

**MINUTES 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 Tuesday, June 3, 2014, at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present in Conference Room 109:

Kevin Kluge, Chair; Jason Hathcock, Mark Smalley, Phil Hanley

Board Members Absent:

Rob Lubitz

Also Present:

Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Court Reporter, Ottmar & Associates

Call to Order:

Approval of the Minutes:

May 6, 2014, Public Meeting Minutes

MOTION: A motion to approve the May 6, 2014 Public Meeting Minutes was made by M. Smalley. Motion was seconded and passed unanimously; minutes stand approved. **CORP 2014-38**

Consideration of Disability Application – Annual Review:

This matter was brought to the Board for annual review. The Board first approved Application #11-01 for Ordinary Disability benefits on June 7, 2011. The Board Secretary advised that the applicant signed the confidentiality waiver to allow discussion of medical information in open session and that the applicant was advised via certified mail that the Board would hear the matter at this meeting.

The applicant was asked to provide all medical treatment records since April 1, 2013, to assist the Board in determining whether an independent medical reevaluation of the applicant's condition is necessary. All records have been received and provided to the Board for review.

The Board's first annual review of this case occurred on May 9, 2012. At that meeting, the Board voted to table review of this case for one year until a completed reevaluation from the Social Security Administration was submitted. The Board Secretary noted that the Social Security Administration reevaluation was never submitted. At the Board's second annual review of this case on May 7, 2013, the Board voted to refer Applicant #11-01 for an IME to be performed by a

medical practitioner selected by the Board and directed that the IME be performed by the doctor who performed the initial IME of Applicant #11-01 if possible, given that doctor's familiarity with the applicant's medical history and condition.

As requested by the Board, the doctor who performed the initial IME reevaluated the applicant's condition on June 12, 2013. The doctor answered the four questions posed by the Board in a letter dated May 28, 2013, referring the applicant for the IME. In the IME report, the doctor stated the applicant does have a physical condition that totally and permanently prevents her from performing a reasonable range of duties within her department. The doctor also stated the applicant had likely reached maximal improvement and should remain on her current treatment plan. The Board voted on July 9, 2013, to continue Ordinary Disability benefits for Applicant #11-01 based on the findings of the IME conducted on June 12, 2013, as set forth in the report dated June 19, 2013, and to evaluate the applicant's condition in one year.

The Board Secretary advised that the Board could reevaluate Applicant #11-01 until her normal retirement date of April 1, 2022.

MOTION: A motion to review the case again in one year (2015) was made by P. Hanley.

Discussion:

Board Member Jason Hathcock added that the basis for the motion was that the medical records provided by the applicant did not document improvement of the applicant's condition since the Board's last evaluation on July 9, 2013.

Motion was seconded and passed unanimously. **CORP 2014-39**

Normal Retirement Benefits:

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:

Forgach, Theodore M.
Hutchinson, Jan L.
Scherwenka, William E.

The Board Secretary noted for the record that the effective retirement date for all applicants was June 1, 2014.

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, for a CORP effective date of June 1, 2014, was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2014-40

Theodore M. Forgach:	\$3,001.30 (Reverse DROP Estimate: \$147,501.54)
Jan L. Hutchinson:	\$3,062.73
William E. Scherwenka:	\$2,153.29

CORP Physical Exam Final Letters:

Kristen Lorene Brown
Kristina Fisher
Meroni B. Flores
Steven J. Loehr

Certified letters were sent to these members on May 14 and 15, 2014, regarding non-receipt of a CORP physical examination after 60 days of receipt of the membership form.

A.R.S. § 38-884.B. provides in part: “Any employee who fails or refuses to submit to the medical examination prescribed in this section is deemed to waive all rights to disability benefits under this article.”

The Board Chair noted, for the record, that physical examination reports for Kristen Lorene Brown, Kristina Fisher, Meroni B. Flores, and Steven J. Loehr were not received within 60 days of receipt of their membership applications and that final letters requesting an examination were sent to these members via certified mail.

CORP Physical Pre-Existing Conditions:

The Board Chair noted for the record that physical examination reports for members Laquicia McCormick, James Ornelas, and Scott Worrall identified one or more pre-existing conditions. The Board approved these officers for CORP membership at prior meetings. Their physical examination reports were received after 60-day notices were sent to them.

Status Update: Membership Audit

The Board voted at the August 6, 2013 meeting to conduct an audit of Local Board membership records to ensure the Board’s records are complete.

Since the last update given at the Board’s May 6, 2014 meeting, the Local Board office has resolved an additional 43 discrepancies. All discrepancies for Apache, Cochise, Graham, Greenlee, La Paz, Mohave, Pima, Santa Cruz, Yavapai, and Yuma counties have been resolved.

