Sophia A. Young	District Attorney	Medical	As moved, seconded and approved, this disability pension was continued and the individual returned to work.
9.	Jeffrey S. Howe	Police	In Line of Duty	As moved, seconded and approved, this disability pension was continued and the individual returned to work.
10.	Mary E. Wright	Metro Action Commission	In Line of Duty	As moved, seconded and approved, this disability pension was continued for two months, (August 2010), with review at that time.
11.	James R. Edens	General Services	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, ((July 2010), with re-exam at that time.
12.	Deborah F. Gregoire	State Fair Grounds	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, ((July 2010), with re-exam at that time.
13.	Thomas E. Matthews, Jr.	Criminal Court	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, ((July 2010), with re-exam at that time.

OTHER:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
14.	Jeffrey P. Houdyshelt	Police	In Line of Duty	As moved, seconded and approved, case management was approved for this individual.

SOCIAL SECURITY REFERRALS:

Dr. Cynthia Perry reported to the Board she concurs with the recommendations on the referrals as submitted. Rita Roberts-Turner moved for approval of the recommendations on the social security referrals. Tom Curtis seconded and the Board approved without objection.

Item	Name	Department	Review Originated From	Case Mgmt Rec for Referral	CSME Rec for Referral	Comments
1	Michael Bunch	Fire	Pension Approval	No	No	
2	Howard Brake	MNPS	Pension Approval	No	No	
3	Kenneth Carnduff	Water	Pension Approval	Yes	Yes	
4	Mitzie Curtis	Parks	Pension Approval	No	No	
5	Hossein Hossein	MNPS	Pension Approval	Yes	Yes	
6	Thomas Keisling	Operations	Pension Approval	No	No	
8	Cheryl Nunley	Water	Pension Approval	No	No	
9	Kenneth Rabideau	Sheriff	Pension Approval	No	No	
10	John Shepherd	MNPS	Pension Approval	Yes	Yes	
11	Elizabeth Woelk	MNPS	Pension Approval	Yes	Yes	

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

Christine Bradley 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
Thomas J. Williams	Police	Police Sergeant	B	04/27/2010	06/01/2010
Salih S. Ahmed	MNPS	Custodian Helper	B	04/27/2010	06/05/2010
Jerrie A. Brooks	MNPS	Custodian Helper	B	04/27/2010	05/28/2010
Arthur L. Bergeron	Fire	Fire Assistant Chief	B	04/28/2010	06/01/2010
Betty A. Perrin	MNPS	Custodian Helper	B	04/28/2010	05/22/2010
Carolyn W. Norman	MNPS	School Secretary/Clerk	B	04/28/2010	06/05/2010
Elizabeth C. Brown	Library	Librarian 1	B	04/28/2010	06/11/2010
Kathy M. Bracey	MNPS	Senior Custodian	B	04/28/2010	01/28/2010
Curry C. Corder	MNPS	Textbooks Supervisor	B	04/29/2010	06/19/2010
Terrance A. Stone	General Sessions Court	Social Worker 2	B	04/29/2010	06/01/2010*

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

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Sharon Carter	Juvenile Court	Probation	B	05/10/2010	07/01/2008*
Stephen Breeding	Sheriff	Correctional Officer	B	05/13/2010	05/29/2010
Frank Jordan III	Codes	Property Standards Inspector I	B	05/13/2010	06/01/2010
Clinton Vogel	Police	Police Officer III	B	05/20/2010	07/01/2010
Elaine Fisher	General Hospital	Med Imaging Supp Asst	B	05/19/2010	06/01/2010
Brenda Gifford	MNPS	Security Supervisor	B	05/19/2010	07/01/2010
Alice Barnes	MNPS	Registrar	B	05/12/2010	07/01/2010
Preston McCauley	MNPS	Senior Custodian	B	05/11/2010	07/01/2010
Maxie Starks	Planning Commission	Planning Tech II	B	05/11/2010	07/01/2010
William Mumphrey, Jr.	Parks	Comm Ctr Manager	B	04/28/2010	05/07/2010
Clifford Smith	Fire	Fire Engineer	B	05/10/2010	06/01/2010

