

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

March 5, 2024

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, March 5, 2024 in the Metropolitan Nashville Public Schools Board Room, 2601 Bransford Avenue, Nashville, Tennessee, at approximately 9:34 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: *Harold W. Finch, II, **Gilbert Gonzales, B.R. Hall, Sr., Shannon B. Hall, and Robert Weaver.

Members Kevin Crumbo, G. Thomas Curtis and Jonathan Puckett were unable to be present.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke and Courtney Mohan, Metro Legal Department and Dr. Kenton Dodd, 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 6, 2024. With no corrections, nothing further was noted and Christine Bradley moved for approval. Robert Weaver seconded, and the Board approved without objection.

B. APPEAL ANNOUNCEMENT:

Christina Hickey 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 approvals/referrals)

The terms of the approval or extension of the items listed in the motions are specifically stated in these minutes.

Dr. Kenton Dodd, Civil Service Medical Examiner, (CSME), and Claire Wells, CSME Assistant, reviewed the disability pensions with the Board.

Christina Hickey noted there is additional medical information for item 2.

Dr. Kenton Dodd reported to the Board that he recommends approval of the disability pension new request, item 1 for the length of time as recommended. Robert Weaver moved for approval of the recommendation to approve the disability pension new request, item 1 for the length of time as recommended. B.R. Hall seconded, and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that he recommends a denial of the disability pension new request, item 2.

After some discussion of the additional information not being any different from what is already in the medical record, that information not changing the initial recommendation and the disability standard, Christine Bradley moved for approval of the recommendation to deny the disability pension new request, item 2. Shannon Hall seconded, and the Board approved with B.R. Hall opposed.

On item 3, Christina Hickey read a statement on behalf of the applicant.

*Denotes the arrival of Harold W. Finch.

Dr. Kenton Dodd reported to the Board that he recommends a denial of the disability pension new request, item 3.

Byron Grizzle, Sheriff's Office, was present and stated they have tried to bring her back to light duty and they can only return her to work with her current restrictions.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security approvals/referrals)

After some discussion of the options the Board has, her restrictions, a compensable injury on duty and other conditions that have been filed, Christine Bradley moved for approval of the recommendation to deny the disability pension new request, item 3. Harold Finch seconded, and the Board approved without objection.

Christina Hickey noted there is additional medical information on item 4.

The employee's spouse was present and addressed the Board on his behalf.

Dr. Kenton Dodd stated that he must have a compensable injury on duty claim on file for approval of a in line of duty disability pension.

There was some discussion of an injury on duty claim pending for this item and the timing in making an initial determination on the claim.

Kim Binkley, Davies, stated that they are still waiting on medical records and hopefully in the next 30 days a determination can be made on the claim.

There was some discussion of deferring this item and whether he is currently receiving Social Security benefits.

Shannon Hall moved to defer the disability pension new request item 4 on a month-by-month basis to get a determination on the injury on duty claim. Robert Weaver seconded, and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that the individual does have a diagnosis that could eventually become disabling, however, he recommends a denial of the disability pension new request, item 5 as the employee is currently working without any restrictions. Shannon Hall moved for approval of the recommendation to deny the disability pension new request, item 5. Edna Jones seconded, and the Board approved without objection.

It was also noted that the individual on item 5 can re-apply.

Dr. Kenton Dodd reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 6 through 8 for the length of time as recommended with a functional capacity evaluation for item 6. B.R. Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 6 through 8 for the length of time as recommended with a functional capacity evaluation for item 6. Robert Weaver seconded.

The employee was present for item 6 and addressed the Board regarding the functional capacity evaluation and other issues she is having.

After some discussion of assigning case management services to item 6 the motion was amended to also include case management services and the Board approved without objection.

Dr. Kenton Dodd reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 6 through 8 for the length of time as recommended with a functional capacity evaluation for item 6. B.R. Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 6 through 8 for the length of time as recommended with a functional capacity evaluation for item 6. Robert Weaver seconded.

Christina Hickey stated that item 9 correlates with item 3 under Benefit Board item 2.

