

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

October 5, 2010

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, October 5, 2010 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:34 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, Ted Morrissey, Attorney, Metro Legal Department and Dr. Celia Goodson, 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 7, 2010. With no corrections, nothing further was noted and James Johnson moved for approval. Christine Bradley 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. Celia Goodson reported to the Board that on item one, it has been brought to her attention that there is additional medical information and she is recommending a deferral of the disability pension new request, item 1. B.R. Hall moved for approval of the recommendation to defer the disability pension new request, item 1. Charles Clariday seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that she recommends approval for continuing the disability pension reexaminations, items 2 through 4 for the length of time as recommended. Clyde Smith moved for approval of the recommendation to continue the disability pension reexaminations, items 2 through 4 for the length of time as recommended. Charles Clariday seconded and the Board approved without objection.

Dr. Celia Goodson reported to the Board that she recommends deferral on the disability pension reexaminations, items 5 through 9 for the length of time as recommended. Christine Bradley moved for approval of the recommendation to defer the disability pension reexaminations, items 5 through 9 for the length of time as recommended. Rita Roberts-Turner seconded and the Board approved without objection.

On item 10, Dr. Celia Goodson reported to the Board that she recommends the individual be returned to work with restrictions.

After some discussion of the individual's restrictions, salary supplements, and issues with the departments practices regarding returning individuals to work, Rita Roberts-Turner moved for approval of returning the individual to work. Christine Bradley seconded.

There was discussion of the department's position on returning this individual to work and the process if the individual is not returned to work by the department.

A vote was taken on the motion to return the individual to work and was approved by the Board, with B.R. Hall and Edna Jones opposed.

Dr. Celia Goodson reported to the Board that item 11 is a request for payment on specialized testing to enable the individual to return to work. B.R. Hall moved for approval of the recommendation for payment on specialized testing. Clyde Smith seconded and the Board approved without objection.

On item 12, Theresa Pulmer, State Trial Courts, was present and reported to the Board that they can not return the individual to work at this time, nor pay their disability pension.

*Denotes the arrival of Ann Butterworth.

There was discussion of the grant funding for the positions within the department.

The Board discussed waiving the department from having to pay the pension and removing the individual from the return to work list and that they remain on a disability pension.

Clyde Smith moved to reconsider the previous action placing this individual on the return to work list. B.R Hall seconded.

After discussion of placing the individual and the department paying the pension, a vote was taken on the motion to reconsider the previous action and was approved with Ann Butterworth abstaining.

Clyde Smith moved to remove the individual from the return to work list with review in 30 days. Rita Roberts-Turner seconded and the Board approved with Ann Butterworth abstaining.

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
1.	Barbara K. Johnson	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was deferred.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
2.	Howard K. Brake	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for five months, (March 2011), with re-exam at that time.
3.	Terry D. Gibson	Health	In Line of Duty	As moved, seconded and approved, this disability pension was continued for six months, (April 2011), with re-exam at that time.
4.	Lee Watkins	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued without of stipulation of scheduled re-exam.
5.	Walter C. Knox, Jr.	Water	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2011) with re-exam at that time.
6.	Donald Pirtle	Police	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2011) with re-exam at that time.

REEXAMINATIONS: (continued)

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
7.	Claudia L. Powell	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2011) with re-exam at that time.
8.	Carol E. Ramsey	General Hospital	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2011) with re-exam at that time.
9.	Abdullah T. Sindy	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this disability pension re-exam was deferred for one month, (November 2011) with re-exam at that time.
10.	Suzanne W. Butler	Police	In Line of Duty	As moved, seconded and approved, this individual was placed on the return to work list.

OTHER:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Recommendation
11.	Michael E. Doss	Fire	Medical	As moved, seconded and approved, funding for additional testing was granted.
12.	Deborah McCord	State Trial Courts	Medical	As moved, seconded and approved, this individual was removed from the return to work list.

Dr. Celia Goodson reported to the Board that she concurs with the case management recommendations, with the exclusion of item 1, on the social security referrals. Clyde Smith moved for approval of the recommendations on the social security referrals. Ann Butterworth seconded and the Board approved without objection.

