

AGENDA

THE MEETING OF THE

DISABILITY PROCEDURES AND SERVICES COMMITTEE

and

BOARD OF RETIREMENT*

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 NORTH LAKE AVENUE, SUITE 810
PASADENA, CA 91101

9:00 A.M., THURSDAY, May 11, 2017 **

*The Committee may take action on any item on the agenda,
and agenda items may be taken out of order.*

COMMITTEE MEMBERS:

Vivian H. Gray, Chair
Marvin Adams, Vice Chair
Alan Bernstein
Ronald Okum
David Muir, Alternate

I. APPROVAL OF THE MINUTES

A. Approval of the minutes of the regular meeting of April 5, 2017.

II. PUBLIC COMMENT

III. ACTION ITEMS

IV. FOR INFORMATION

A. Incapacity, Impermanence, and the Likelihood of Recovery and/or Return to Work – Presentation as submitted by Jack Rothberg, M.D., Ph.D.

V. GOOD OF THE ORDER

(For information purposes only)

VI. ADJOURNMENT

***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.**

****Although the meeting is scheduled for 9:00 a.m., it can start anytime thereafter, depending on the length of the Board of Retirement meeting. Please be on call.**

Assistive Listening Devices are available upon request. American Sign Language (ASL) Interpreters are available with at least three (3) business days notice before the meeting date.

Any documents subject to public disclosure that relate to an agenda item for an open session of the Committee, that are distributed to members of the Committee less than 72 hours prior to the meeting, will be available for public inspection at the time they are distributed to a majority of the Committee, at LACERA's offices at 300 North Lake Avenue, suite 820, Pasadena, California during normal business hours from 9:00 a.m. to 5:00 p.m. Monday through Friday.

Persons requiring an alternative format of this agenda pursuant to Section 202 of the Americans with Disabilities Act of 1990 may request one by calling the Disability Retirement Services Division at 626-564-2419 from 7:30 a.m. to 5:00 p.m. Monday through Friday, but no later than 48 hours prior to the time the meeting is to commence.

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, April 5, 2017 10:51 A.M. – 11:36 A.M.

COMMITTEE MEMBERS

PRESENT: Vivian H. Gray, Chair
Marvin Adams, Vice Chair
Alan Bernstein
David Muir, Alternate

ABSENT: Ronald Okum

ALSO ATTENDING:

BOARD MEMBERS AT LARGE

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

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 10:51 a.m.

I. APPROVAL OF THE MINUTES

A. Approval of minutes of the regular meeting of March 3, 2017

Mr. Muir made a motion, Mr. Bernstein seconded, to approve the minutes of the regular meeting of March 3, 2017. The motion passed unanimously.

II. PUBLIC COMMENT

III. ACTION ITEMS

A. Late-Filed Applications – Government Code Section 31722

Mr. Bernstein made a motion, Ms. Gray seconded, to instruct staff to forward the proposed changes to LACERA's Late-Filed Application Policy to the Board of Retirement with an analysis regarding the need for a legislative amendment to Section 31722. The motion passed unanimously.

Mr. Boyd stated that the current Late-Filed Application Policy requires some adjustment. The current policy requires the member to provide additional information that may not be necessary.

Mr. Kehoe stated that he is in agreement with the proposed changes and asked how many applications would be impacted by the proposed change, and how? Ms. Contreras stated that, currently, Disability Retirement Services intake staff looks at "discontinuance of service" as "county service," which means that staff will tend to accept more applications that were deemed "late" if the proposed changes are approved.

Mr. Muir asked staff if proposed changes are approved, will this mean that members whose application would have been accepted will then be denied. Ms. Contreras stated this is not likely to occur as the proposed changes will "lower the threshold" and more applications may be accepted.

After further discussion, a few committee members asked for clarification regarding legislative amendment to Section 31722 before sending it to the Board of Retirement for final adoption.

IV. FOR INFORMATION

- A. Discussion of Flethez v. San Bernardino Employees Retirement Association
- B. Disability Technology Integration: Project Update II Presentation as submitted by James Pu, Chief Information Officer

Kathy Delino and Eddie Paz provided an update of the Technology Integration Project.

Ms. Delino discussed the status of each of the four phases of the project: Phase 1: Data Integration, Phase 2: Process Management, workflow, and scanning of disability packages, Phase 3: Document Management Integration, Phase 4: Fully-digital Disability Board Packages. Mr. Paz discussed the release of the LACERA Document Portal that is designed to make it easier for staff to obtain documents from some of its business partners.

Mr. Chery commended staff for putting the presentation together, and especially for the progress that was made in integrating technology. Mr. Chery also commended all parties involved in this project, including the Chief Executive Officer, who allocated resources for this integration project, and ad hoc committee who started this project a few years ago, as this will be a benefit for the members. Mr. Chery stated that he is encouraged by this integration and once again commended all for a job well done.

V. GOOD OF THE ORDER

Committee members thanked Mr. Adams for chairing meeting.

Mr. Boyd recognized attorney, Mark Singer, on his retirement and wanted to thank him for the service he provided to LACERA members.

VI. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 11:36 a.m.

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INCAPACITY, IMPERMANENCE
and the
LIKELIHOOD of RECOVERY
and/or
RETURN to WORK

~ Jack Rothberg, M.D., Ph.D. ~

- A. Is subjectivity unique to psychiatric disability?
- B. What determines reaction to a specific stress or injury?
 - 1. Genetic factors
 - 2. Developmental/dynamic factors
 - 3. Cultural factors
 - 4. Primary and secondary gain
 - 5. Motivational factors
 - 6. Ratio between positive and negative reinforcement
 - 7. Duration of disability
 - 8. Employer support and accommodation
 - 9. Miscellaneous issues
 - a. Credibility
 - b. Unique dynamic influences

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JACK ROTHBERG, M.D., Ph.D., QME

Psychiatry

**Diplomate, American Board of Psychiatry and Neurology
Certificate of Added Qualification in Forensic Psychiatry**

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11801 Pierce Street, Suite 200, Riverside, CA 92505
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MEDICAL EDUCATION:

- Ph.D. in Psychoanalysis, Southern California Psychoanalytic Institute, Beverly Hills, CA, 1994
- M.D. State University of New York, Downstate Medical School, Brooklyn, NY, 1974
- B.A. Chemistry, State University of New York, Binghamton, NY, 1970

RESIDENCY:

- Psychiatric Residency, Cedars-Sinai Medical Center, Los Angeles, CA, 1977-1980

WORK EXPERIENCE:

- Forensic Psychiatry, Superior Court, County of Los Angeles- evaluations for mental competency, criminal responsibility and consultation to the Court
- Outpatient Psychotherapy & Inpatient Psychiatry, Hilldale Mental Health Center, 1980 – Present, Medical Director 1985 – Present
- Psychiatric Consultant, Alcohol and Drug Abuse Treatment, Raleigh Hills Hospital, 1980-83
- General Practitioner, California Medical Group, 1975-76

ACADEMIC APPOINTMENTS:

- Clinical Instructor, UCLA Medical Center/Neuropsychiatric Institute

CERTIFICATION & MEMBERSHIPS:

- American Psychiatric Association
- Southern California Psychiatric Society
- American Academy of Psychiatry and the Law
- Southern California Psychoanalytic Institute

SPECIALIZATION:

Mental Competency Evaluations, Med-Legal Evaluations, Disability Evaluations, Expert Witness Testimony and Record Reviews, Civil Litigation, Death Penalty Cases, Jury Trials (Defendant and Plaintiff), Social Security Administration Appeals.

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