



**City of Cincinnati Retirement System
Benefits Committee
Minutes**

January 8, 2009 12:00 PM
City Hall – Committee Room B

The Chair declared a quorum and called the meeting to order: 12:10 PM

Present:

Michael Rachford, Chair
Michael Fehn, Vice Chair
Brian Pickering
Donald Beets
Bryan Schmitt

Staff present:

Keith Giles
John Boudinot
John Dietz
Cheryl Volk, Recorder

APPROVAL OF MINUTES

Minutes from the December 4, 2008 Benefits Committee were submitted for approval. Motion was made by B. Pickering, seconded by D. Beets to accept the minutes. Motion was passed and the minutes were approved.

DEFINING DISABILITY

- Members reviewed a communication from the Cincinnati Retirement System (CRS) Medical Director for determining a disability.
- In response to the Benefits Committee's Request for Legal Services (RLS), the Law Department provided three standard definitions of disability for committee review: Social Security (SS), American Disabilities Act (ADA) and Family Medical Leave Act (FMLA). Although the actual definition may need to be crafted to meet the purposes of the CRS, the members agreed the Social Security definition was the most appropriate:

Social Security Disability Definition – 42 U.S.C. 416i(1)

“ ...the term “disability” means inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months....”

- Update the *CRS Health Insurance Benefits for Eligible Retiree Dependant and Family Members* document to include the SS definition.
- The retiree (the parent of the disabled child) would be required to submit documentation for verifying the child's disability. Members considered requiring documentation from Social Security (SS) confirming Disability Benefits. Administration to obtain answers to the following questions:
 - Would a disabled child qualify for SS benefits if the parents never contributed to SS?
 - If not, what documentation could verify the disability?

ELIGIBLE RETIREE DEPENDENTS

In response to the Benefits Committee's RLS, the Law Department provided clarification of the plan document and the provisions for health benefits under section CMC 203-43 and 203-44. The following persons are eligible to receive healthcare benefits: CRS member, optionee, survivor, and survivor dependents. Further discussion on the topic was tabled until after the Board of Trustees received IceMiller's, outside legal counsel for the CRS, full report concerning eligible recipients of healthcare coverage, and IRS issues regarding taxation of healthcare benefits.

Topics for discussion at the February 5, 2009 Benefits Committee meeting:

- The IceMiller report:
 - Identifying the eligible recipients according to CMC
 - IRS issues concerning non-dependent's health care coverage
- Determine who should receive health care
- Amend the CMC if necessary
- Consider steps for retroactive application
- Consider tentative implementation date of January 2010

SECURING THE FUTURE OF CINCINNATI PENSION SYSTEM

Motion # 200801414 approved by City Council November 24, 2008. The Motion directs the Administration to implement the following eligibility criteria for retirement health benefits:

1. If a city retiree or their spouse is employed after retiring, the retiree or their spouse must enroll in that employer's health plan if the employer offers a health plan to other employees in similar positions.
2. The City will coordinate benefits as secondary payer with the retiree or spouse's employer healthcare insurance in order to hold their benefits harmless.
3. If the employer offers health coverage and the retiree or their spouse does not enroll in it, then the Cincinnati Retirement health benefits will be suspended as long as the retiree or their spouse refuses to enroll in the employers' health coverage plan.

D. Beets presented a draft motion to the committee in response to the City Council motion. Because an RLS was submitted December 8, 2008 for clarification and interpretation of the motion, D. Beets agreed to table the draft motion for thirty days. Drafted motion to be reviewed at next meeting of Benefits Committee, February 5, 2009.

Administration to provide the following information at future meetings of the Benefits Committee:

- Research other state pensions concerning healthcare benefits for employed pensioners and spouses.
- Identify the steps and data base necessary for tracking the issuance of health benefits
- Present "Insurance Coverage Form" for review and consideration.

DISABILITY REPORT

Willie Smith:	Appeal Denied
Myra Madison:	Appeal Denied
Diana Jordan:	Application Denied
Tim Helphinstine	Application Denied
Shirley Joiner:	Appeal Approved

Motion was made by B. Pickering and seconded by D. Beets to adjourn the meeting. Motion was passed and the meeting was adjourned at 1:45 P.M.