SOCIAL SECURITY REFERRALS:

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral	Comments
1	Sheronda Corlew	MNPS	Pension Approval	No	Yes	
2	Mitzie Curtis	Parks	Pension Approval	Yes	Yes	
3	Trudy Graves	MNPS	Pension Approval	No	No	
4	Laura Jones	Health	Pension Approval	No	No	
5	Kenneth Hayes	Police	Pension Approval	No	No	
6	Princess Martindale	Water	Pension Approval	Yes	Yes	
7	Rose Miller	Bordeaux	Pension Approval	No	No	
8	Lynn Phillips	MNPS	Pension Approval	Yes	Yes	

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

Richard Riebeling 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
Theresa Gray	MAC	Teacher	B	04/27/2010	10/30/2010
Pamela Putnam	General Hospital	Medical Secretary	B	08/31/2010	09/20/2010
Foster Hite	Police	Police Officer 2	A	08/31/2010	10/16/2010
Ned Smith	Fire	Fire Captain	B	09/01/2010	09/18/2010
Ella Hudson	MNPS	Custodian Helper	B	08/31/2010	07/01/2010
Marjorie S. Pike	Police	Deputy Police Chief	B	09/01/2010	09/01/2010
Wayne Faust*	Police-Civilian	Admin Svcs Off 3	B	09/01/2010	09/01/2010
Cheryl Hamilton	General Hospital	Cert Resp Therapist	B	09/01/2010	10/01/2010
Larry Hinsley*	Fire	EMS	B	08/25/2010	09/01/2010
Barbara Jackson Lorinser*	Health	Public Health Nurse 2	B	08/10/2010	11/01/2010
William Whitely	Juvenile Ct Clerk	Admin Svcs Off 3	B	08/30/2010	09/01/2010
Avery Puckett*	Sheriff	Admin Asst 2	B	07/19/2010	07/01/2001
Raymond Johnson*	Fire	Fire Fighter 2	A	08/23/2010	08/01/2010
Lee Jennings	Library	Library Associate	B	09/14/2010	11/01/2010
Patricia M. Barnett	Finance	Finance Administrator	B	09/15/2010	01/01/2011
Gayle Ray	Sheriff	Sheriff	B	09/15/2010	11/01/2010
Carole Toler	Tax Assessor	Office Supp Rep 3	B	09/15/2010	09/30/2010
Peggy Garrett	Tax Assessor	Office Supp Spec 1	B	09/16/2010	10/01/2010
Patsy Carnahan	MNPS	Custodian Helper	B	09/17/2010	07/01/2010
David Mizrany	Police	Police Officer 2	B	09/17/2010	10/01/2010
Valerie Owens	Bordeaux	Acct Pay/Rec Clerk	B	09/17/2010	10/01/2010
Woodrow Scott Dawson	Water	Env Lab Supt	B	09/17/2010	09/10/2010
Vincent Campbell	Police	Police Sergeant	B	09/17/2010	10/15/2010
David Demonbreun	Bordeaux	Env Svcs Tech	B	09/17/2010	09/10/2010
Josephine Buggs	MNPS	Educational Asst	B	09/15/2010	11/01/2010
Steve Tucker	Criminal Court Clerk	Dep Crim Court Clerk 2	B	09/21/2010	11/01/2010
Michael Cox	MNPS	Senior Custodian	B	09/21/2010	07/01/2010
Joseph Estes	Water	Safety Coordinator	B	09/21/2010	11/01/2010
William Patton	MNPS	Senior Custodian	B	09/21/2010	07/01/2010
James Hickson	Police	Police Lieutenant	B	09/17/2010	10/23/2010
Jennifer Miller	General Hospital	Medical Tech	B	09/17/2010	11/01/2010
Michael Blanton	Police	Police Officer 3	B	09/17/2010	10/15/2010
Herschel Thomas, Jr.	MNPS	Senior Painter	B	09/17/2010	11/01/2010
Chris Williams	MNPS	Data Resource Tech II	B	09/17/2010	08/28/2010
Gregory Miller	MNPS	Custodian Helper	B	08/19/2010	07/01/2010
Carolyn Sellers	Social Services	Homemaker	B	09/21/2010	08/27/2010
Reuben Sanders	Fire	Fire Fighter 3	B	09/24/2010	11/01/2010
Dorise Polk	Police	Lieutenant	B	09/24/2010	10/16/2010
Robert Eadler	Planning	Planner 2	B	09/24/2010	12/01/2010
Willie H. Wilson	Register of Deeds	Typist	B	09/27/2010	10/01/2010

