

**AGENDA**

**THE MEETING OF THE**

**DISABILITY PROCEDURES AND SERVICES COMMITTEE**

**and**

**BOARD OF RETIREMENT\***

**LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

**300 NORTH LAKE AVENUE, SUITE 810  
PASADENA, CA 91101**

**9:00 A.M., THURSDAY, OCTOBER 10, 2019 \*\***

*The Committee may take action on any item on the agenda,  
and agenda items may be taken out of order.*

**COMMITTEE MEMBERS:**

James P. Harris, Chair  
Herman B. Santos, Vice Chair  
Ronald A. Okum  
Gina Zapanta-Murphy  
William Pryor, Alternate

- I. CALL TO ORDER
- II. APPROVAL OF THE MINUTES
  - A. Approval of the minutes of the regular meeting of August 15, 2019
- III. PUBLIC COMMENT
- IV. REPORT
  - A. Disability Procedures & Services Committee Meeting (memo dated 9/27/19)
- V. ITEMS FOR STAFF REVIEW
- VI. GOOD OF THE ORDER  
(For information purposes only)
- VII. ADJOURNMENT

**\*The Board of Retirement has adopted a policy permitting any member of the Board to attend a standing committee meeting open to the public. In the event five (5) or more members of the Board of Retirement (including members appointed to the Committee) are in attendance, the meeting shall constitute a joint meeting of the Committee and the Board of Retirement. Members of the Board of Retirement who are not members of the Committee may attend and participate in a meeting of a Board Committee but may not vote, make a motion, or second on any matter discussed at the meeting. The only action the Committee may take at the meeting is approval of a recommendation to take further action at a subsequent meeting of the Board.**

**\*\*Although the meeting is scheduled for 9:00 a.m., it can start anytime thereafter, depending on the length of the Board of Retirement meeting. Please be on call.**

**Any documents subject to public disclosure that relate to an agenda item for an open session of the Committee, that are distributed to members of the Committee less than 72 hours prior to the meeting, will be available for public inspection at the time they are distributed to a majority of the Committee, at LACERA's offices at 300 North Lake Avenue, suite 820, Pasadena, California during normal business hours from 9:00 a.m. to 5:00 p.m. Monday through Friday.**

**Persons requiring an alternative format of this agenda pursuant to Section 202 of the Americans with Disabilities Act of 1990 may request one by calling the Board Offices at (626) 564-6000, Ext. 4401/4402 from 8:30 a.m. to 5:00 p.m. Monday through Friday, but no later than 48 hours prior to the time the meeting is to commence. Assistive Listening Devices are available upon request. American Sign Language (ASL) Interpreters are available with at least three (3) business days notice before the meeting date.**

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

THURSDAY, AUGUST 15, 2019

**COMMITTEE MEMBERS**

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

ABSENT: Ronald A. Okum  
William Pryor, Alternate

**ALSO ATTENDING:**

BOARD MEMBERS AT LARGE

Thomas Walsh  
Shawn Kehoe  
Les Robbins  
Alan Bernstein  
Keith Knox

STAFF, ADVISORS, PARTICIPANTS

Ricki Contreras, Disability Retirement Services Manager  
Francis J. Boyd, Senior Staff Counsel

The Meeting was called to order by Chair Harris at 10:52 a.m., in the Board Room of Gateway Plaza.

I. APPROVAL OF THE MINUTES

A. Approval of the minutes of the regular meeting of July 3, 2019.

Mr. Santos made a motion, Ms. Zapanta-Murphy seconded, to approve the minutes of the regular meeting of July 3, 2019. The motion passed unanimously.

II. PUBLIC COMMENT

There were no requests from the public to speak.

III. FOR INFORMATION ONLY

A. Disability Retirees Returning to County Service  
Presentation by Francis J. Boyd, Senior Staff Counsel

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

IV. ITEMS FOR STAFF REVIEW

Chair Harris asked Mr. Boyd a question regarding a 120-day employee returning to County service:

Can a member who returns as a temporary employee under Government Code Section 7522.56 file a new Worker's Compensation claim for any injuries and if they already have a Worker's Compensation claim on file, can they re-open the claim?

Chair Harris also requested clarification regarding if someone is found no longer disabled under Government Code Section 31730, will they also lose the 100% survivor benefit, in addition to losing their tax benefit?

Mr. Boyd will respond to the Board of Retirement with the answers to above questions.

V. GOOD OF THE ORDER

Committee members thanked staff for the presentation.


VI. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 11:21 a.m.



September 27, 2019

To: Disability Procedures & Services Committee  
J.P. Harris, Chair  
Herman Santos, Vice Chair  
Ronald A. Okum  
Gina Zapanta-Murphy  
William Pryor, Alternate

From: Francis J. Boyd,   
Senior Staff Counsel

For: October 10, 2019 Disability Procedures & Services Committee Meeting

Subject: **DISABILITY PROCEDURES & SERVICES COMMITTEE MEETING**

### **INTRODUCTION**

A question arose as to whether or not it is necessary to continue holding regular Disability Procedures & Services Committee meetings. The purpose of this memorandum is to facilitate a discussion of this issue.

### **PURVIEW OF THE DISABILITY PROCEDURES & SERVICES COMMITTEE**

The Disability Procedures & Services Committee's purview includes review of:

- Board of Retirement bylaws pertaining to the disability process
- Board of Retirement Physician Guidelines
- Applications to the LACERA Panel of Examining Physicians
- Applications to the LACERA Services Provider panel
- Applications to the LACERA Job Analysts panel
- Performance of an individual or firm on any LACERA panel

In addition to the above matters, the Committee hears educational presentations from its legal counsel and its panel physicians.

### **DISCUSSION**

At the time the Disability Procedures & Services Committee was established, it was the practice of the Board of Retirement to address its administrative and disability issues during the same meeting, once a month. Having a Disability Procedures & Services Committee apart from the board meeting allowed more time for discussion and discernment on policy and processing issues before bringing a matter to the Board of Retirement for adoption. This allowed the board meeting to proceed in a more efficient

Re: Disability Procedures & Services Committee Meeting

September 27, 2019

Page 2 of 2


manner. Since the early 2000s, the Board of Retirement has separated its administrative functions from its disability-related functions and holds two separate meetings. Currently, the Board's Administrative meeting is held on the first Wednesday of the month and its Disability meeting is held on the second Thursday following the Administrative meeting. The Disability Procedures & Services Committee meeting follows the Disability meeting.

Since the Board has a separate meeting reserved solely for disability-related issues, it has been suggested that it may be more efficient to absorb the Disability Procedures & Services Committee's responsibilities, including educational presentations, into the actual Board meeting. This would allow all Board members to be involved in the initial discussions when new policies and procedures are developed and afford all Board members the benefit of hearing the various educational presentations. Also, it would expedite the process of approving panel service providers.

On the other hand, having a separate Committee meeting wherein policy and procedure issues are discussed in detail may result in a better discernment of the issues before adoption by the Board. If Committee members are uncomfortable with dissolving the Disability Procedures & Services Committee outright, it may be prudent to have the Committee hold its meetings on a quarterly basis. However, this approach may slow down the process of approving panel services providers.

Staff will await direction from the Committee on how it wishes to proceed.

Reviewed and approved.



Steven P. Rice, Chief Counsel

c: Each Member, Board of Retirement