

**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, August 2, 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; Jason Hathcock; Danna Quinn; Mark Smalley

**Board Members Absent:**

Rob Lubitz

**Also Present:**

Annette Corallo, Board Secretary; Molly Gonzalez, Recorder; Hannah Auckland, Board Attorney; Ottmar & Associates, Court Reporter; Disability Applicant #16-01, Monique Usher (by conference call)

**Call to Order:**

**Approval of the Minutes:**

July 5, 2016 – Public Meeting Minutes

**MOTION: A motion to approve the public meeting minutes of the July 5, 2016 meeting was made by Danna Quinn.** Motion was seconded and passed unanimously; minutes stand approved. **CORP 2016-39**

**Consideration of Disability Application #16-01 – IME Review; Decision on Benefit**

The Board received Application #16-01 for Total and Permanent Disability benefits from Monique R. Usher on April 29, 2016.

- The applicant was a Surveillance Officer in Pinal County.
- Pinal County Human Resources confirmed that the applicant's last day at work was August 20, 2015. Her termination date was November 13, 2015.
- The applicant identified the disabling conditions as "PTSD from incidents in the field on duty."
- The applicant was notified via certified letter that the Board would consider the application at this meeting and of the applicant's right to attend.
- The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the

medical condition in open public meeting.

Since the application referred to “incidents in the field on duty,” documentation of the incidents submitted by Ms. Usher in connection with her earlier, withdrawn application for Ordinary Disability benefits was provided for the Board’s review in light of the criteria for Total and Permanent Disability benefits per A.R.S. § 38-881.46.

The medical records collected by the Board earlier this year from the providers listed in the application for Total and Permanent Disability were also provided. These records were collected in connection with her earlier, withdrawn application for Ordinary Disability benefits. At the Board meeting on June 7, 2016, Ms. Usher stated that no other incidents had been reported. Ms. Usher also reported at the same meeting that she has not sought any treatment for her disabling condition since November 2015. Ms. Usher stated that since she has been denied for Workers’ Compensation, AHCCS twice, and has no income to afford the \$300 per month treatment, she has not sought any treatment since November of 2015.

Ms. Usher submitted copies of the psychological evaluation conducted by Dr. John Beck and the psychiatric Independent Medical Evaluation conducted by Dr. Prince in connection with her withdrawn application for Ordinary Disability benefits, in support of Application #16-01 for Total and Permanent Disability benefits. She also submitted a record from an appointment on November 5, 2015, with Dr. Richard Burton with Redemption Psychiatry, with Application #16-01.

At the Board’s direction, Workers Compensation records were obtained by the Board Secretary for the doctor’s review in connection with Application #16-01.

Pre-Existing Conditions:

The applicant’s physical exam dated December 21, 2011 is provided. The exam report identified “White Coat” hypertension as a pre-existing condition.

IME Report:

Dr. Gary Prince, Board Certified in Psychiatry, performed an Independent Medical Examination of the applicant on February 29, 2016, in connection with the earlier, withdrawn application for Ordinary Disability benefits. At the Board’s direction at its meeting on June 7, 2016, the Board Secretary contacted Dr. Prince regarding Application #16-01. Dr. Prince was asked whether he believed he could answer the Board’s questions and complete Form C5-LB-TP from a records review, or whether he felt a full Independent Medical Evaluation should be performed in connection with Application #16-01. Dr. Prince did not believe he needed to re-examine Ms. Usher in order to provide an addendum to the Independent Medical Evaluation addressing the Board’s questions and completing the required form for a Total and Permanent Disability application. Dr. Prince’s addendum dated July 7, 2016, and a completed Form C5-LB-TP dated July 6, 2016, were provided. A copy of Dr. Prince’s original IME report was also provided.

The Chair noted that Ms. Usher 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 Danna Quinn at 10:06 a.m.** Motion was seconded and passed unanimously. **CORP 2016-40**

Ms. Usher was asked to hang up and call back into the meeting at 10:12 a.m., which she did.

**MOTION: A motion to return to open session was made by Mark Smalley at 10:12 a.m.** Motion was seconded and passed unanimously. **CORP 2016-41**

Danna Quinn asked Ms. Usher to share more information about the denial of her Workers Compensation claim. Ms. Usher responded that Pat Shriner with Pinal County turned in the Workers Compensation paperwork and that she (Ms. Usher) spoke once with someone from Workers Compensation. She then found her own psychiatrist online to conduct an examination that determined she could not work.