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Ronnie M. Savage	Police	B	09/01/2010
Gearlean Buckley	MNPS	B	09/01/2010

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
Agnew, William D	Police	P&F Service	B	8/9/2010	Option E	
Ahmad, Shukry Said	MNPS	Early Service	B	7/1/2010	Option A	
Akins, Andra L	MNPS	Early Service	B	7/1/2010	Normal	
Bailey Iii, Deford	MNPS	Early Service	B	7/1/2010	Normal	
Baker, David A	MNPS	Early Service	B	7/1/2010	Option F	
Birdsong Jr, Preston	MNPS	Service	B	7/1/2010	Normal	3
Breeding, Cynthia G	MNPS	Service	B	6/10/2010	Normal	
Brown, Carl T	MNPS	Early Service	B	7/1/2010	Option A	
Brown, Ruby J	MNPS	Service	B	8/13/2010	Normal	
Bruton, Anthony	MNPS	Early Service	B	7/1/2010	Option E	
Butterworth, Robert D	MNPS	Service	B	7/1/2010	Option A	
Cain, Bruce E	MNPS	Early Service	B	7/1/2010	Normal	
Cain, Clyde W	MNPS	Service	B	7/1/2010	Option F	
Campbell, Steve L	Water Services	Service	B	9/2/2010	Option F	3
Caruthers, Anthony D.	Public Works	Service	B	8/11/2010	Option C	3
Cho, Young Hee	MNPS	Service	B	8/13/2010	Option E	
Cobbins Sr, Clarence E	MNPS	Service	B	7/1/2010	Option F	2
Cox, Andrew J	MNPS	Early Service	B	7/1/2010	Option A	
Crutcher, Willie L	MNPS	Service	B	7/1/2010	Option A	
Cunningham, James W.	Public Works	Early Service	B	8/13/2010	Option E	
Davis, Dovetta	MNPS	Service	B	7/1/2010	Option D	
Davis, Glenda G	MNPS	Early Service	B	7/1/2010	Option A	
Davis, Thomas E	MNPS	Service	B	6/22/2010	Normal	1
Dawson Jr, Lee Willie	MNPS	Early Service	B	7/1/2010	Option A	
Digiambattista, Orlando J	Finance	Service	B	8/18/2010	Option F	
Drake, Margaret B	MNPS	Service	B	8/1/2010	Option D	
Drew, Peggy G	Community Ed Commission	Service	B	9/1/2010	Option F	
Ewing, Arlene R	MNPS	Early Service	B	7/1/2010	Option D	
Forrester, Winston B	MNPS	Service	B	7/1/2010	Option D	
French, Theodore E	MNPS	Service	B	7/1/2010	Option E	
Gentry, Ronnie G	MNPS	Service	B	8/18/2010	Normal	
Gleaves, Shirley	MNPS	Service	B	6/26/2010	Normal	
Goad, Don Edwin	MNPS	Service	B	8/13/2010	Option F	
Goad, Martha S	MNPS	Service	B	8/1/2010	Option F	
Gooch, Billy W	MNPS	Service	B	7/1/2010	Option A	
Gooch, Winston R	MNPS	Early Service	B	7/1/2010	Option D	
Goodrich, William F	MNPS	Service	B	7/1/2010	Option A	
Green, Ricky B	MNPS	Early Service	B	7/1/2010	Option D	
Griffith, Terry A	Finance	Early Service	B	8/14/2010	Normal	
Hamilton, Ramona R	MNPS	Early Service	B	7/1/2010	Option D	
Harris, Ronald W	MNPS	Early Service	B	7/1/2010	Option E	
Haynes, Joe E	MNPS	Service	B	7/1/2010	Option A	3
Henderson, Clyde	MNPS	Early Service	B	7/1/2010	Option B	
Hendricks, Mary J Harris	MNPS	Service	B	7/1/2010	Option A	
Hill, Christine V	MNPS	Early Service	B	7/1/2010	Option D	
Holland, William R	MNPS	Service	B	7/1/2010	Normal	3
Holloway, Earnest Dan	MNPS	Early Service	B	7/1/2010	Option B	
Hood, Carolyn S	Social Services	Early Service	B	8/20/2010	Option D	
Husein, Abdulghaffar	MNPS	Early Service	B	7/1/2010	Option A	

