



BOARD OF ADMINISTRATION

1737 N. First St, Ste 580
Floor Board Room, San
Jose, CA 95112

Meeting Minutes - Final Police and Fire Disability Committee

Wednesday, February 19, 2020

10:00 AM

1737 N. First Street, Ste 580
5th Floor Board Room
San Jose, CA 95112

DISABILITY COMMITTEE MEMBERS	ADVISORY PANEL
<i>Richard Santos, Chair</i>	<i>Russell Richeda, Counsel</i>
<i>Andrew Lanza, Trustee</i>	<i>Susan Tierman, MD</i>
	<i>Kathryn Schaefer, Benefits Div Manager</i>

ALTERNATES
Nick Muyo, Trustee
Vincent Sunzeri, Trustee

2nd ALTERNATES
Franco Vado, Trustee
Vikas Oswal, Trustee

The Police & Fire Disability Committee met on Wednesday, February 19, 2020 at the Office of Retirement Services at 1737 N. First St., Suite 580, San Jose, CA. Trustee Santos called the meeting to order at 10:00 a.m.

Staff Present: Roberto Peña, Barbara Hayman, Kathryn Schaefer, Linda Alexander, Stacey Fischer and Marti Zarate.

Others Present: Counsel Russ Richeda, Dr. Susan Tierman, Attorney Thomas Boyle, Trustee Franco Vado, Ray Storms, Roger Hurtado, Walter Bugna, Sandra Dennis and Gina Tibaldi.

Present 2 - Richard Santos, and Drew Lanza

1. **NEW BUSINESS**

- a. Approval of the Minutes from the December 18, 2019 Police and Fire Disability Committee meeting.

A motion was made to approve the Minutes from the December 18, 2019 Police and Fire Disability Committee meeting

Approved. (M.S.C. Lanza/Santos 2-0-0)

- b. Discussion on timeline and procedure, after Board Medical Advisor's report is received, regarding submission of rebuttals and additional information.

The Committee and Advisory Panel discussed the current process, the proposed attached process and processes used by other agencies. Comments were heard and questions were addressed from others in attendance.

A recommendation was made to send Dr. Tierman's proposal to the full Board with a suggested change to the set time for acquiring a rebuttal to the Board Medical Advisor's report from 3 months to 6 months.

Approved. (M.S.C. Lanza/Santos 2-0-0)

- c. Approval of the 2019 4th Quarter Dashboard Reports and 2019 3rd and 4th Quarter Detailed Statistics Reports.

This item was received and filed.

2. Re-Evaluation of Service Connected Disability Retirement

- a. **King Adewunmi Hassan**, Police Officer, Police Department, Re-Evaluation of Service-Connected Disability Retirement, effective June 4, 2015; 7.45* years of service.

Stacey Fischer, Benefits Analyst read the case information into the record. The applicant was present via teleconference and represented by Attorney Thomas Boyle. This case is a re-evaluation of a Service-Connected Disability Retirement. Dr. Tierman reported that the applicant's work restrictions remain the same as previously indicated. Her report concludes this case still meets the definition of disability according to the San Jose Municipal Code. The doctors all agreed the applicant made a good faith effort during the Functional Capacity Evaluation but came up with different conclusions. Counsel Richeda and Attorney Boyle commented that Dr. Wojciehoski did not address several restrictions in his report.

A recommendation was made to put this item on the May 7, 2020 Board agenda for a full hearing,

Approved. (M.S.C. Lanza/Santos 2-0-0)

Next Police and Fire Board Meeting: March 5, 2020

Next Police and Fire Disability Committee Meeting: March 9, 2020

ADJOURNMENT

The meeting adjourned at 11:08 a.m.

Minutes Recorded, Prepared and Respectfully submitted by,

_____/S/_____
Roberto L. Peña, CEO, Office of Retirement Services