Claire Wells reported to the Board that it is recommended that item 10 be removed from the re-exam list due to Social Security approval. B.R. Hall moved for approval of the Social Security approval, item 10 to be removed from the re-exam list with no further review. Robert Weaver seconded, and the Board approved without objection.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security approvals/referrals)

NEW REQUESTS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
1.	George R. Kaylor	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension request was approved for one year, (March 2025), with re-exam at that time.
2.	Leah M. Martin	Metropolitan Nashville Public Schools	Medical	As moved, seconded, and approved, this disability pension request was denied.
3.	Ashley Menchaca	Sheriff's Office	In Line of Duty	As moved, seconded, and approved, this disability pension request was denied.
4.	Daniel L. Baker	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension request was deferred.
5.	Lullette R. Magalei	Health	Medical	As moved, seconded, and approved, this disability pension request was denied.

REEXAMINATIONS:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
6.	Keisha L. Allen	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued with a functional capacity evaluation and vocational case management for two years, (March 2026), with re-exam at that time.
7.	Lars T. Gardell	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued for two years, (March 2026), with re-exam at that time.
8.	David L. Hiatt	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was continued for one year, (March 2025), with re-exam at that time.

OTHER – CHANGE FROM MEDICAL TO INJURY ON DUTY (associated with IOD Committee report item 3):

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
9.	Douglas A. Pardue, II	Fire	In Line of Duty	As moved, seconded, and approved, this disability pension was changed to injury on duty and continued without stipulation of re-exam.

C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security approvals/referrals)

SOCIAL SECURITY APPROVALS - REMOVE FROM REEXAMINATION LIST:

	Name	Department	In Line of Duty (IOD) or Medical Disability	Board Action Taken
10.	Gary D. Foxx, Sr.	Parks	Medical	As moved, seconded, and approved, this disability pension was continued without stipulation of scheduled re-exam.

SOCIAL SECURITY REFERRALS:

Dr. Kenton Dodd reported to the Board that CSME's office concurs with the case management recommendations on the Social Security referrals. Shannon Hall moved for approval of the referrals. Harold Finch seconded, and the Board approved without objection.

Item	Name	Department	Origin of Review	CM Referral	CSME Recommendation	Comments
1	Breeding, Kevin L.	Police	Pension Approval	Yes	Yes	Evaluation, May Meet Medical-Vocational Guidelines

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)

B.R. Hall moved for approval of the pensions. Robert Weaver seconded, and the Board approved without objection.

Service

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Raquel Cuellar	MNPS	TRANSLATOR - PARENT OUTREACH	B	01/24/2024	03/01/2024
James Reeves	Parks	Custodian	B	01/29/2024	03/01/2024
Jennifer Smith	MNPS	PARA PRO - PRE K GEN ED	B	02/05/2024	02/01/2024
Maria Warrick	MNPS	ASST - FOOD SVC	B	02/14/2024	04/01/2024
Veronica Childs	MNPS	MGR - FOOD SERVICE III	B	02/13/2024	03/29/2024
Bill Cox	Water Services	Utility Equip Operator Sr	B	02/22/2024	03/08/2024
Gwendolyn Shanks	MNPS	ACCOUNTANT - SR	B	01/29/2024	01/30/2024
Margaret Manuel	Health	Office Support Spec 2	B	02/21/2024	04/30/2024
Ernie Wilson li	Police	Police Officer 2	B	02/15/2024	03/05/2024
Mary Emigh	Human Resources	Human Resources Admin	B	01/25/2024	04/01/2024
Frances Gilley	Water Services	Finance Mgr	B	02/21/2024	03/16/2024
Larry Cline	Water Services	Customer Service Field Rep Sen	B	11/28/2023	01/27/2024
Dwayne Butler	Sheriff	Sheriff Facility Captain	B	02/14/2024	02/16/2024
Benjamin Denton	Juvenile Court	Probation Officer 3	B	02/12/2024	06/08/2024
Charles Vance li	Police	Police Sergeant	B	02/20/2024	05/02/2024
Richard Morgan Jr	Sheriff	Div Mgr-Sheriff	B	01/09/2024	02/16/2023
Duane Denison	Public Library	Circulation Assistant	B	02/08/2024	03/01/2024
Roger House	Fire	Fire Fighter/Paramedic	B	02/07/2024	04/01/2024
Romney Cummings	Fire	Fire District Chief	B	02/14/2024	05/21/2024
Dola Pirtle	Juvenile Court Clerk	Office Support Rep	B	02/15/2024	04/19/2024
Lisa Odle	MNPS	CASHIER - FOOD SVC	B	02/06/2024	04/03/2024
Christopher Hendry	Police	Police Sergeant	B	02/14/2024	04/08/2024
Ernest Swoner	Police	Police Sergeant	B	02/12/2024	03/01/2024
Jonathan Boese	Police	Police Sergeant	B	01/24/2024	01/31/2024
Cynthia Jones	Convention Center Authority	Cvn Ctr Sales Mgr	B	02/02/2024	03/31/2024
Cheryl Treadway	Mayor's Office	Exec Asst - Office Mgr	B	01/24/2024	03/21/2024