Options Elected (continued)

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Johnson Jr, Gerald	MNPS	Early Service	B	7/1/2010	Normal	
Johnson, Thomas Edward	MNPS	Early Service	B	7/1/2010	Option D	
Jones, Douglas E	Water Services	Service	B	7/1/2010	Option D	
Jordan, Linda A	MNPS	Early Service	B	7/1/2010	Normal	
Kennedy, Samuel	MNPS	Service	B	7/1/2010	Option D	
Kirk, Richard K	MNPS	Early Service	B	7/1/2010	Option D	
Knox, Joseph T	MNPS	Early Service	B	7/1/2010	Option E	
Knox, William C	MNPS	Service	B	7/1/2010	Option E	
Lawrence, Catherine J	MNPS	Early Service	B	7/1/2010	Option D	
Lazo, Jose Hector	MNPS	Service	B	7/1/2010	Option A	
Lee, James B	MNPS	Service	B	7/1/2010	Normal	
Leverette, Leslie S	MNPS	Early Service	B	7/1/2010	Option B	
Levinson, Terry Ray	MNPS	Early Service	B	7/1/2010	Option D	
Lillard, Darrell S	MNPS	Early Service	B	7/1/2010	Option D	
Linear, Andrew Neal	MNPS	Service	B	7/1/2010	Option E	
Lineweaver II, Robert V	Juvenile Court Clerk	Early Service	B	9/1/2010	Normal	
Louissaint, Accilot	MNPS	Early Service	B	7/1/2010	Normal	
Lynch Jr, James A	MNPS	Early Service	B	7/1/2010	Option D	
Lyons, Richard D	MNPS	Early Service	B	7/1/2010	Normal	
Malone, Bettie J	MNPS	Service	B	5/29/2010	Option D	1
Mays, Danny Davis	MNPS	Early Service	B	7/1/2010	Option A	
Mccool, Joann W	MNPS	Service	B	7/1/2010	Option E	3
Mckissack, Larry	MNPS	Early Service	B	7/1/2010	Option E	
Mcmillion, Robert Lee	MNPS	Early Service	B	7/1/2010	Option D	
Mcniccols, Emmett	MNPS	Service	B	7/1/2010	Normal	
Meals, Albert	MNPS	Early Service	B	7/1/2010	Option A	
Menzies, Joyce Marie	MNPS	Service	B	7/1/2010	Option D	2
Mitchell, Terry E	MNPS	Early Service	B	7/1/2010	Option D	
Moore, Walter	MNPS	Early Service	B	7/1/2010	Option D	
Morton Jr, Albert	MNPS	Early Service	B	7/1/2010	Option E	
Mullins, Ronnie D	MNPS	Service	B	7/1/2010	Option A	
Myers, Carl E	Community Ed Commission	Early Service	B	9/1/2010	Option B	
Nelson, Nellie W	MNPS	Early Service	B	7/1/2010	Normal	
Nightingale, Brenda A	MNPS	Early Service	B	7/1/2010	Option D	
Numan, Hekim Emin	MNPS	Early Service	B	7/1/2010	Option A	
Nunnery, Willie B	MNPS	Early Service	B	7/1/2010	Option E	
Oden, John Finney	MNPS	Early Service	B	7/1/2010	Option A	
Oglesby, Darcy C	MNPS	Early Service	B	7/1/2010	Option E	
Partee, Virginia Louise	MNPS	Early Service	B	7/1/2010	Option D	
Patton, Donnie L	MNPS	Early Service	B	7/1/2010	Option D	
Peet, Eddie Louis	MNPS	Early Service	B	7/1/2010	Option D	
Pennington, Frank T	MNPS	Service	B	8/7/2010	Option A	3
Pope, Delphene B	MNPS	Service	B	5/29/2010	Normal	
Puckett, Avery L	Police	P&F Service	B	7/1/2010	Normal	
Reed-Pope, Josephine	MNPS	Early Service	B	7/1/2010	Option F	
Richardson, Regina D	MNPS	Early Service	B	7/1/2010	Normal	
Ross, Brian	MNPS	Early Service	B	7/1/2010	Option D	
Russell, Lloyd O	MNPS	Service	B	7/1/2010	Normal	3
Sadigh, Abdullah A	MNPS	Early Service	B	7/1/2010	Option A	
Saleh, Nejid Rejeb	MNPS	Early Service	B	7/1/2010	Option A	

