

STATE EMPLOYEES
RETIREMENT COMMISSION



MEDICAL EXAMINING BOARD
for DISABILITY RETIREMENT



STATE OF CONNECTICUT
RETIREMENT SERVICES DIVISION
OFFICE of the STATE COMPTROLLER
165 Capitol Ave.
Hartford, CT 06106

PHONE: (860) 702-3480 | EMAIL: OSC.RSD@CT.GOV

DRAFT
STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION

A regular meeting of the State Employees Retirement Commission (the “Commission”) was held on December 17, 2020, in the 3rd Floor Conference Room at 165 Capitol Ave. Hartford, CT; however, the building was closed to the public due to COVID-19 and the meeting was held electronically via Zoom. The meeting convened at 9:00 a.m. and the following members of the Commission were present:

- Peter Adomeit, Chairman
- Michael Bailey, Trustee
- Sandra Fae Brown Brewton, Trustee
- Karen Buffkin, Trustee
- Michael Carey, Trustee
- Martha Carlson, Deputy Comptroller, Ex Officio Member
- Carl Chisem, Trustee
- Robert D. Coffey, Trustee
- John Flores, General Counsel Office of the Treasurer, Ex Officio Member
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Claude Poulin, Trustee
- Angel Quiros, Trustee
- Timothy Ryor, Trustee
- Mark Sciota, Municipal Liaison

The following members of the Commission were absent:

- Janet Andrews, Trustee
- Paul Fortier, Trustee

Also present were:

- Bruce Barth, Tax Counsel to the Commission, Robinson & Cole
- Cindy Cieslak, General Counsel to the Commission, Rose Kallor
- John Herrington, Director, Retirement Services Division
- Colin Newman, Assistant Director, Retirement Services Division
- Michael Rose, General Counsel to the Commission, Rose Kallor
- Alisha Sullivan, Tax Counsel to the Commission, Robinson & Cole
- Patricia Shannon

Call to Order

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Chairman Adomeit called the meeting to order at 9:06 a.m. Attorney Cieslak identified those in attendance.

Chairman's Report

At 9:08 a.m., the Chairman provided his report. The Chairman thanked everyone for their efforts in keeping everything running smooth

At 9:09 a.m., Mr. Poulin moved, seconded by Mr. Bailey to amend the agenda to add the following two items to the agenda under New Matters:

1. Commission Acceptance of the Valuation Report for State Employees Retirement System ("SERS") as of June 30, 2020.
2. Commission Acceptance of the Valuation Report of the Judges, Family Support Magistrates, and Compensation Commissioners Retirement System Valuation as of June 30, 2020.

The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to amend the agenda.

Division Director's Report

At 9:11 a.m., Mr. Herrington provided the Division Director's Report.

Division Director Report (12/17/2020)

I. Disability Retirements

A. Pending Disability Applications for the Initial Review by the Medical Examining Board: The Division is in the process of adding additional meetings for 2021 in attempt to reduce the wait period. Currently scheduling into April 2021.

- There are 108 Disability Retirement Applications pending of which:
 - 17 New applications received for December 2020 and January 2021
 - 84 Applications have been scheduled for MEB hearings through April 2021
 - 24 Applications are awaiting additional medical documentation

12/19 1/20 2/20 3/20 4/20 5/20 6/20 7/20 8/20 9/20 10/20 11/20 12/20

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B. Twenty-Four Month Reviews

147 Cases are due for a 24-month review.

- 0 Cases – are receiving SSD benefits (Expedited Approvals Process)
- 147 Cases – Retiree does not appear to be receiving SSD benefits.
 - 40 have retirement dates beyond 24 months old.

