

**MINUTES OF THE
WV CONSOLIDATED PUBLIC RETIREMENT BOARD
DISABILITY COMMITTEE
MEETING OF JUNE 26, 2012**

A meeting of the Consolidated Public Retirement Board (CPRB) Disability Committee was held in the Legal Conference Room located at the offices of the Consolidated Public Retirement Board, 4101 MacCorkle Avenue, SE, Charleston, West Virginia. The meeting was called to order at 2:03 p.m. by Chairman Drema Evans.

Silent roll call was taken.

Members present were:

Drema Evans, Chairman, *via telephone*
Mack Parsons, *representing Auditor Gainer, via telephone*
Joe Lynch, *via telephone*

Members not in attendance were:

Captain Michael Corsaro
Todd Murray

A quorum was present.

Due notice had been published.

Also, present were:

Jeff Fleck, CPRB Executive Director
Terasa Miller, CPRB Deputy Director
Lisa Trump, CPRB PERS Manager
Deana Gose, CPRB Uniform Manager
Bill McCallister, TDC Disability
Chris Bush, Uniformed Services Retirement Advisor
David McCauley, TRS Retirement Advisor
Brittany Smith, TRS Accounting Technician
Pam Russell, PERS Retirement Advisor

Tab #1 Approval of the May 22, 2012 Meeting Minutes

Mr. Lynch made a motion to approve the May 22, 2012 minutes. The motion was seconded by Mr. Parsons. The motion carried unanimously.

Mr. Parsons made a motion to go into Executive Session to discuss disability review issues as allowed by West Virginia Code § 6-9A-4. The motion was seconded by Mr. Lynch. The motion carried unanimously. The Disability Committee went into Executive Session at 2:05 p.m.

The Disability Committee reconvened from Executive Session at 2:14 p.m. Chairman Evans announced that no decisions were made during the Executive Session.

Tab #2 Disability Application Reviews

Chairman Evans reviewed with the Committee the Disability Applications from the following systems:

<u>SYSTEM</u>	<u>Approved</u>	<u>Denied</u>	<u>TOTAL</u>
DSRS	1	0	1
EMSRS	1	0	1
PERS	21	5	26
TDC	1	0	1
TRS	6	0	6
TRS (TDC Transfers)	3	1	4
TOTALS:	33	6	39

Mr. Lynch made a motion to accept the disability recommendations from staff. Mr. Parsons seconded the motion. The motion carried unanimously.

Tab #3 DSRS Annual Income Verification

Executive Director Fleck reviewed with the Disability Committee the allowed income verification for Eddie Gilkerson. Staff has tried on multiple occasions to contact Mr. Gilkerson. Certified mail was sent to him and was returned to us unclaimed, phone messages were left for him with no response and letters were mailed to him by U.S. mail with no response. Executive Director Fleck announced to the Committee that Legislative Rule 162-10-12.1 states: "If a disability recipient refuses to file the statement or financial information as requested by the board, the Board shall suspend the disability benefit until the statement or financial information is filed. If the refusal continues for 60 days, the Board shall terminate the recipient's rights to the disability benefits."

Executive Director Fleck recommended that the Disability Committee suspend his partial non-duty disability effective July 1, 2012 due to no response. If we receive the income information within 60 days of suspension and the retiree has not exceeded the income limit, then benefits may begin again the month following receipt of the information.

Deputy Director Miller recommended to the Committee if Mr. Gilkerson does not turn in the information required within 60 days, staff would like permission terminate his benefits effective September 1, 2012.

Mr. Lynch made a motion to accept the staff's recommendation to suspend the partial non-duty disability effective July 1, 2012 due to no response. If staff receives the income information within 60 days of suspension and the retiree has not exceeded the income limit, then benefits may begin again the month following receipt of the information; and if Mr. Gilkerson does not turn in the information required within 60 days, terminate his benefits effective September 1, 2012. The motion was seconded by Mr. Parsons. The motion carried unanimously.

Tab #4 EMSRS Disability Recertification

Executive Director Fleck announced the Disability Committee recently implemented a recertification policy for the State Police and Deputy Sheriff's retirement systems for medical recertification, and we would like to do something similar with the EMSRS retirement system to put a

policy in place. We would like to place it in the statute as well, which would require legislation and a bill would have to be introduced.

Mr. Lynch made a motion for staff to draft proposed legislation setting forth medical recertification procedures for disability retirants under EMSRS similar to those in other plans and amend the EMSRS statute to require at least 10 years of contributing service to apply for non-duty disability. Mr. Parsons seconded the motion. The motion carried unanimously.


Tab #5 Other Business

Chairman Evans asked the Committee if there was any other business to bring before the Disability Committee. None was heard.

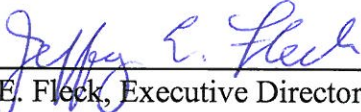
Mr. Lynch made a motion to adjourn the June 26, 2012 Disability Committee meeting. Mr. Parsons seconded the motion. The motion carried unanimously.

Chairman Evans adjourned the Disability Committee meeting at 2:28 p.m.

Respectfully submitted,



Drema Evans, Chairman



Jeffrey E. Fleck, Executive Director