

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CALIFORNIA 92701**

**DISABILITY COMMITTEE MEETING**

**June 5, 2018**

**9:00 a.m.**

**Members of the Committee**

Roger Hilton, Chair

Frank Eley, Vice Chair

David Ball

Chris Prevatt, Alternate

**AGENDA**

This agenda contains a brief general description of each item to be considered. The Committee may take action on any item listed on this Agenda; however, except as otherwise provided by law, no action shall be taken on any item not appearing on the Agenda. The Committee may consider matters included on the agenda in any order, and not necessarily in the order listed.

**OPEN SESSION**

**CALL MEETING TO ORDER**

**PUBLIC COMMENT**

At this time, members of the public may comment on matters not included on the Agenda that are within the subject matter jurisdiction of the Committee, provided that no action can be taken on any item not appearing on this Agenda unless otherwise authorized by law.

When addressing the Committee, please state your name for the record prior to providing your comments. Speakers will be limited to three (3) minutes.

**CLOSED SESSION**

**Government Code section 54957**

Adjourn to Closed Session under Government Code section 54957 to consider member disability applications and to discuss member medical records submitted in connection therewith. The applicant may waive confidentiality and request his or her disability application to be considered in Open Session.

**DISABILITY APPLICATIONS**

**D-1: Rita Castillo**

Accounting Supervisor II, Orange County Auditor-Controller

Date of employer filed application for non-service connected disability retirement:

12/14/2016

Date of employee filed application for non-service connected disability retirement:

05/01/2017

**Recommendation: Grant non-service connected disability retirement with an effective date of December 14, 2016. (General Member)**

**D-2: Frank Gonzales**

Firefighter, Orange County Fire Authority

Date of employee filed application for service connected disability retirement: 10/20/2016

**Recommendation: Grant service connected disability retirement with an effective date of October 20, 2016. (Safety Member)**

**D-3: Arnesia Jones**

Coach Operator, Orange County Transportation Authority

Date of employee filed application for service connected disability retirement: 07/25/2017

**Recommendation: Grant service connected disability retirement with an effective date of July 25, 2017. (General Member)**

**D-4: Debora Vandor**

Sheriff's Special Officer II, Orange County Sheriff's Department

Date of employer filed application for service and non-service connected disability retirement: 01/31/2017

Date of employee filed application for service connected disability retirement: 02/16/2017

**Recommendation: Grant service connected disability retirement with an effective date of September 15, 2017. (General Member)**

**D-5: Gustavo Gonzalez**

Field Representative, Orange County Community Resources

Date of employee filed application for service connected disability retirement: 03/09/2016

**Recommendation: Deny service connected disability retirement due to insufficient evidence of job causation. (General Member)**

**D-6: Glenn Johnson**

Correctional Services Technician, Orange County Sheriff's Department

Date of employer filed application for service and non-service connected disability retirement: 04/20/2014

Date of employee filed application for service and non-service connected disability retirement: 05/15/2014

**Recommendation Deny service and non-service connected disability retirement for conditions 1 and 2 due to insufficient evidence of permanent incapacity. (General Member)**

**D-7: Brian Petros**

Administrative Manager I, Orange County Health Care Agency

Date of employee filed application for service and non-service connected disability retirement: 07/26/2017

**Recommendation Deny service and non-service connected disability retirement due to insufficient evidence of permanent incapacity. (General Member)**

**OPEN SESSION**

**NOTE:** Public comment on matters listed in this agenda will be taken at the time the item is addressed, prior to the Committee's discussion of the item. Persons wishing to address items on the agenda should provide written notice to the Secretary of the Committee prior to the Committee's discussion on the item by signing in on the Public Comment Sign-In Sheet located at the back of the room.

**1. [DISABILITY COMMITTEE MINUTES FROM APRIL 24, 2018](#)**

**Recommendation:** Approve minutes.

**2. REPORT OF ACTIONS TAKEN IN CLOSED SESSION**

**COMMITTEE MEMBER COMMENTS**

**CHIEF EXECUTIVE OFFICER/STAFF COMMENTS**

**COUNSEL COMMENTS**

**NOTICE OF NEXT MEETINGS**

**MANAGER MONITORING SUBCOMMITTEE MEETING**  
June 7, 2018  
9:00 A.M.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM**  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CA 92701

**AUDIT COMMITTEE MEETING**  
June 7, 2018  
1:00 P.M.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM**  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CA 92701

**REGULAR BOARD MEETING**  
June 18, 2018  
9:00 A.M.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM**  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CA 92701

**INVESTMENT COMMITTEE MEETING**  
June 27, 2018  
9:00 A.M.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM**  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CA 92701

**DISABILITY COMMITTEE MEETING**  
July 3, 2018  
9:00 A.M.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM**  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CA 92701

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*All documentation supporting open session items is available for public review in the retirement office during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Thursday and 8:00 a.m. – 4:30 p.m. on Friday.*

It is OCERS' intention to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or participant at this meeting, you will need any special assistance beyond that normally provided, OCERS will attempt to accommodate your needs in a reasonable manner. Please contact OCERS via email at [adminsupport@ocers.org](mailto:adminsupport@ocers.org) or call 714-558-6200 as soon as possible prior to the meeting to tell us about your needs and to determine if accommodation is feasible. We would appreciate at least 48 hours' notice, if possible. Please also advise us if you plan to attend meetings on a regular basis.

**ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM  
2223 E. WELLINGTON AVENUE, SUITE 100  
SANTA ANA, CALIFORNIA 92701**

**DISABILITY COMMITTEE MEETING**

**April 24, 2018**

**1:00 p.m. or Upon Adjournment of the Investment Committee Meeting, whichever is later**

**MINUTES**

The Chair called the meeting to order at 1:25p.m. Attendance was as follows:

Present: Roger Hilton, Chair; Frank Eley, Vice Chair; David Ball; Chris Prevatt

Staff: Steve Delaney, CEO; Suzanne Jenike, Assistant CEO, External Operations; Gina Ratto, General Counsel; Sonal Sharma, Recording Secretary; Anthony Beltran, Audio Visual Technician

**PUBLIC COMMENTS**

None.

**OPEN SESSION**

**INFORMATION ITEMS**

**I-1 OVERVIEW OF JUNE 5, 2018 DISABILITY COMMITTEE MEETING**

*Presented by Suzanne Jenike, Assistant CEO, External Operations*

Suzanne Jenike, Assistant CEO of External Operations reviewed the mechanics of the newly formed Disability Committee summarized below:

- A detailed review of the 2018 Calendar and Timeline.
- A detailed explanation of the process of hearing matters in closed session/closed hearing and reporting decisions in public. Disability matters will be presented to the Committee one at a time with Disability Staff escorting each applicant into the Board room to hear their matter. The Disability Chair will report all decisions at the end of the closed session period. General Counsel will be available if consultation is needed.
- The format of materials that will be presented to the Committee will include the same materials currently provided to the Board of Retirement. The Board of Retirement will receive modified face pages showing the Disability Committee recommendation. Should the Board wish to challenge the recommendation made by the Disability Committee, they will have the option to do so.
- The materials posted on Board Vantage will be similar to what the Board uses currently.
- An Orange County Sheriff or Sheriff's Special Officer will be present at all Disability Committee Meetings.
- A letter will be mailed to all pending applicants informing them of the change in process which will include a copy of the OCERS Administrative Procedure as well as the Disability Committee Charter.

**I-2 DISABILITY APPLICATION REVIEW PROCESS - OCERS ADMINISTRATIVE PROCEDURE (OAP)**  
*Presented by Suzanne Jenike, Assistant CEO, External Operations*

Ms. Jenike reviewed some highlights of the Disability Application Review Process:

- The goal of the Disability Application Review Process is to include clear timelines so all parties are aware of where they are in the process and to hold staff and members accountable throughout the process so applications are processed in a timely manner.
- An overview of the OAP is summarized below:
  - Member applies for Disability Retirement.
  - OCERS Disability Staff investigates.
  - Disability Staff schedules Independent Medical Examination with panel physician who is board certified in specialty associated to members claimed condition(s).
  - Disability Staff develops staff recommendation.
  - Legal issues are reviewed with Legal Team.
  - Staff Committee reviews all cases.
  - Case presented to Disability Committee.
- The Disability Staffs' philosophical approach is to do it's very best to assist all members in identifying conditions that satisfy the disability standard and assist members in their efforts to establish rights to a benefit. In the event a member provides insufficient evidence, the disability staff will get more information from the member, their doctors or employer to help advance the case.

**I-3 ADMINISTRATIVE HEARING FILING PROCEDURES - OCERS ADMINISTRATIVE PROCEDURE (OAP)**  
*Presented by Lee Fink, Deputy General Counsel*

Lee Fink, Deputy General Counsel, reviewed the Administrative Hearing Filing Procedures. The Hearing Rules required that OCERS create an OAP to set forth the new electronic filing procedures. The OAP also explains the technical requirements for documents and sets up samples/templates of documents that can be used. In the initial phase, the electronic filing will be accomplished through sending the documents to be filed to a designated OCERS e-mail account.

The OCERS IT Department is currently working on updating the OCERS website. As part of that project, we may be able to create a web-based portal for submitting documents down the road, but for now a start is for documents to be submitted via e-mail. The Committee discussed cyber security considerations and improvements that could be taken into account.

Mr. Fink invited the Committee members to attend two orientations regarding the Administrative Rules. The invitation is open to stakeholders, Hearing Officers, Board Members, educating them on the new Hearing Rules and the electronic filing.

**I-4 UPDATE ON PANEL PHYSICIAN AND HEARING OFFICER CONTRACTS**  
*Presented by Lee Fink, Deputy General Counsel*

Mr. Fink presented an update on Panel Physicians and Hearing Officer Contracts. Staff revised the contracts so that the OCERS contractors will be accountable to fulfilling their part of the timeline and standards. Staff will finalize the contracts in the near future.

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**COMMITTEE MEMBER COMMENTS**

**CHIEF EXECUTIVE OFFICER/STAFF COMMENTS**

**COUNSEL COMMENTS**

**ADJOURNMENT:** The Chair adjourned the meeting at 2:35 p.m.

Submitted by:

Approved by:

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Steve Delaney  
Secretary to the Committee

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Roger Hilton  
Chair