

MINUTES OF THE MEETING OF THE
DISABILITY PROCEDURES AND SERVICES COMMITTEE
and
Board of Retirement**

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION
GATEWAY PLAZA - 300 N. LAKE AVENUE, SUITE 810, PASADENA, CA 91101

Wednesday, February 1, 2017 9:34 A.M. – 9:59 A.M.

COMMITTEE MEMBERS

PRESENT: Marvin Adams, Vice Chair
Alan Bernstein
Ronald Okum
David Muir, Alternate

ABSENT: Vivian H. Gray, Chair

ALSO ATTENDING:

BOARD MEMBERS AT LARGE

Anthony Bravo
William Pryor
Vito M. Campese, M.D.
Shawn Kehoe

STAFF, ADVISORS, PARTICIPANTS

Gregg Rademacher	Ricki Contreras	Ricardo Salinas
JJ Popowich	Vickie Neely	Maria Silva
Steven Rice	Tamara Caldwell	Robert Hill
Vincent Lim	Anna Kwan	Mike Herrera
Eugenia Der	James Pu	Karla Sarni
Allison E. Barrett	Debbie Semnanian	Kerri Wilson
Frank Boyd	Mario Garrido	
Sandra Cortez	Debra Martin	
Angie Guererro	Marco Legaspi	
Maria Muro	Marilu Bretado	
Michelle Yanes	Thomas Wicke	
Barbara Tuncay	Hernan Barrientos	

ATTORNEYS
Thomas J. Wicke

GUEST SPEAKER
None

The meeting was called to order by Vice Chair Adams at 9:34 a.m.

I. APPROVAL OF THE MINUTES

A. Approval of minutes of the regular meeting of December 7, 2016

Mr. Bernstein made a motion, Mr. Muir seconded, to approve the minutes of the regular meeting of December 7, 2016. The motion passed unanimously.

II. PUBLIC COMMENT

III. ACTION ITEMS

A. Educational Opportunities

Ms. Contreras introduced several topics for future educational opportunities for review and discussion which included: What constitutes substantial evidence for the Trier of Fact to weigh?, A presentation by LACERA's Job Analyst, Social Media as an Investigative Tool, and Updating LACERA's Panel Physician Guidelines.

Mr. Boyd stated that he will be giving a presentation on the recent Cameron case "When Service Ends under GC 31722 Recent Decision" in the near future.

Ms. Contreras asked committee for their feedback on the educational opportunities topics.

Mr. Kehoe thanked Ms. Contreras and stated that he appreciated the educational topics presented and an opportunity to discuss as it allows for each board member to be thoughtful in the execution of their responsibilities. Mr. Kehoe also stated that he would like to hear more about the history of the Sheriff and Fire Department personnel as it relates to back injuries and their association with continuous trauma.

Dr. Campese stated that he knows physicians that can give a presentation on some of the medical topics listed, including hypertension.

Mr. Kelly thanked staff for the educational opportunities list and stated that he is interested in a few of them and how they relate to what LACERA does.

Mr. Bernstein stated that he would like to have a discussion about permanence as it relates to conditions such as alcoholism and depression.

Mr. Chery thanked staff and stated that he would like to hear an update on cancer and heart presumptions and asked Mr. Boyd if he can give a presentation regarding what constitutes active law enforcement as it relates to presumptions.

B. Proposed Expansion of Priority-One Case Processing Criteria

Mr. Bernstein made a motion, Mr. Okum seconded, to approve the Proposed Expansion of Priority-One case Processing Criteria. The motion passed unanimously.

Ms. Contreras stated that Disability Retirement Services is proposing an expansion of priority-one case processing criteria.

Mr. Kehoe recommended eliminating any approximation as it relates to age and years of service used in establishing the criteria. Mr. Kehoe asked how many of the priority-one cases have been denied by the board thus far and Ms. Contreras stated that as of today, no cases have been denied by the board of retirement.

Mr. Muir asked staff to define a priority-two and priority-three case. Ms. Contreras stated an example of a priority-two case is when a member had a career-ending injury with objective medical evidence. No dispute exists with regard to permanent incapacity and/or service connection. Priority-two cases are required to undergo a physical exam. Priority-three cases can be any psyche cases, late filing, and multiple medical conditions with conflicting medical evidence. Mr. Muir also asked if our members are able to view the different types of priorities, however, Ms. Contreras stated that members cannot view the different types of priorities because this is an internal process and ultimately the investigators are the ones who will determine if the case needs to be a priority-one, priority-two, or priority-three case.

Mr. Chery stated that this is a great step forward in the priority system for our members and concurred with Mr. Kehoe regarding having a definitive age and years of service requirement.

Mr. Kelly wanted to know what staff is doing to improve the process in priority-three cases and Ms. Contreras stated that staff continues to reinforce the changes in our policy and procedures that were implemented in 2012 as that has made staff more efficient. Ms. Contreras also stated that staff does not want to end up eliminating relevant facts from a case but also that we are not investigating things that are not necessary. Furthermore, there are monthly staff meetings where staff is able to communicate regarding cases. Mr. Kelly also asked if the Board of Retirement are the only ones who can make a decision on a case and Mr. Boyd stated that according to GC 31725, the

Board of Retirement are the only ones who can make the final decisions on disability retirement cases.

IV. FOR INFORMATION

V. GOOD OF THE ORDER

The committee members wished everyone a Happy Valentine's Day.

VI. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 9:59 a.m.

**The Board of Retirement has adopted a policy permitting any member of the Board to attend a standing committee meeting open to the public. In the event five (5) or more members of the Board of Retirement (including members appointed to the Committee) are in attendance, the meeting shall constitute a joint meeting of the Committee and the Board of Retirement. Members of the Board of Retirement who are not members of the Committee may attend and participate in a meeting of a Board Committee but may not vote on any matter discussed at the meeting. The only action the Committee may take at the meeting is approval of a recommendation to take further action at a subsequent meeting of the Board.