

**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, May 9, 2017 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, Chairman; Mark Smalley; Jason Hathcock, Rob Lubitz, Danna Quinn

Also Present: Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Hannah Auckland, Board Attorney; Applicant #17-01 (by conference call); Applicant #13-01(by conference call); Court Reporter, Ottmar & Associates

Call to Order:

Approval of the Minutes:

April 4, 2017 – Public Meeting Minutes

MOTION: A motion to approve the public meeting minutes of the April 4, 2017 meeting was made by Mark Smalley. Motion was seconded and passed unanimously; minutes stand approved.
CORP 2017-21

Consideration of Disability Applications:

A. Disability Application #17-01 – IME Decision

The Board received Application #17-01 from Bradley W. Martin for Ordinary Disability Retirement on April 20, 2017. The applicant is a juvenile detention officer in Mohave County, currently on medical leave but not yet terminated. The applicant was not injured in the course of physical contact or confrontation with a probationer or detainee. The applicant provided some medical reports of findings and treatment. The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting. The applicant was notified via certified letter that the Board would consider the application at this meeting and of his right to attend.

The applicant's physical exam dated April 18, 2013 noted the following pre-existing conditions: total left knee replacement; myocardial infarction (x2); stents (x4); bilateral hearing loss – severe (+ hearing aids). Mr. Martin received a certified letter dated June 17, 2013, that informed him of the pre-existing conditions stated in the exam report.

The Board Secretary advised that no medical records were provided from two of the medical providers listed in the application: Kingman Pulmonary and Kingman Heart Center.

The Board's attorney received copies of the documents submitted by Applicant #17-01. To date, no guidance has been received.

The Chair noted that Mr. Martin was in attendance by telephone.

The Chair asked whether any Board members wished to enter Executive Session to receive legal advice.

MOTION: A motion to enter Executive Session to receive legal advice was made by Mark Smalley at 10:10 a.m. Motion was seconded and passed unanimously. **CORP 2017-22**

Mr. Martin was asked to hang up and call back into the meeting at 10:20 a.m., which he did.

MOTION: A motion to return to open session was made by Mark Smalley at 10:19 a.m. Motion was seconded and passed unanimously. **CORP 2017-23**

The Chair asked Mr. Martin if he has been released to return to work. Mr. Martin stated that he was released to return to work but is currently on full time oxygen. Mr. Martin also stated that his current employer does not have any light duty status available for detention and will not allow him to bring the oxygen tank into the work place, so he must leave it in his vehicle.

The Chair asked if Mr. Martin could give the Board the history of his heart condition. Mr. Martin stated that he had his first heart attack seven years ago and at that time had three stents put in and went through cardio rehabilitation. Sometime later, while working at a private prison in Kingman Arizona, Mr. Martin stated that two years into his employment, he suffered his second heart attack in which two more stents were put in place. Mr. Martin added that he again completed cardio rehabilitation.

On January 17, 2017 Mr. Martin stated that he suffered his third heart attack. Doctors went into the current area that had stents and reopened those stents. Mr. Martin stated that doctors informed him that he had two more arteries that were around 75% blocked and that surgery would be needed to open the blocked arteries. With regard to the surgery, Mr. Martin stated that he does not have any paid time off available so he will have to wait to have the procedure later.

The Chair asked if the doctor has given any information about the prognosis of Mr. Martin's condition. Mr. Martin stated that his doctor did inform him he has congestive heart failure but that with surgery his oxygen may return to normal. However, due to his cholesterol and history of heart problems, the doctor cannot guarantee that his condition will improve.

That Chair asked if Mr. Martin could obtain more documentation from his doctors regarding the history of his heart condition. Mr. Martin stated that he has had some trouble obtaining records from doctors but did request his entire medical history from a Dr. Edwards, and stated that he would submit those records to the Board Secretary. The Chair also informed Mr. Martin that the Board does have subpoena power and asked Mr. Martin to contact the Board Secretary with any additional doctor's information so that records can be requested. Mr. Martin provided the Board Secretary with his current doctors' contact information during the meeting (Matheny and Bokhari).

