

**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, April 5, 2016, 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; Mark Smalley; Danna Quinn

**Board Members Attending via Conference Call:**

Rob Lubitz

**Board Members Absent:**

Jason Hathcock

**Also Present:**

Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Hannah Auckland, Board Attorney; Ottmar & Associates, Court Reporter; Monique Usher, Disability Applicant #15-03 (via conference call)

**Call to Order:**

**Approval of the Minutes:**

March 8, 2016 – Public Meeting Minutes

March 8, 2016 – Executive Session Minutes

**MOTION: A motion to approve the public meeting and executive session minutes of the March 8, 2016 meeting was made by D. Quinn.** Motion was seconded and passed unanimously; minutes stand approved. **CORP 2016-21**

**Consideration of Disability Application #15-03 – Decision on Benefit:**

The Board received Application #15-03 for Accidental Disability benefits from Monique R. Usher on November 9, 2015. The applicant was a Surveillance Officer in Pinal County. Pinal County Human Resources confirmed that the applicant has terminated employment. The applicant identified the disabling condition as “PTSD from incidents that occurred on duty, out in the field during contacts.” The applicant was notified via certified letter that the Board would consider the application at this meeting and of her right to attend. Ms. Usher was in attendance via conference call.

The Board Secretary advised that the applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting. The applicant also provided

treatment records and reports of medical findings from some of the providers listed in her application.

Since the application referred to incidents that occurred on duty, the Board Secretary contacted Ms. Usher to request documentation of the incidents to confirm that the incidents met at least one of the criteria for Accidental Disability benefits per A.R.S. § 38-881.1:

- (a) physical contact with inmates, prisoners, parolees or persons on probation.
- (b) responding to a confrontational situation with inmates, prisoners, parolees or persons on probation.
- (c) a job-related motor vehicle accident while on official business for the employee's employer.

Ms. Usher agreed to send the incident reports but indicated in an email dated November 12, 2015 that she should have applied for Ordinary Disability and not Accidental, because it is better suited. After reviewing the incident reports Ms. Usher had provided, the Board determined at its meeting on December 7, 2015, that neither incident involved physical contact or responding to a confrontational situation with persons on probation, nor a job-related motor vehicle accident. The Board further agreed at that meeting to allow Ms. Usher to amend her application to be considered for Ordinary Disability benefits.

Complete medical records were obtained from all of the providers listed in Ms. Usher's application and are provided to the Board.

The Board Secretary also advised that the applicant's physical exam dated December 21, 2011, identifies "White Coat" hypertension as a pre-existing condition.

Dr. Gary Prince, Board Certified in Psychiatry, performed an Independent Medical Examination of the applicant on February 29, 2016. A copy of Dr. Prince's IME report was provided to the Board. Prior to the appointment with Dr. Prince for the psychiatric IME, the applicant saw Dr. John Beck for a psychological evaluation on February 9, 2016, for evaluation and testing. A copy of Dr. Beck's report was also provided. Dr. Prince reviewed the results of the psychological evaluation and testing before performing the psychiatric IME.

The Chair confirmed for the record that Ms. Usher was attending via conference call and asked if the Board had any questions.

Board Member Mark Smalley asked if Ms. Usher could elaborate on the notation in her CORP Physical Exam that she sought counseling for mental health problems. Ms. Usher stated that she participated in grief therapy after the loss of twin sons.

Ms. Usher stated that the wording in the IME Report and the evaluation from the psychologist mentioned total and permanent disability, and that Dr. Prince stated that he was not sure if she would be able to be gainfully employed again. Ms. Usher asked if Total and Permanent Disability applied to her case. The Chair clarified that it did apply and that there was no indication that Ms. Usher's condition was not total and permanent at this time. However, the Chair informed Ms.

Usher that the Board has the ability to re-evaluate her case each year and that more than likely the Board would want to ensure Ms. Usher is progressing.

Ms. Usher had no further questions and the Board had no further questions for Ms. Usher.

