

APPROVED

MINUTES OF THE MEETING OF THE

DISABILITY PROCEDURES AND SERVICES COMMITTEE
and
BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

GATEWAY PLAZA - 300 N. LAKE AVENUE, SUITE 810, PASADENA, CA 91101

WEDNESDAY, APRIL 3, 2019

COMMITTEE MEMBERS

PRESENT: James P. Harris, Chair
Herman B. Santos, Vice Chair
Gina Zapanta-Murphy
William Pryor, Alternate

ABSENT: Ronald Okum

ALSO ATTENDING:

BOARD MEMBERS AT LARGE

Thomas Walsh
Vivian Gray
Les Robbins
Alan Bernstein
Keith Knox

STAFF, ADVISORS, PARTICIPANTS

Tamara Caldwell, Disability Retirement Specialist Supervisor
Francis J. Boyd, Senior Staff Counsel
Hernan Barrientos, Disability Retirement Specialist Supervisor

The Meeting was called to order by Chair Harris at 9:15 a.m., in the Board Room of Gateway Plaza.

I. APPROVAL OF THE MINUTES

A. Approval of the minutes of the regular meeting of March 6, 2019.

Mr. Santos made a motion, Mr. Harris seconded, to approve the minutes of the

regular meeting of March 6, 2019. The motion passed unanimously.

II. PUBLIC COMMENT

There were no requests from the public to speak.

III. REPORTS

- A. That the Committee discuss the process of disability retirement applications when the member has been terminated for cause by the County of Los Angeles (Memo dated March 20, 2019)

The Board of Retirement has requested a discussion regarding the processing of disability retirement applications where a member has been terminated for cause by the County of Los Angeles. The Board has expressed some concerns about the prejudicial effects of providing a history of the member's termination to the examining panel physician as well as to the Board itself during its adjudication process. Mr. Boyd provided an outline of the laws pertaining to disability applications filed after a member has been terminated, citing the Haywood/Smith cases. Mr. Boyd provided a discussion of eligibility to apply versus eligibility for benefit, burden of establishing that the member's right to a disability retirement matured before the event giving cause for the member's dismissal, and eliminating prejudicial information from the application as it pertains to the panel physician and Board of Retirement.

Mr. Boyd provided several suggested policy considerations for the purpose of processing applications when the member has been terminated for cause by the County of Los Angeles. Mr. Boyd requested direction from the Committee to aid in the development of a draft policy to help guide staff in processing these types of applications.

Mr. Boyd, Ms. Caldwell, and Mr. Barrientos were present to answer any questions from the Board or Committee members.

IV. ITEMS FOR STAFF REVIEW

The Disability Procedures and Services Committee recommends that staff bring back item IV. A. Applications when the Member has been Terminated for Cause by the County of Los Angeles to the Committee for additional suggestions of policy considerations.

V. GOOD OF THE ORDER

VI. ADJOURNMENT

With no further business to come before the Disability Procedures and Services

Disability Procedures & Services Committee

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Committee, the meeting was adjourned at 9:51 a.m.