

## **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, January 11, 2018 \*\***

*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 December 14, 2017
- II. PUBLIC COMMENT
- III. ACTION ITEMS
- IV. FOR INFORMATION
  - A. What Happens After the Board of Retirement Grants a Disability Retirement?  
Presentation by Frank Boyd, Senior Staff Counsel
- V. REPORT ON STAFF ACTION ITEMS
- VI. GOOD OF THE ORDER  
(For information purposes only)
- VII. 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

Thursday, December 14, 2017 4:10 P.M. – 4:13 P.M.

**COMMITTEE MEMBERS**

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

ABSENT: Alan Bernstein  
Ronald Okum

**ALSO ATTENDING:**

BOARD MEMBERS AT LARGE

Shawn Kehoe  
Keith Knox  
Herman Santos

STAFF, ADVISORS, PARTICIPANTS

JJ Popowich  
Steven Rice  
Vincent Lim  
Eugenia Der  
Mike Herrera  
Allison Barrett  
Frank Boyd  
Angie Guererro  
Maria Muro  
Michelle Yanes  
Karla Sarni  
Darren Huey

Ricki Contreras  
Vickie Neely  
Anna Kwan  
Robert Hill  
Kerri Wilson  
Mario Garrido  
Marco Legaspi  
Marilu Bretado  
Thomas Wicke  
Hernan Barrientos  
Melena Sarkisian  
Maisha Coulter

Maria Silva  
Jason Waller  
Tamara Caldwell  
Justin Stewart  
Ricardo Salinas  
Danny Hang  
Russell Lurina  
Amabelle Delin  
Debbie Semnanian  
Debra Martin  
Shamila Freeman

ATTORNEYS  
Thomas J. Wicke

GUEST SPEAKER  
None

The meeting was called to order by Chair Gray at 4:10 p.m.

I. APPROVAL OF THE MINUTES

A. Approval of minutes of the regular meeting of November 9, 2017

Mr. Adams made a motion, Mr. Muir seconded, to approve the minutes of the regular meeting of November 9, 2017. The motion passed unanimously.

II. PUBLIC COMMENT

III. ACTION ITEMS

IV. FOR INFORMATION

A. Educational Opportunities

V. REPORT ON STAFF ACTION ITEMS

VI. GOOD OF THE ORDER

VII. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 4:13 p.m.

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# What Happens After the Board of Retirement Grants a Disability Retirement?

Presented by Frank Boyd, Senior Staff Counsel

# Service-connected Disability Retirement Allowance (SCD)

- Members are entitled to an allowance equal to 50% of final compensation, or
- The amount of a years-of-service pension if it is greater than 50% of final compensation and the member is eligible to retire for years-of-service and age.

Gov. Code § 31727.4

# SCD

## Tax Exclusions

An amount equal to 50% of the member's final compensation may be excludable from the member's gross income for federal tax purposes.

IRS Code § 104(a)(1)

1976 IRS Private Letter Ruling Issued to Ventura County

# SCD

## Surviving Spouse and Children Allowances

Upon the death of a member while receiving a service-connected disability retirement allowance, 100% of the allowance continues to either:

- The surviving spouse, who is designated as beneficiary and who was married to the member prior to retirement (unless the member elected an option allowance under Art. II, § 31760, et. Seq), OR
- Eligible children: if there is no surviving spouse entitled to an allowance, then the allowance the surviving spouse would have received is paid to **deceased member's minor children, collectively. The benefits payable to the children shall be paid to those children through the age of 21 if the children remain unmarried and are regularly enrolled as full-time students.**

Gov. Code § 31786



# SCD

## Medical Premium Subsidy

If member is awarded an SCD and has less than 13 years of service credit, the member receives a 50% subsidy of their insurance premiums from the County of Los Angeles.

LACERA Administered Retiree Healthcare Benefits Program, Administrative Rule

# Nonservice-connected Disability Retirement Allowance

- Member must have five years of service credit to be eligible
- Member will receive *up to* 1/3 of final compensation
- **No enhanced survivor's allowance**
- No tax exclusion

# Notice of Board Action

The member is notified of the Board's action by letter from Disability Retirement Services within 7 days.

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# Benefit Processing

- The Benefits Division contacts member within 45 days of the Board's decision.
- Payments of benefits may take up to 60 to 90 days.

# Benefit Processing - A Behind the Scenes View

- **Benefits must work with the member and the member's department to obtain a termination date.**
  - This often requires coordination with LTD to minimize the impact of possible overpayment issues with LTD. This can add additional time to the process.
  - **Deputy Sheriff's must turn in their badge and equipment, otherwise the department will not terminate the member.**
- Benefits also requires the member to elect a retirement option: Unmodified; Option I, II, III, or IV; or Unmodified Plus.
  - Benefits requires a signed election before a member can be paid - just as we would for a Service retirement. In some cases members need additional time to figure out what option they want to choose and this can also add additional time to the process.
- Obtaining dissolution papers can also delay payment.