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)

Service (continued)

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Sandra Cohen	Public Library	Admin Svcs Mgr	B	02/01/2024	03/02/2024
Jacquelyn Mckie	Parks	Recreation Leader	B	02/21/2024	05/31/2024
Tammy Hartman *	MNPS	DRIVER - BUS TRAINEE	B	01/30/2024	02/01/2024
Randy Sloan *	Health	Admin Svcs Officer 3	B	01/10/2024	01/01/2022
Mary Lawrence *	MNPS	Support Campus	B	11/16/2023	11/01/2019
Ronald Breedlove *	MNPS	MONITOR - IN-SCHOOL SUSPENSION	B	01/26/2024	10/01/2022
Wanda Hodges *	MNPS	PARA-PRO (ED ASST)	B	12/20/2023	02/01/2021
Demetra Pulley *	Convention Center	Cvn Ctr Dir of Administration	B	01/24/2024	04/01/2024
Molly Carson *	Bordeaux Long Term Care	Medical Social Worker	B	01/04/2024	02/01/2023
Jeffery Johnson *	General Services	Equip Servicer	B	01/04/2024	04/01/2023
Sophia Young *	District Attorney	Food Svcs Officer	B	12/20/2023	01/01/2024
Charles Duke *	General Hospital	Mgr, Facility Mgt	B	1/24/2024	12/01/2023

* Deferred Benefit

Disability to service

Employee	Department	Plan A/B	Effective Date of Conversion
Shirley Waters	MNPS	B	01/01/2024
Patricia Schiele	Police	A	02/01/2024
Tammie Smith	Parks	B	02/01/2024
Jacquelyne Hogan	Bordeaux Long Term Care	A	02/01/2024
Edward Grubbs Jr	Public Library	B	02/01/2024
Marvin Hatcher	Sheriff	B	02/01/2024
Kathy Biggs	Public Works	B	01/01/2024

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Younis Younis	MNPS	Service With Option	B	01/01/2024	Option E	
Lydia Yohannes	MNPS	Service Without Option	B	01/01/2024	Normal	
Stephen Thompson	Water Services	Service With Option	B	01/01/2024	Option E	
Frances Johnson	MNPS	Service Without Option	B	01/01/2024	Normal	
Connie Russell	MNPS	Service Without Option	B	01/01/2024	Normal	
Tammie Schultz	MNPS	Service Without Option	B	01/01/2024	Normal	
Cynthia Crum	MNPS	Service Without Option	B	01/01/2024	Normal	2
Antoinette Dejoie	Parks	Service Without Option	B	01/01/2024	Normal	
Christopher Gaines	MNPS	Early Service With Option	B	01/01/2024	Option A	
Timothy Russell	MNPS	Service With Option	B	01/01/2024	Option A	
Betty League	MNPS	Service Without Option	B	01/01/2024	Normal	
Robert Lehn	Convention Center Authority	Early Service With Option	B	01/01/2024	Option A	
Barry Kidd	Sheriff	Service With Option	B	01/01/2024	Option B	
Vicki Cothron	MNPS	Service With Option	B	01/01/2024	Option B	
Thomas Newman	State Trial Courts	Service With Option	B	01/01/2024	Option F	
Diedra Freeman	Health	Service Without Option	B	01/01/2024	Normal	
Vetina Oliveira	General Hospital	Service Without Option	B	01/01/2024	Normal	2
Margaret Nevils	General Sessions Court	Service Without Option	B	01/01/2024	Normal	
Charles Yancey Jr	General Services	Service With Option	B	01/01/2024	Option A	
Rita Winfrey	General Services	Service Without Option	B	01/01/2024	Normal	
Jon Sullivan	Water Services	Early Service With Option	B	01/01/2024	Option A	
Arlene Collins	Metro Action Commission	Service Without Option	B	01/01/2024	Normal	
Angela Harris	Metro Action Commission	Service With Option	B	01/01/2024	Option A	
Melissa Gann	Information Technology Service	Early Service With Option	B	01/06/2024	Option F	
Colette Andre	Sheriff	P&F Service Pen Without Option	B	01/01/2024	Normal	3
Denise Couch	Sheriff	P&F Service Pen With Option	B	01/06/2024	Option F	2
James Johnson	Police	P&F Service Pen With Option	B	01/01/2024	Option A	3
William Ramsey	Fire	P&F Service Pen With Option	B	01/01/2024	Option D	3
Josie Bass	Planning Commission	Service Without Option	B	01/01/2024	Normal	3
Ronald Teague	Fire	P&F Service Pen With Option	B	01/01/2024	Option B	3

