

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, June 1, 2017 11:01 A.M. – 11:14 A.M.

**COMMITTEE MEMBERS**

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

ABSENT: NONE

**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	Anna Kwan	Robert Hill
Vincent Lim	James Pu	Mike Herrera
Eugenia Der	Kerri Wilson	Karla Sarni
Allison E. Barrett	Debbie Semnanian	
Frank Boyd	Mario Garrido	
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 Chair Gray at 11:01 a.m.

I. APPROVAL OF THE MINUTES

A. Approval of minutes of the regular meeting of May 11, 2017

Mr. Okum made a motion, Mr. Muir seconded, to approve the minutes of the regular meeting of May 11, 2017. The motion passed unanimously.

II. PUBLIC COMMENT

III. ACTION ITEMS

IV. FOR INFORMATION

A. Panel Physician Termination of Contract for Services –  
Robert B. Fenton, M.D.

Frank Boyd, Senior Staff Counsel informed the Committee about criminal charges for insurance fraud filed against Robert B. Fenton, M.D., an orthopedist on LACERA's panel of physicians. LACERA learned of the charges on May 11, 2017. Mr. Boyd advised the Committee of subsequent actions taken by the Legal Office and Disability Retirement Services.

Mr. Boyd advised that due to the seriousness of the charge against Dr. Fenton, he elected to terminate LACERA's contract with the physician immediately.

Mr. Okum inquired about members already scheduled with Dr. Fenton and how that will be handled. Mr. Boyd stated that there were only two members scheduled with Dr. Fenton for future appointments and they have been rescheduled with another physician.

Mr. Boyd stated that in the near future, panel physicians' contracts will be revised so that they are more definitive in regards to situations similar to these.

Mr. Bernstein asked if LACERA was a victim of fraud in this case and Mr. Boyd assured the committee members that LACERA was not involved in any way in regards to the charges against Dr. Fenton.

Mr. Okum made a motion, Mr. Muir seconded, to return ratification to terminate Dr. Robert B. Fenton as a LACERA Panel Physician and to address the policy with regard to staff's authority to terminate in urgent situations with approval from the Chair and Vice Chair to the Board of Retirement. The motion passed unanimously.

#### V. REPORT ON STAFF ACTION ITEMS

Committee members requested staff to revise the LACERA Policy Statement for "HIRING OF PANEL PHYSICIANS: QUALIFICATIONS, LICENSING, CERTIFICATION, AND INSURANCE REQUIREMENTS FOR BOARD APPOINTED PANEL PHYSICIANS" to include a provision which will give staff the authority to terminate a panel physician in urgent situations.

#### VI. GOOD OF THE ORDER

Mr. Muir announced several of the candidates for the upcoming Los Angeles County Employees Retirement Association Election to be held on August 1, 2017. He reported J.P. Harris was unopposed as the alternate retired member candidate, and therefore would be joining the Board of Retirement at the beginning of the next term. He also announced there were two candidates for the 8<sup>th</sup> Member of the Board of Retirement; Les Robbins (endorsed by RELAC) and Simon Russin; and David Muir (endorsed by RELAC), and Simon Russin for the 8<sup>th</sup> Member, Board of Investments.

Ms. Gray stated that she had the opportunity to attend NCPERS and she enjoyed the conference, especially since they spoke about healthcare issues.

#### VII. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 11:14 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.