* *Deferred Benefit*

Disability to service – None to report

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Baker Sr, George M.	Water Services	Service	B	4/17/2010	Normal	2
Bolden, Linda k.	General Services	Service	B	5/1/2010	Normal	
Cleveland Jr, Robert L.	Water Services	Service	B	4/17/2010	Normal	2
Dorton, Naomi L	Water Services	Service	B	4/1/2010	Option A	3
Hambrick, Brenda W.	Police	Service	B	4/16/2010	Normal	3
Ingle, Johnny Richard	MNPS	Service	B	4/10/2010	Option F	3
Moffitt, Pauline	Knowles Home	Service	B	4/21/2010	Normal	
Roberts, Joyce F.	MNPS	Service	B	4/10/2010	Option F	3
Sykes, Deborah S.	Parks	Service	B	5/1/2010	Option E	3
Turnbo, Mary Darlene	Public Works	Early Service	B	4/3/2010	Option C	
Turner, William E.	Bordeaux	Service	B	4/29/2010	Option E	
Willis, Gwendolyn	Social Services	Service	A	4/1/2010	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
Bobby Lynch	Fire	F. Geneva Lynch	A	04/22/2010
Fulton Hall	Police	Nelda Hall	A	05/06/2010
Timothy Shelton	Sheriff's Office	Ericson Majors	B	05/01/2010
Porter Vanatta	MNPS	Jackie Vanatta	B	04/14/2010
Ralph Sinclair	Water	Joanne Sinclair	B	03/31/2010

BENEFIT BOARD ITEMS

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

1. Cost of living adjustments for closed plans.

Shannon Hall reported to the Board that in accordance with the Metro Code, a cost of living adjustment increase of 2.5% is recommended for all eligible retirees under the closed plans beginning July 1, 2010.

Clyde Smith moved for approval of the 2.5% cost of living increase to all retirees eligible under the closed plans. Charles Clariday seconded.

There was some discussion of the calculations as outlined in the resolution.

A vote was taken on the motion to approval the 2.5% cost of living increase to all retirees eligible under the closed plans and the Board approved without objection.

2. 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 Friday, April 30, 2010 to deliberate on 2 in line of duty medical care requests from the Health Department, 2 in line of duty medical care requests from the Fire Department, 4 in line of duty medical care requests from the Police Department and the heart and hypertension presumption. She stated the minutes from this meeting are being presented for approval.

Committee Chair Clyde Smith asked if there were any amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting held on April 30, 2010. With no corrections, nothing further was noted and Christine Bradley moved for approval of the In Line of Duty Committee minutes. Rita Roberts-Turner seconded and the Committee minutes were approved without objection.

James Johnson moved for approval of the recommendations from the committee that on item 1: IOD medical care request from the Police Department, that the Board uphold the initial determination for this claim as IOD compensable; item 2: IOD medical care request from the Police Department, that the Board uphold the initial determination for this claim as IOD compensable; item 5: IOD medical care request from the Fire Department, that the Board uphold the initial determination for this claim as IOD compensable for this case only; item 6: IOD medical care request from the Fire Department, that the Board uphold the initial determination for this claim as IOD compensable for this case only; item 7: regarding the Heart and Hypertension presumption, that heart and hypertension claims be reviewed by the IOD network administrator, ASC, applying and considering all aspects of Tennessee worker comp statutes (but for rule, exacerbation, occupational illness, etc.) without prejudice to the Heart and Hypertension presumption to determine whether a claim is IOD compensable; and item 9: IOD medical care request from the Police Department, that the Board uphold the initial determination for this claim as IOD compensable up to baseline in this employee's case. Charles Clariday seconded and the Board approved without objection.

3. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Utilization report from Alternative Service Concepts. (reported quarterly)
- d. Blue Cross Blue Shield hard drive theft update. (nothing to report)

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

4. 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.
 - j. Dependent eligibility verification audit.

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

5. Late item(s):

There were no late items reported at the meeting.

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

ATTEST:

APPROVED:

Mrs. Rita Roberts-Turner, Director
Human Resources

Ms. Edna J. Jones, Chair
Employee Benefit Board