Board Member Danna Quinn asked Mr. Martin for clarification regarding his work status. Mr. Martin stated that he is currently working but must leave his oxygen tank in his vehicle and take breaks when needed to use the oxygen. Mr. Martin also stated that he cannot climb stairs and if an altercation were to happen, he would be unable to assist as he feels he does not have the energy or stamina.

MOTION: A motion to refer Applicant #17-01, Bradley W. Martin, for an independent medical evaluation after obtaining complete records of medical treatment and findings from all providers listed in Application #17-01, as well as the providers Mr. Martin provided to date, and providing all such records to the doctor who conducts the independent medical evaluation for the Board was made by Jason Hathcock. Motion was seconded and passed unanimously. **CORP 2017-24**

B. Disability Application #13-01 – Annual Review

The Board approved Application #13-01, from GERALYN ARAGON, for Accidental Disability benefits on February 5, 2014. The Board conducted annual reviews of this matter at its meetings on May 5, 2015, and May 3, 2016, and voted on both occasions to continue the Accidental Disability benefit and review the case in one year.

This matter is brought to the Board for an annual review of medical records. The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

The applicant was asked to provide medical treatment records since April 1, 2016, to assist the Board in determining whether an independent medical re-evaluation of the applicant's condition is necessary.

Current medical records were received from the applicant on April 6 and 13, 2017, and were provided for the Board's review.

The applicant's earliest normal retirement date would have been July 8, 2022, when she would be at least 62 years of age and have attained 10 years of service.

The Chair noted that Ms. Aragon was in attendance by telephone.

The Chair asked if Ms. Aragon could give the Board a brief history of her condition and her current status. Ms. Aragon stated that as of May 2017 she is still seeking counseling from Dr. Carlson for her PTSD and that she has recently been suffering from panic attacks and anxiety. Ms. Aragon stated that the juvenile who was responsible for the attack that resulted in her PTSD was recently released and that it triggered her anxiety and at least four panic attacks. Ms. Aragon also stated that she has recently seen the juvenile and that has also triggered her anxiety.

With regard to the panic attacks, Ms. Aragon stated she recently had surgery on her right shoulder and that her doctor feels the pain is causing her panic attacks. Ms. Aragon added that she is having extreme locking as it relates to her TMJ and is seeking chiropractic care, and will be seeing a TMJ specialist to have a steroid injection under anesthesia on August 17, 2017. However, her pain management doctor had advised her to hold off on the injection due to the fact that she has had several steroid injections this year. Ms. Aragon also informed the Board that she was prescribed

Xanax but only takes them when she has a panic attack. Ms. Aragon also noted a stress rash she has been experiencing as of late that she treats with ointment.

Board Member Jason Hathcock stated that after review of the submitted medical documentation he felt there were no significant signs of improvement in Ms. Aragon's condition and recommended the Board continue the disability benefit and review the case in one year.

MOTION: A motion to continue the Accidental Disability benefit for Applicant #13-01, GERALYN ARAGON, and review the case in one year was made by Mark Smalley. Motion was seconded and passed unanimously. **CORP 2017-25**

C. Disability Application #11-01 – Annual Review

The Board approved Application #11-01 from Annette Lemond for Ordinary Disability benefits on June 7, 2011. This matter is brought to the Board for a medical reevaluation. This applicant signed the confidentiality waiver to allow discussion of medical information in open session.

The applicant was asked to provide medical treatment records since May 1, 2015, to assist the Board in determining whether an independent medical reevaluation of the applicant's condition is necessary.

Current medical records were received from the applicant on April 17, 2017, and were provided for the Board's review.

The Board's first annual review of this case occurred on May 9, 2012. At that meeting, the Board voted to table the review of this case for an independent medical reevaluation (IME) for one year until a completed reevaluation from the Social Security Administration was submitted.

On July 9, 2013, the Board voted to continue Ordinary Disability benefits for Applicant #11-01 based on the findings of an independent medical reevaluation 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

On June 5, 2014, the Board voted to continue the Ordinary Disability benefit and to review the case in one year, after reviewing medical records for the previous year.

