MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

IN LINE OF DUTY COMMITTEE

October 20, 2026

The Metropolitan Employee Benefit Board's In Line of Duty Committee met on Tuesday, October 20, 2026 in the Sonny West Conference Room, Howard Office Building, 700 President Ronald Reagan Way, Nashville, Tennessee immediately following the Study Session that began at approximately 9:30 a.m.

Committee Members present: Chair: Robert Weaver; Vice-Chair: Shannon Hall; Member: Jonathan Puckett. Alternate (s): Harold W. Finch, II.

Member G. Thomas Curtis was unable to be present.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke and Abby Greer, Metro Legal. Courtney Hughes and Vickie Hampton, Acrisure and Dr. Kenton Dodd, Civil Service Medical Examiner.

Committee Chair Robert Weaver called the meeting to order and stated that the first order of business is approval of the minutes from the September 15, 2026 In Line of Duty Committee meeting. With no corrections, Jonathan Puckett moved for approval of the minutes from the September 15, 2026 meeting. Shannon Hall seconded and the Committee minutes were approved without objection.

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

1. Public Comment Period

   A maximum of five (5) 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 beginning of the meeting.

There were no public comments.

2. In line of duty medical care appeal – Pensioner from the Fire Department.

Christina Hickey reported to the Committee this item was deferred from the last meeting to allow the individual to obtain additional medical records related to the appeal. She stated that additional medical records were obtained and sent to RRS for review

Courtney Hughes and Vickie Hampton, Acrisure, were present.

James Snyder, pensioner and his attorney, Dewey Branstetter, were present.

Courtney Hughes reviewed the claim with the Committee. She stated that after some research it was noted that he does have an active claim on file for COPD from March 1, 1978 for which he is receiving his pension and the last day he worked was April 19, 1990. She stated the additional medical records were sent for review to MES. She stated that report was completed on October 2nd and the report indicates he is an everyday smoker and he continued to smoke regularly after he retired in 1990. She stated he has smoked up to 3 packs a day in the past and has a likely greater than a 100-pack year smoking history. She stated that the report concluded that smoking contributed 80% and firefighting 20%. She stated that while being a firefighter can increase the risk of certain cancers and was likely a contributing factor in this case the evidence supports the conclusion that smoking was the major factor in causing the cancer. It was also noted that he started smoking before

2. In line of duty medical care appeal – Pensioner from the Fire Department. (continued)

he became a firefighter and continued until he was diagnosed with lunch cancer in 2024. She stated that it is not plausible to conclude that his work as a firefighter had a significant impact on his diagnosis with lung cancer and smoking is a much stronger risk factor for the lung cancer than firefighting. She also noted that COPD did not directly cause the lung cancer, however, it was caused at least partially by cigarette smoking. It remains Acrisure's position that the denial be upheld despite the additional information. She stated that in order for the presumption to apply the employee must be employed by a regular fire department and he has not worked since 1990 and his lung cancer claim was filed in 2024 with a 50 year smoking history and remained an active smoker at the time of his diagnosis.

Dewey Branstetter addressed the Committee regarding the claim. Mr. Branstetter stated that there has to be competent medical information to rebut the presumption and other wise it is presumed that a cancer diagnosis for a firefighter is in the course and scope of the employment. He stated that we now have three different medical reports showing the percentage of work relatedness. He also noted that his primary care physician indicated it is 50/50 and he was on an injury on duty for a lung injury since 1990. He stated that a previous Civil Service Medical Examiner indicated that the injury is such that he did not to be reevaluated or return to work. He stated he should be allowed to continue his injury on duty status for a lung related condition and cover his expenses. He also brought up the issue of conflicting medical information and setting a precedent.

There was some discussion of the active COPD claim that has not been denied and will continue as long as he needs treatment for COPD and that the cancer diagnosis is separate from the COPD.

It was noted that what is before the Committee is the lung cancer claim and there is no information in the record that indicates that his COPD is related to his lung cancer.

The Committee discussed the fact that just because the condition is in the same body area does not mean to continue coverage and to evaluate the claim that is in front of the Committee.

There was further discussion that there is no information in the medical record that indicates his COPD is related to his lung cancer and if there is any information related to that it should be presented.

It was also noted that the medical record was supplied by Acrisure and the Health Department and that the pensioner did not supply anything.

Courtney Hughes, Acrisure, confirmed that he does have an active open claim from 1978 for the COPD and has not been denied any care for the COPD.

The Committee discussed that his current diagnosis of cancer has superseded to where his care is now focused on the treatment of cancer with his personal healthcare and that the medical record indicates that COPD is not the primary cause of the cancer.

Shannon Hall moved to uphold the denial of the claim.

The motion died due to lack of a second.

Absent a motion or recommendation from the Committee, this item will go to the full Board with no recommendation.

2. In line of duty medical care appeal – Pensioner from the Fire Department. (continued)

The pensioner stated that the American Lung Association says that it takes 30 years for a firefighter to be diagnosed with lung cancer. He stated that the doctor from Acrisure never looked at that information nor the firefighter's study on firefighting and cancer. He also discussed procedures he has had on his lungs. He also talked about not having the proper apparatus for protection and the carcinogens from fires.

The Committee discussed whether or not if there is a statute of limitations in the presumption law for a claim.

Nicki Eke, Legal Department, stated the presumption applies if the condition was contracted while the person was a firefighter. She stated the presumption can apply after someone retires if that condition was a condition contracted while they were in that position. She stated that in regards to when it does apply you have to have competent medical evidence. She stated that in this case you have opinions from two physicians and the Committee and the Board have to weigh the credibility of the medical evidence.

Dewey Branstetter stated that he had the same question and after looking at the presumption he concluded that it doesn't really address that, and he concluded that it doesn't have a statute of limitations.

Nicki Eke stated that there would be for example if somebody was diagnosed more than six years ago and they never filed a claim but that particular issue is not present here because the diagnosis was in 2024. She stated the focus here is that the Board weigh the credibility of the evidence.

There was some discussion of the firefighter's study that talks about the different types of cancer that can be contracted and the cancer that he has is not one flagged as part of the study.

The pensioner was advised to provide all the information that needs to be considered in this case.

Christina Hickey reiterated that this item will go to the full Board without a recommendation from the Committee. She also noted the November 3rd Board meeting will be held at Mid-Town Hills Police Department.

With nothing further presented the meeting was adjourned at 10:54 a.m.

ATTEST: APPROVED:

Shannon B. Hall, Director
Human Resources

Robert Weaver, Chair
In Line of Duty Committee