Kevin Kluge asked Ms. Usher whether she is currently employed. Ms. Usher responded that she is not currently employed and in a dire financial situation. Mr. Kluge advised Ms. Usher that if she is approved for a disability benefit she is responsible to let the Board know if she becomes employed.

**Motion: A motion was made by Mark Smalley to:**

- (1) Approve the application for Total and Permanent Disability Retirement benefits from Applicant #16-01, 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 addendum dated July 7, 2016, and his original IME report dated February 29, 2016 and the Form C5-LB-TP dated July 6, 2016;**
- (2) Approve a Total and Permanent Disability Benefit for Monique R. Usher in about the amount of \$1,919.59 effective December 1, 2015; and**
- (3) Review this matter again in one year pursuant to A.R.S. §38-886.**

Motion was seconded and passed unanimously. **CORP 2016-42**

#### **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:

Elizabeth A. Alegria  
Noemi B. DeCorse  
Jeanne E. Duncan  
Bridgette Grey (Reverse DROP)  
Lane T. Hoggatt  
Xanat I. Martinez

Ignacio L. Moreno  
Melanie A. Richardson  
David E. Sanchez  
Todd L. Warren

**MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, effective August 1, 2016 except as noted, was made by Jason Hathcock.** Motion was seconded and passed unanimously. **CORP 2016-43**

Elizabeth A. Alegria:	\$2,485.58
Noemi B. DeCorse:	\$2,296.65
Jeanne E. Duncan:	\$3,878.26
Bridgette Grey:	\$3,273.11; Reverse DROP Estimate: \$134,277.75
Lane T. Hoggatt:	\$3,162.75
Xanat I. Martinez:	\$3,856.97
Ignacio L. Moreno:	\$2,516.29
Melanie A. Richardson:	\$1,987.53
David E. Sanchez:	\$2,008.78; effective July 1, 2016
Todd L. Warren:	\$3,654.01

**Approval of Survivor Benefits:**

**MOTION: A motion to approve the payment of survivor benefits to the following applicant in about the following amount was made by Danna Quinn.** Motion was seconded and passed unanimously. **CORP 2016-44**

Member: Cornie R. Goemaat (Retired Member; Deceased June 25, 2016)  
Benefit Payable to Spouse Ruth A. Goemaat beginning July 31, 2016: \$2,107.13

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

The Chair noted, for the record, that physical examination reports for John Dwyer, Mario E. Guerrero Lamas, Lindsay Pino, Saul Renteria and Eduardo Sanchez-Hernandez 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 July 19, 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:

Clodfelter, Jessica	Pinal	6/20/2016
Colbert, Sara	Mohave	5/2/2016
Dandy, Gregg	Maricopa	6/20/2016
Dwyer, John	Maricopa	4/18/2016
Guerrero Lamas, Mario	Yuma	4/11/2016
Jackson, Jacqueline	Pinal	6/20/2016
Keele, Daniel	Pinal	6/20/2016

Loftis, Ellen	Maricopa	6/20/2016
Pino, Lindsay	Pinal	5/9/2016
Renteria, Saul	Maricopa	5/23/2016
Robles, Rene	Pima	6/6/2016
Sanchez-Hernandez, Eduardo	Cochise	5/8/2016
Swafford, Stefanie	Pima	6/13/2016

**MOTION: A motion to approve the 13 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 Sara Colbert, Jacqueline Jackson and Stefanie Swafford 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 Mark Smalley. Motion was seconded and passed unanimously. CORP 2016-45**

**Future Agenda Items:**

The Board Secretary shared a handout distributed at the PSPRS Legislative Update summarizing all bills affecting the Plan. She directed the Board’s attention to the provisions of SB 1428, which modified the membership of the Board of Trustees and created an Advisory Committee to the Board. These changes impact CORP indirectly.

At the Board’s May 3, 2016 meeting, Board Member Rob Lubitz asked if it would be possible for the Board to develop a practice or policy for reviewing disability cases. He also stated that he would be interested to learn how other boards determine how frequently to review their disability cases. The Board Secretary advised that she has been researching these matters and hopes to have information ready to present at the Board’s meeting in September.

**Call to the Public:**

No members of the public addressed the Board.

The meeting was adjourned at 10:32 a.m.

Transcribed August 2, 2016