Options Elected (continued)

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	DROP Election
Sharpe, Ivra T	MNPS	Service	B	7/1/2010	Normal	
Shaw, Frank T	MNPS	Early Service	B	7/1/2010	Option A	
Sidiq, Farhad	Public Works	Service	B	8/1/2010	Option F	3
Simms, Phillip	MNPS	Early Service	B	7/1/2010	Option F	
Sivils, Cleadis	MNPS	Service	B	7/1/2010	Option E	
Smith, Eddie	MNPS	Early Service	B	7/1/2010	Option B	
Stewart, Cheryl W	MNPS	Early Service	B	5/29/2010	Normal	
Stewart, Robert R	MNPS	Early Service	B	7/1/2010	Option F	
Sweeney, Master	MNPS	Early Service	B	7/1/2010	Normal	
Swinger, Ruby Jean	MNPS	Service	B	7/1/2010	Option E	
Tayip, Jamil Muhammet	MNPS	Early Service	B	7/1/2010	Option A	
Thomas, Nathaniel T	MNPS	Early Service	B	7/1/2010	Normal	
Thomas, Quincy L	MNPS	Early Service	B	7/1/2010	Normal	
Thorpe Sr, Atrel	MNPS	Early Service	B	7/1/2010	Option A	
Tribue, William E	MNPS	Service	B	7/1/2010	Option D	
Turner, John F	MNPS	Early Service	B	7/1/2010	Option D	
Walden, James B	MNPS	Early Service	B	7/1/2010	Option F	
Walton, Eddie W	MNPS	Service	B	7/1/2010	Normal	3
Ward, Kenneth Lee	MNPS	Early Service	B	7/1/2010	Option F	3
Webb, Betty Jean	MNPS	Service	B	8/13/2010	Option D	
Webster, Granville J	MNPS	Early Service	B	7/1/2010	Option D	
White, Bradford L	MNPS	Early Service	B	7/1/2010	Option F	
White, Charles Howard	MNPS	Service	B	7/1/2010	Option B	
Williams, Marvin L.	MNPS	Service	B	7/1/2010	Option D	
Williams, Robert L	MNPS	Early Service	B	7/1/2010	Option D	
Williams, Sammy M	MNPS	Early Service	B	7/1/2010	Option F	
Willis, Ernest	MNPS	Service	B	7/1/2010	Option F	
Woods, Charles W	MNPS	Service	B	7/1/2010	Option F	
Woods, Rose M	MNPS	Early Service	B	7/1/2010	Normal	
Woolever, James Troy	MNPS	Service	B	7/1/2010	Option A	
Wordlaw, Samuel	MNPS	Early Service	B	7/1/2010	Option F	
Yahya, Suleiman Suleim	MNPS	Early Service	B	7/1/2010	Option A	
Zachery Jr, William L	MNPS	Early Service	B	7/1/2010	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
Hosea Cabknor	Water	Helen Cabknor	Old Closed	08/20/2010
James L. Brown	Fire	Ruby Brown	B	08/27/2010
Frederick Carney	MNPS	Becky Carnet	A	09/03/2010
Elizabeth Barkalow	General Hospital	Scott Barkalow	B	09/11/2010
Frances Daily	MNPS	Theadore Daily	Old Closed	08/23/2010
Mary McBryde	MNPS	John McBryde	B	09/05/2010

BENEFIT BOARD ITEMS

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

1. In line of duty death benefit for Nathaniel O. Starnes, Sr.

Shannon Hall reported to the Board that this individual was an active employee with the Fire Department when he died. She stated that the death certificate lists underlying causes of death and other significant conditions in relation to the primary cause of death. (under Part II "other significant conditions contributing to death but not resulting in the underlying cause given in Part I", hypertension is also listed.) She also stated that attached is a copy of the death certificate and the 101 form from his hypertension claim, a letter from the treating physician and a memo provided by the Metro Legal Department in regards to this benefit. Ms. Hall also noted that at the last meeting the Board requested additional medical information related to contributing factors listed on the death certificate and all 101 forms on file for the employee. Ms. Hall stated that the additional medical information could not be obtained, however, there are additional 101 forms for the Board's review to determine whether this case qualifies for the benefit afforded under Metro Code Section 3.20.040.

