

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

Thursday, May 11, 2017 10:30 A.M. – 11:24 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.

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 10:30 a.m.

I. APPROVAL OF THE MINUTES

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

Mr. Okum made a motion, Mr. Muir seconded, to approve the minutes of the regular meeting of April 5, 2017. The motion passed unanimously.

II. PUBLIC COMMENT

III. ACTION ITEMS

IV. FOR INFORMATION

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

Ms. Contreras introduced Dr. Jack Rothberg, panel physician for LACERA.

Dr. Rothberg stated the it is difficult to answer the question "What determines reaction to a specific injury?" however, Dr. Rothberg will be addressing genetic factors, developmental/dynamic factors, cultural factors, primary and secondary gain, motivational factors, ratio between positive and negative reinforcement, duration of disability, employer support and accommodation, and miscellaneous issues, such as credibility and unique dynamic influences.

Dr. Rothberg stated that psychological testing is done but it is not completely "fool proof." It has to be weighed and considered to determine how much value it has. Dr. Rothberg also stated that the MMPI can produce invalid results even if the patient is actually ill to an extent.

Mr. Bernstein asked if Dr. Rothberg has any thoughts to add regarding alcoholism and the permanence and psychiatry of it because some people may think it is temporal and some may think it is permanent. Dr. Rothberg stated that it depends on the situation and it can go either way.

Mr. Okum asked for Dr. Rothberg's insight on service-connected disability vs. nonservice connected disability and if there are any factors that can determine this right away. Dr. Rothberg stated that most of the time it is difficult to tell right away if it is a service-connected disability and there are times when you need to find out from other people what actually happened at work.

Dr. Rothberg stated that there are some people who will go back to work right away and others will take a lot longer and this depends on the motivational factors. This also raises a psychological question "what is the line between unwilling and unable?" Dr. Rothberg stated that some of these individuals are willing to go back to work but physically they feel that they are unable to and in the end they cannot get themselves back to work and these people may not have the capability of dealing with stress.

Mr. Boyd asked if there are any other tests that can be administered besides the Caldwell report but Dr. Rothberg stated that the Caldwell report is the most elaborate and rich in its content.

Dr. Rothberg concluded that each case is different and in the end you will need to try and get to know the person to determine if they are actually disabled.

V. GOOD OF THE ORDER

Committee members thanked Dr. Rothberg for the presentation.

Mr. Bernstein stated that he appreciated the presentation and as a diversity expert, he acknowledged that today there was no female perspective and he would have liked to hear a different perspective as it relates to Dr. Rothberg's presentation.

Mr. Boyd acknowledged Mr. Chery and stated he appreciated the time Mr. Chery put in for the members at LACERA.

VI. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 11:24 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.