D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)

Options Elected

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
David Christian	Fire	P&F Service Pen Without Option	B	01/01/2024	Normal	
Mary Leath	Public Defender	Service Without Option	B	01/06/2024	Normal	3
Frankie Webster	Social Services	Service Without Option	B	01/06/2024	Normal	3
Connie Chitwood	Information Technology Service	Service With Option	B	01/05/2024	Option A	
Scott Carter	Police	Early Service With Option	B	01/01/2024	Option F	
Tony Wilkes	Sheriff	P&F Service Pen Without Option	B	02/01/2024	Normal	2
Jonathan Boese	Police	P&F Service Pen With Option	B	02/01/2024	Option A	
Gary Roseti	Water Services	Service With Option	B	01/01/2024	Option F	1
Lovie Hurt Jr	General Sessions Court	Service With Option	B	01/01/2024	Option E	
Michael Shirley	Water Services	Service Without Option	B	01/16/2024	Normal	
Deborah Mcgee	MNPS	Service Without Option	B	01/02/2024	Normal	
Patricia Norris	Health	Service Without Option	B	01/01/2024	Normal	
Shauna Dixon	Police	Service With Option	B	01/01/2024	Option E	
Tammy Hartman	MNPS	Service Without Option	B	02/01/2024	Normal	
Janice Jones	MNPS	Service Without Option	B	01/01/2024	Normal	

Key Codes	
Options	Drop Elections
Normal Form - life annuity, no payments guaranteed	1 - 1 year drop
Option A - Joint and 100% to Survivor	2 - 2 year drop
Option B - Joint and 50% to Survivor	3 - 3 year drop
Option C - Level Social Security option	
Option D - Life Income, 120 payments guaranteed	
Option E - Joint and 100% to Survivor with popup	
Option F - Joint and 50% to Survivor with popup	

QDRO

Employee	Department	Plan A/B	Case Type
Robert McAlister	Fire	B	QDRO Pensioner

Survivor

Employee	Department	Survivor Name	Plan A/B	Effective Date
Ellery Mannery	MNPS	Cynthia Mannery	B	01/12/2024
Ronnie Weatherford	MNPS	Donna Weatherford	B	02/10/2024
Robert Howard	Fire	Glenda Howard	B	01/24/2024
Isaac Burford	Police	Ruby Burford	C	02/03/2024
John Walker	Public Works	Kimberley Walker	B	02/07/2024
John Dougherty	Public Works	Edna Dougherty	B	12/23/2023
Charles Watts	Water Services	Anna Watts	B	01/27/2024
Charles Rhodes	General Services	Connie Rhodes	B	02/01/2024
James McIlwain	Sheriff	Linda McIlwain	B	02/05/2024
Rufus Bronaugh Sr	MNPS	Ruby Bronaugh	A	02/01/2024
Sushil Nayyar	Public Library	Sanket Nayyar	B	01/22/2024
James McMahan	NDOT	Gloria McMahan	A	02/14/2024
Vernon Thomas Jr	Public Works	Margaret Thomas	B	02/03/2024

BENEFIT BOARD ITEMS

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

1. Public Comment Period.

A maximum of 10 persons who write their names on the sign-up sheet provided at the meeting will be allowed to comment on matters that are germane to items on the Agenda. Comments are limited to a maximum of two (2) minutes per person. To provide comment, you must sign up prior to the end of Item D on the Agenda.

There were no public comments.