On May 5, 2015, the Board voted to continue the Ordinary Disability benefit and to review the case in two years, after reviewing medical records for the previous year.

The applicant's earliest normal retirement date would have been April 1, 2022, when she would attain 20 years of service.

The Chair noted that Ms. Lemond was not in attendance by telephone.

Board Member Danna Quinn stated that the recent medical documentation shows some improvement and she would recommend sending Ms. Lemond for an IME review. Board Member Rob Lubitz stated that he would also like to recommend sending Ms. Lemond for an IME and based on that IME report, place Ms. Lemond on the newly-adopted review guidelines as Ms. Lemond will reach normal retirement eligibility in five years. Mr. Lubitz also asked if the applicant currently living in Colorado would be an issue. The Board Secretary stated that Medical

Consultants Network (MCN) has a national network and she would verify if a doctor was available in Ms. Lemond's area. The Board Secretary added that staff has access to other networks that can provide services if MCN is unable to provide a Colorado doctor.

MOTION: A motion to refer Applicant #11-01, Annette Lemond, for an Independent Medical Reevaluation was made by Danna Quinn. Motion was seconded and passed unanimously. **CORP 2017-26**

Approval of Normal Retirement Benefits:

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, effective May 1, 2017, was made by Rob Lubitz. Motion was seconded and passed unanimously. **CORP 2017-27**

Brett M. Ames:	\$2,138.86
Dany V. Hernandez:	\$2,263.72
Glynn O. Thomas:	\$2,791.26

Status Update - 2017 CORP Election Process:

Staff mailed election ballots to 2,219 active members on May 1, 2017. Members received postage-paid envelopes to return their ballots. Completed ballots are to be postmarked or date stamped by May 19, 2017. Six members agreed to have their names placed on the ballot.

The name of the elected Board member will be announced by May 31, 2017.

Acknowledgement of CORP Physical Pre-Existing Conditions:

The Chair noted, for the record, that the physical examination report for member Jessica M. Hernandez identified one or more pre-existing conditions.

Acknowledgement of CORP Physical Exam Final Letters:

The Chair noted, for the record, that physical examination reports for Judith M. Aguilar, Jolene R. Decker, Christopher W. Rhode, Cara Singer and Brittany D. Thompson 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 April 20, 2017.

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:

Aguilar, Judith	Apache	1/2/2017
Bigolin, Brienne	Yavapai	4/3/2017
Billingsley, Karla	Maricopa	4/10/2017
Castro, Alejandro	Santa Cruz	2/27/2017
Cray, Savana	Maricopa	3/27/2017
Decker, Jolene	Coconino	1/3/2017
Enriquez, II, Carlos	Maricopa	4/14/2017

Garcia, Martin	Maricopa	3/27/2017
Greer, Krista	Maricopa	4/10/2017
Grove, Kyle	Maricopa	4/10/2017
Hoffman, Paul	Maricopa	4/17/2017
Jones, Janelle	Coconino	3/27/2017
Koontz, Britteny	Maricopa	4/4/2017
Miller, Julius	Maricopa	4/10/2017
Miranda Jr., Oscar	Maricopa	4/10/2017
Parks, Latoya	Maricopa	4/10/2017
Rahn, Karla	Maricopa	3/13/2017
Rhode, Christopher	Coconino	12/19/2016
Roach, Carla	Pima	3/5/2017
Shamo, David	Maricopa	4/10/2017
Singer, Cara	Coconino	1/17/2017
Smith, Kacey	Yavapai	3/13/2017
Smith, Shamier	Maricopa	3/27/2017
Sobus, Sean	Pima	3/27/2017
Soto, Stacy	Maricopa	4/10/2017
Sowers, Sarah	Pima	3/27/2017
Thompson, Brittany	Pima	1/9/2017
Tiapula, Andrew	Maricopa	4/10/2017

MOTION: A motion to approve the 28 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 Carlos Enriquez II, Paul Hoffman, Karla Rahn, David Shamo and Sarah Sowers 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 Jason Hathcock. Motion was seconded and passed unanimously. CORP 2017-28

Future Agenda Items:

No items were raised.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:58 a.m.

Transcribed May 9, 2017