There was very good progress made this month, with receipt of all pending exams for Cochise, Graham and Pima counties. A small number of exams were also retrieved from the Flagstaff Concentra clinic for Coconino and Navajo counties, with eight reports from that clinic determined to be unrecoverable. Staff will contact those counties about the need to repeat their exams.

Staff has continued to contact Pinal County about the pending identification of the providers used for their employee’s CORP exams. Pinal has advised that most of their pending employees had their physical examination completed at MBI Occupational Healthcare, while only one employee was seen at Concentra.

Mark Alver of Maricopa County has advised that the county has decided to pay for another exam for the nine employees whose records were not recovered from Concentra, but they will be using MBI Occupational Healthcare after a new contract is in place on July 1, 2014. Maricopa County has asked that the Local Board draft a letter to the nine pending employees outlining the importance

of having an exam on file and the Board's position regarding the CORP physical exam. The Board directed the Board Secretary to draft a letter for the Board's review at the July 8, 2014 meeting.

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:

Anderson-Aguilar, Lora	Pima	3/10/2014
Barker, Gregory	Cochise	12/25/2011
Borboa, Ana	Cochise	1/22/2012
Bregendahl, George	Pima	10/22/2012
Brickey, Janet	Cochise	9/24/2012
Brown, Kristen	Cochise	4/3/2011
Chacon, Charles	Graham	1/7/2013
Chacon, Julie	Graham	6/15/2012
Chamseddine, Isabella	Pima	5/21/2012
Chatman, Stephen	Maricopa	6/25/2012
Clifford, Kenneth	Graham	2/8/2014
Corro, Sergio	Cochise	9/24/2012
Cruz, Nancy	Cochise	9/24/2012
Demeroto, Patricia	Cochise	1/22/2008
DeSpain, David	Graham	8/27/2012
Edwards, Donald	Graham	1/7/2014
Fero, Vincent	Cochise	12/9/2013
Figueroa, Vanessa	Pima	7/6/2010
Fisher, Kristina	Cochise	12/31/2012
Flores, Meroni	Cochise	3/10/2014
Glidden, Sally	Cochise	11/27/2011
Graves, Sarah	Cochise	4/4/2010
Guerrero, Viviana	Pima	5/29/2012
Hoisington, Thomas	Graham	12/31/2012
Huber, Shana	Pima	2/15/2011
Light, Amy	Cochise	1/9/2011

Linden, Josef	Cochise	1/11/2010
Loehr, Steven	Cochise	3/10/2014
Lopez, Michael	Pima	11/5/2012
Lundquist, Tina	Cochise	7/24/2011
Mayo, Twila	Cochise	11/27/2011
Mitchell, Jennifer	Cochise	11/29/2009
Mitchell, Tanya	Graham	10/26/2013
Moreau, Sheila	Cochise	7/12/2009
Muzquiz, Erasmo	Pima	5/29/2012
Nabors, Kenneth	Navajo	2/23/2014
Ovando, Frances	Cochise	7/8/2012
Ramirez, Krista	Graham	3/22/2014
Ray, Kandis	Graham	10/3/2011
Rice Roberts, Karina	Cochise	7/26/2009
Richins, Trevor	Pinal	3/3/2014
Rodriguez, Julie	Graham	6/20/2011
Roginski, Kristin	Yuma	3/17/2014
Sanchez, Angelica	Maricopa	3/31/2014
Schaaf, Stephanie	Cochise	10/3/2010
Schow, John	Pima	4/14/2014
Stewart, Eric	Cochise	1/7/2013
Sullivan, Lindsay	Graham	4/16/2012
Thayn, Brandon	Pima	7/30/2012
Thomas, Lee	Graham	4/9/2012
Vander Veen, Kathleen	Maricopa	3/3/2014
Voyles, Douglas	Navajo	6/20/2011
Weaver, Daniel	Yavapai	3/16/2014
Williams, Kenni	Cochise	2/11/2008
Zingale, Scott	Coconino	1/30/2012

MOTION: A motion to approve the 55 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D. and to note for the record that the physical examinations for applicants Lora Anderson-Aguilar, Gregory Barker, Ana Borboa, George Bregendahl, Julie Chacon, Isabella Chamseddine, Stephen Chatman, Kenneth

Clifford, Patricia Demeroto, David DeSpain, Donald Edwards, Vincent Fero, Sally Glidden, Thomas Hoisington, Michael Lopez, Tina Lundquist, Twila Mayo, Jennifer Mitchell, Tanya Mitchell, Erasmo Muzquiz, Angelica Sanchez, Lee Thomas, and Daniel Weaver identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan, was made by P. Hanley. Motion was seconded and passed unanimously. CORP 2014-41

Call to Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:40 a.m.

Transcribed June 3, 2014