**MOTION: A motion to (1) approve the application for Ordinary Disability Retirement benefits from Applicant #15-03, Monique R. Usher, based on the findings of the Independent Medical Evaluation conducted by Dr. Gary Prince for the Local Board, as set forth in his report dated February 29, 2016 and the Form C5-LB-O dated March 2, 2016; (2) approve an Ordinary Disability Benefit for Monique R. Usher in about the amount of \$345.53 effective September 1, 2015; and (3) review this matter again in one year pursuant to A.R.S. §38-886.01.D., was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2016-22**

**Approval of 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:

Thomas E. DeRidder  
Deborah A. Gaines  
William A. Grijalva, Sr.  
Catherine A. Howard  
David D. Jones  
Mary A. Nelson  
Miguel A. Saldana

**MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, effective as indicated, was made by D. Quinn. Motion was seconded and passed unanimously. CORP 2016-23**

Thomas E. DeRidder:	\$1,417.31; effective March 1, 2016
Deborah A. Gaines:	\$3,299.65; Reverse DROP Estimate: \$6,611.84; effective March 1, 2016
William A. Grijalva, Sr.:	\$2,250.09; effective April 1, 2016
Catherine A. Howard:	\$3,597.47; effective April 1, 2016
David D. Jones:	\$2,248.22; effective April 1, 2016
Mary A. Nelson:	\$3,406.85; Reverse DROP Estimate: \$55,094.49; effective April 1, 2016
Miguel A. Saldana:	\$1,821.80; effective April 1, 2016

**Acknowledgment of CORP Physical Pre-Existing Conditions:**

The Chair noted, for the record, that the physical examination report for member Jaime F. Cota, Jr. identified one or more pre-existing conditions. The Board approved this officer for CORP membership at the March 8, 2016 meeting. His physical examination report was received after a 60-day notice was sent to him.

**Acknowledgement of CORP Physical Exam Final Letters:**

The Chair noted, for the record, that physical examination reports for Mary Jo Cupani, Amanda L. Curry, Viky Mares-Zamorano, David Murphy and Staci L. Rodarmel 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 on March 24, 2016.

**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:

Brooks, Jolene	Yavapai	2/29/2016
Buck, Nicole	Navajo	11/16/2015
Cisneros, Cecilia	Maricopa	3/14/2016
Cupani, Mary Jo	Maricopa	12/30/2015
Curry, Amanda	Maricopa	11/30/2015
Dickson, Audrey	Navajo	11/16/2015
Dyslin, Kimberly	Yavapai	11/8/2015
Griffin, David	Yavapai	2/29/2016
Hall, Tricia	Mohave	2/22/2016
Haseljic, Azra	Maricopa	1/4/2016
Lopez, Israel	Pima	12/28/2015
Mares-Zamorano, Viky	Pinal	1/4/2016
Murphy, David	Coconino	1/4/2016
Niederer, Peter	Yavapai	11/22/2015
Perkins, Joseph	Pima	12/28/2015
Ponce, Eileen	Mohave	2/22/2016
Ramirez, Miguel	Navajo	11/16/2015
Riley, Latasha	Navajo	11/16/2015
Rodarmel, Staci	Coconino	12/21/2015
Rogut, Avangelina	Maricopa	3/14/2016
Sweet, Lee	Maricopa	12/7/2015

**MOTION: A motion to approve the 21 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 Peter Niederer and Lee Sweet 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 M. Smalley. Motion was seconded and passed unanimously. CORP 2016-24**

**Status Update – Membership Audit:**

Staff completed an audit of the Board’s membership records against an active membership list provided by PSPRS on December 4, 2015. The Board Secretary advised that, of the original 10 discrepancies, only one remains. Board staff will continue to work with Yavapai County to resolve the remaining discrepancy.

**Status Update – Legislation Affecting CORP:**

The Board Secretary advised that SB 1160, extending Reverse DROP, was signed by the Governor on March 30, 2016.

The Board Secretary also advised that HB 2074 was passed by the Senate but with an amendment, so it was sent back to the House on March 29<sup>th</sup> for concurrence.

**Future Agenda Items:**

No future agenda items were noted.

**Call to the Public:**

No members of the public addressed the Board.

The meeting was adjourned at 10:17 a.m.

Transcribed April 5, 2016