2. In Line of Duty Committee report: (Chair: Jonathan Puckett; Vice-Chair: Christine Bradley; Members: G. Thomas Curtis and Edna Jones. Alternate: Shannon B. Hall)

Christina Hickey reported to the Board that the In Line of Duty, (IOD), Committee met on February 21, 2024 to deliberate on 5 IOD medical care requests. She stated that items 2 and 4 were approved by Davies and no action was needed and the Committee's actions are outlined below along with the Committee meeting minutes for approval by the Committee members.

Committee Vice-Chair Christine Bradley asked if there were any amendments, corrections, or questions of the minutes from the February 21, 2024, IOD Committee meeting. With no corrections, Shannon Hall moved for approval of the IOD Committee minutes. Christine Bradley seconded, and the Committee minutes were approved without objection.

Kim Binkley and Vickie Hampton, Davies, were present.

Christina Hickey reported to the Board that on Committee item 3, the IOD medical care request for the pensioner from the Fire Department, the Committee recommended to overturn the denial and approve this claim.

Kim Binkley reviewed the claim with the Board. She stated that after further review of the actual diagnosis, the additional medical information presented at the Committee meeting and discussions with the Committee Davies overturned the denial.

Christina Hickey also noted that this is the item that corresponds with item 9 on the disability spreadsheet.

Harold Finch moved for approval of the Committee's recommendation to overturn the denial and approve this claim. Robert Weaver seconded, and the Board approved without objection.

B.R. Hall moved for approval of changing item 9 under disability pensions from medical to injury on duty. Robert Weaver seconded, and the Board approved without objection.

Christina Hickey reported to the Board that on Committee item 5, the IOD medical care request for the employee from the Fire Department, the Committee recommended to uphold the denial of this claim.

Kim Binkley reviewed the claim with the Board. She stated that the diagnosis predated employment with Metro and there were other factors that could have caused the illness and it arose primarily independent of the scope of employment.

After some discussion of whether his employment with Metro exacerbated the condition and what would be covered if the claim is approved, Shannon Hall moved to uphold the denial of the claim. Christine Bradley seconded, and the motion failed with Christine Bradley, Edna Jones and Shannon Hall in favor and B.R. Hall, Robert Weaver, Gilbert Gonzales, and Harold Finch opposed.

B.R. Hall moved to overturn the denial and approve this claim. Harold Finch seconded.

2. In Line of Duty Committee report: (continued)

Jamie Summers, Fire Department, reviewed the pre-employment screening process and the standard set out by the National Fire Protection Agency, which outlines medical conditions that you can and cannot have to be a firefighter. She stated that if a condition is within the parameters the CSME can ask for a waiver from the Civil Service Commission. She also noted that if there was a waiver then the presumption is not applicable.

There was some discussion of whether there is a waiver on file, the diagnosis predating employment, no medical evidence of exacerbation of the condition, is the condition related to the presumption, and sending this item back to the Committee.

Harold Finch withdrew his second to the motion to overturn the denial and approve this claim.

Gilbert Gonzales seconded the motion to overturn the denial and approve this claim.

A vote was taken on the motion to overturn the denial and approve this claim and failed with B.R. Hall and Gilbert Gonzales in favor and Christine Bradley, Shannon Hall, Harold Finch, and Robert Weaver opposed and Edna Jones not voting.

Robert Weaver moved to send this item back to the Committee to get clarification on the questions posed by the Board. Shannon Hall seconded, and the Board approved without objection.

**Denotes Gilbert Gonzales leaving the meeting.

Christina Hickey reported to the Board that on Committee item 6, the IOD medical care request for the pensioner from the Fire Department, the Committee recommended to overturn the denial and approve this claim. Ms. Hickey stated that the pensioner is unable to be present today, however, he requested that if there is going to be an unfavorable determination, he would like to defer this item and if it's favorable he is fine with proceeding.

B.R. Hall moved for approval of the recommendation to overturn the denial and approve this claim. Robert Weaver seconded, and the Board approved without objection.

3. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.

Items 3.-a. and 3.-b. were for information only.

4. Reports for your information:

- a. Denial log from Davies.
- b. Benefit Board expense reports.

Items 4.-a. and 4.-b. were for information only.

5. Late item(s):

There were no late items reported at the meeting.

With nothing further presented, the meeting adjourned at 11:02 a.m.

ATTEST:

APPROVED:

Shannon B. Hall, Director
Human Resources

Edna J. Jones, Chair
Employee Benefit Board