

**BOARD OF RETIREMENT
FRESNO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

"Our mission is to administer the retirement benefits for the members and beneficiaries in a prudent, accurate, timely and cost-effective manner, while administering fund assets in a manner that achieves investment and funding objectives within prudent levels of risk."

March 15, 2017

**DISABILITY COMMITTEE MEETING AGENDA
ACTION SUMMARY MINUTES**

[AN AUDIO RECORDING OF THE OPEN SESSION DISCUSSION ITEMS CAN BE FOUND ON OUR WEBSITE AT
WWW.FCERA.ORG](http://WWW.FCERA.ORG)

Committee Members Present:

Laura P. Basua	Dr. Rod Coburn, III
Robert Dowell	Eulalio Gomez

Committee Members Absent:

None

Staff and Service Providers Present:

Donald Kendig, Retirement Administrator
Doris Rentschler, Assistant Retirement Administrator
Elizabeth Avalos, Executive Assistant
Patricia Montoya, Retirement Benefits Manager
Matthew Gonzalez, Retirement Specialist
Virginia Meza, Retirement Specialist
Craig Armstrong, Board Counsel

Members of the Public that Addressed the Committee:

None.

1. Call to Order

Chair Basua called the meeting to order at 10:06 AM.

2. Public Comment

None.

3. Discussion

A. Consideration of Disability Applications in Abeyance Process and Form Letters

The Committee reviewed the current abeyance process and the proposed abeyance termination notification letters send to members with inactive disability claims. It was noted that there are currently ten (10) Disability applications that were denied by the Board and the member notified staff of the desire to have the claim heard by a hearing officer. Due to delays on the part of the applicant, the claims remain open and inactive.

The Committee directed staff to prepare and distribute the abeyance termination notification letters as requested.

B. Consideration of Disability Applications and Hearings Procedures

Staff submitted the proposed/revised draft Disability Handbook, Disability Application, and Independent Medical Examiner (IME) form letters for the Committees review and consideration.

Staff noted that the Disability Handbook was developed in response to the Committees desire to establish procedures relating to time requirements for application processes. In addition, Staff revised the IME form letters to help clarify whether employment is a material cause in the disabling condition.

The Committee directed staff to finalize the Disability Handbook and resubmit for further consideration.

4. Oral Reports

1. FCERA Staff

In response to the Committee's interest in in expanding the use of Sub Rosa investigations in conjunction with evaluating applications, Staff recommended using Baker Manock & Jensen, or the Board of Retirement's Counsel to handle the investigation process. Using this approach would keep the investigation material privileged, and would result in an "arms-length" transaction that avoids the appearance of conflict of interest and/or discrimination.

The Committee directed staff to work with Baker Manock & Jenson and draft an agreement for the Committee's consideration.

Staff suggested that the Committee entertain using a disability management firm as they offer a variety of case management services and could reduce time staff dedicated to disability applications.

The Committee directed Staff to gather additional information and return with a recommendation.

2. Committee Members

The Committee Members had nothing to report.

5. Set next meeting date, if any.

The Committee will meet April 19, 2017 immediately following the Regular meeting.

There being no further business, the meeting adjourned at 10:34 AM.

Donald C. Kendig, CPA
Secretary to the Board