The decedent's daughter was present to address any questions.

B.R. Hall moved to grant the in line of duty death benefit based on the additional information presented. Clyde Smith seconded.

There was some discussion of the primary/immediate cause of death and secondary causes being contributing factors of death.

Ted Morrissey, Legal Department, reviewed the Board's role in this particular case that it is the Board's discretion to find whether or not the cause of death, in this case, qualifies for the benefit.

Dr. Celia Goodson addressed the additional medical conditions listed on the death certificate.

There was further discussion of the information before the Board and the memo from the Legal Department.

Ted Morrissey stated that the Board has to take the information provided and determine if the cause of death is a condition that would be covered under the statute.

There was also some discussion of the findings in the legal opinion.

Dr. Celia Goodson also addressed how the death certificates are filled out as it relates to the ultimate cause of death.

There was clarification on the motion that it does not draw a conclusion, but indicates that this case qualifies for the in line of duty death benefit.

A vote was taken on the motion to grant the in line of duty death benefit and the Board approved with Richard Riebeling and Ann Butterworth opposed and Christine Bradley abstaining.

2. Policy on vocational rehabilitation benefits.

Shannon Hall reported to the Board that this policy is being presented today for the Board's review.

After some discussion on the section regarding garnishments (paragraph 18), Ann Butterworth moved to have this policy deferred to the appropriate Committee for further review. Christine Bradley seconded and the Board approved without objection.

3. 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 Wednesday, August 11, 2010 to deliberate on several items. She stated that at the September meeting the Board deferred action on item 4, the in line of duty medical care request from the Fire Department, and it is being represented for the Board's consideration. Ms. Hall reviewed the recommendation from the Committee on item 4, to uphold the initial determination to deny this specific claim as in line of duty compensable. Ms. Hall further noted that the vote ended in a tie vote 2/2. As a result, there is no recommendation from the Committee on this item.

David Allen, representative for the individual on item 4, requested that this item be deferred pending additional information.

There was some discussion of the individuals injury on duty leave and clarification that the case before the Board at this time is related to in line of duty medical care and is not related to the individuals time/leave nor application for a disability pension.

Ann Butterworth moved to defer this item for one month. The motion was seconded and the Board approved without objection.

4. 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 Tuesday, September 21, 2010 to deliberate on a self insured PPO plan appeal and dependent eligibility verification appeals. She also stated that the minutes from this meeting are attached for approval. She stated that the Committee has one recommendation for the Board's consideration on the PPO plan appeal regarding the denial of autologous serum eye drops, the Committee recommends the Board approve coverage for this treatment for 1 year with review at that time for this case only based on the facts of this case with Buck's review that this recommendation does not jeopardize the plan's grandfathered status for 2011. Ms. Hall also stated that Buck's review of the recommendation regarding any potential impact on the plan's grandfathered status is attached.

Committee Chair Clyde Smith asked if there were any amendments, corrections or questions of the minutes from the Medical and Life Committee meeting held on September 21, 2010. With no corrections, nothing further was noted and Rita Roberts-Turner moved for approval of the Medical and Life Committee minutes. James Johnson seconded and the Committee minutes were approved without objection.

After some discussion of Buck's review of the recommendation regarding any potential impact on the plan's grandfathered status, Charles Clariday moved for approval of the motion on the PPO plan appeal regarding the denial of autologous serum eye drops, to approve coverage for this treatment for 1 year with review at that time for this case only based on the facts of this case. Clyde Smith seconded and the Board approved without objection.

5. Correspondence:
- a. Utilization report from Blue Cross Blue Shield.
 - b. Utilization report from CIGNA.
 - c. Utilization report from Alternative Service Concepts. (reported quarterly)

Items 5.-a. through 5.-c. were for information only and no action was required.

6. 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. Denial log from Alternative Service Concepts.
 - i. HIPAA notice.

Items 6.-a. through 6.-i. were for information only and no action was required.

There was some discussion on item 6.-h. regarding the denial status on some claims.

**Denotes Ann Butterworth leaving the meeting.

There was also some discussion on issues with police officers working for private companies and the process regarding if they are injured.

There was also discussion of adding the adjustors name to the report.

7. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 10:33 a.m.

ATTEST:

APPROVED:

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

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