

**SUMMARY OF PUBLIC MEETING  
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD  
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened, Thursday, April 7, 2011, at 10:00 a.m., Conference Room 230, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

**Present at the meeting were the following individuals:**

Jim Bruner, Chair	Mark Smalley, Board Member	Leticia Chavez, Recorder
Kevin Kluge, Board Member	Michael Anthony, Attorney	AVTranz (Court Reporter)
Phil Hanley, Board Member	Hannah Auckland, Attorney	
Jason Hathcock, Board Member	Lu McLendon, Secretary	

**Call to Order**

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Thursday, February 24, 2011 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

**Approval of the Minutes**

- a. February 24, 2011, Public & Executive Meeting Minutes (AVTranz)
- b. February 24, 2011, Public & Executive Minutes Summary
- c. March 8, 2011, Public Meeting Minutes

The Chair called for any corrections or additions to the minutes. Board members Jason Hathcock noted a correction to the misspelling of his name on the third page of the February 24, 2011 public meeting minutes. Mark Smalley noted that his title was listed as "Attorney" on the February 24, 2011 executive meeting summary and should be corrected to "Board Member".

**MOTION: A motion for approval of the February 24, 2011 Public and Executive Meeting Summary and Minutes and March 8, 2011 Meeting Minutes with corrections was made by K. Kluge. Motion was seconded and passed unanimously minutes stand approved. CORP 2011-11**

**Disability** – The Local Board may go into Executive Session for discussion of medical documentation and to receive legal advice for the following Disability pursuant to A.R.S. 38-431 (A) (2 & 3).

- a. #11-01- Ordinary Disability Retirement

The Local Board office received an application for Ordinary Disability from applicant #11-01 on January 14, 2011. Based on the medical evidence submitted by the applicant, the Local Board office referred applicant #11-01 for an Independent Medical Evaluation (IME). A completed IME from Dr. Laura Don of AZ Behavioral Health Specialist was received by the Local Board office on March 4, 2011 and brought before the Board for review. Before discussion ensued the Board Secretary advised the Board that there are two pending issues. One is that there are the issues of both a medical (physical) and a mental condition. Two, there is the issue of the Local Board not having a copy of the applicant's CORP Physical Exam and is, therefore, , unable to

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determine if the applicant has any pre-existing conditions. In an attempt to obtain a copy of that exam, the Local Board office contacted Concentra January 20, 2011 and was told they have a record of the applicant taking a "Basic Physical" June 20, 2007 and would have to request a copy of the exam from their storage facility. After several follow up calls to Concentra the Local Board office has yet to be sent a copy of the applicant's exam. Since several attempts to obtain the exam have been made without results, the Board requested the Attorney subpoena Concentra for a copy of the exam.

**MOTION: A motion to have the Board Attorney subpoena Concentra for a copy of applicant #11-01's physical exam was made by M. Smalley.** Motion was seconded and passed unanimously. **CORP 2011-12**

The Board Attorney addressed the Board with his concerns regarding the IME letter that was sent to Dr. Don, he feels the questions submitted for Dr. Don to answer of the applicant did not specify what the Board needed to determine if the applicant qualifies for a disability benefit. To obtain clarification of the applicant's not only mental but physical condition the Attorney suggested the Board request another IME and send the IME doctor specific questions for clarification. The Board feels that rather than ordering another IME they would send the clarifying questions to the current IME Doctor for response. The Board Attorney also recommended when submitting any documentation to IME Doctors such as questions that will be asked of the applicant, a copy of the letter or questions should also be sent to the applicant.

**MOTION: A motion to submit the revised questions to the IME Doctor with a copy going to the applicant was made by P. Hanley.** Motion was seconded and passed unanimously. **CORP 2011-13**

**MOTION: A motion to send disability applicants' any documentation sent to IME Doctors going forward was made by K. Kluge.** Motion was seconded and passed unanimously. **CORP 2011-14**

**MOTION: A motion to have all disability cases come before the Board to determine if an IME is required was made by K. Kluge.** Motion was seconded and passed unanimously. **CORP 2011-15**

Board Member Jason Hathcock requested the Board Attorney develop specific questions for all three disabilities that the CORP office can send to IME Doctors when requesting an IME.

**MOTION: A motion to have the Board Attorney develop questions for all three disabilities to be sent to IME Doctors going forward was made by J. Hathcock.** Motion was seconded and passed unanimously. **CORP 2011-16**

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It was recommended by the Board secretary and the Board agreed that the issues discussed such as sending IME Doctor Documentation to the applicant and bringing all disability cases before the Board first, should be added to the Disability Procedures manual.

The Board Attorney advised the Board of his attempt to contact the union Attorney for disability applicant #11-01; however, the Board Attorney asked the Board if they wish for him to pursue contact. The Board feels the Attorney should contact the union Attorney on the applicants' behalf to ensure they are properly represented in this case.

**Approval of Normal Retirement** – The Local Board may consider and vote on the approval of Normal Retirement benefits for the following applications or defer decision to a later date.

- a. Ron Gauna
- b. Cynthia Goyette

**MOTION: A motion to approve payment of benefits, for applications (a-b) for Normal Retirement was made by J. Hathcock.** Motion was seconded and passed unanimously. **CORP 2011-17**

**Approval of Membership** – The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date.

- a. Alethea Blair (02-13/2011) – Coconino
- b. Robyn Beale (03/08/2011) – Pima
- c. Nancy Tharpe (03/14/2011) – Mohave
- d. Luis Montijo (03/28/2011) – Pima

**MOTION: A motion was made by J. Hathcock to approve the (4) employees requesting membership into CORP.** Motion was seconded and passed unanimously. **CORP 2011-18**

### **General Discussion**

- a. CORP Election - The CORP Election Action Plan was distributed to Board members for review.

### **Call to Public**

Summary Transcribed April 7, 2011