C. Disability Files Processed:

<u>11/19</u>	<u>12/19</u>	<u>1/20</u>	<u>2/20</u>	<u>3/20</u>	<u>4/20</u>	<u>5/20</u>	<u>6/20</u>	<u>7/20</u>	<u>8/20</u>	<u>9/20</u>	<u>10/20</u>	<u>11/20</u>	<u>12/20</u>
41	57	19	93	103	48	29	53	43	38	38	44	35	39
			Backlog Team (65)	Backlog Team (66)	Backlog Team (22)	Backlog Team (11)	Backlog Team (26)						

D. Disability Backlog:

<u>11/19</u>	<u>12/19</u>	<u>1/20</u>	<u>2/20</u>	<u>3/20</u>	<u>4/20</u>	<u>5/20</u>	<u>6/20</u>	<u>7/20</u>	<u>8/20</u>	<u>9/20</u>	<u>10/20</u>	<u>11/20</u>	<u>12/20</u>
1923	1927	1922	1868	1777	1729	1765	1739	1732	1687	1687	1675	1625	1596

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II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Totals
2020	178	166	149	268	149	140	170	226	198	219	101	92	2056
2019	210	225	214	210	101	143	186	193	175	162	151	100	2070
2018	139	134	104	211	76	97	107	224	151	181	116	134	1674
2017	243	202	160	367	148	208	321	133	194	463	84	82	2605
2016	195	159	128	358	195	367	374	181	180	193	113	113	2556
2015	236	159	131	224	140	176	243	164	147	171	136	75	2002
2014	161	160	129	234	127	232	231	196	181	166	183	95	2095
2013	137	122	92	199	117	168	349	132	136	118	91	115	1776
2012	90	79	78	146	70	122	158	94	99	104	98	91	1229
2011	135	87	105	247	129	358	457	196	290	625	45	40	2714
2010	78	68	69	110	57	100	168	85	85	79	61	67	1027
Avg.	164	142	124	234	119	192	251	166	167	226	107	91	1982

At 9:18 a.m., Ms. Carlson discussed that the Division has reduced the backlog. She further discussed additional operations within the Division.

At 9:26 a.m., Mr. Luciano commended the Division's efforts in reducing the backlog.

New Matters

1. Request Commission Approval of the November 19, 2020 minutes.
 - i. At 9:26 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the November 19, 2020 minutes.

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- ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the November 19, 2020 minutes.
2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.
 - i. At 9:27 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Chairman's Per Diem Expenses
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the State Employees Retirement Commission Chairman's Per Diem Expenses.
3. Request Commission Approval of the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - i. At 9:27 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
 - ii. Mr. Poulin abstained.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iv. The Commission voted unanimously in favor, with Mr. Poulin abstaining, to approve the State Employees Retirement Commission Union Trustee Claude Poulin's Per Diem and Travel Expenses Reimbursement.
4. Request Commission Approval of the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - i. At 9:27 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - ii. Mr. Ryor abstained.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iv. The Commission voted unanimously in favor, with Mr. Ryor abstaining, to approve the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
5. Request Commission Acceptance of the Invoices from Robinson and Cole for Federal Tax Matters rendered for the month of November.
 - i. At 9:27 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of November.

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- ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the invoices from Robinson and Cole for Federal Tax Matters rendered for the month of November.
6. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of November.
 - i. At 9:27 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Rose Kallor rendered for the month of November.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the invoices from Rose Kallor rendered for the month of November.
7. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of November 2020.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of November 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees Retirement System Service Retirements for the Month of November 2020.
8. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of November 2020.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of November 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of November 2020.
9. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of November 2020.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Disability Retirements for the Month of November 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to approve the Connecticut State Employees System Disability Retirements for the Month of November 2020.

10. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of November 2020.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of November 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of November 2020.

11. Request Commission Approval of the Municipal Retirement System Disability Retirements Denials.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Municipal Retirement System Disability Retirements Denials.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Municipal Retirement System Disability Retirements Denials.

12. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the Recommendations by the Medical Examining Board for the Continued Entitlement Tabled and Denials.

13. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - i. At 9:28 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to accept the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
14. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - i. At 9:29 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
15. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period October 9, 2020 through November 5, 2020.
 - i. At 9:29 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period October 9, 2020 through November 5, 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period October 9, 2020 through November 5, 2020.
16. Request Commission Acceptance of the Purchase of Service and Related Matters Subcommittee Recommendations from the Meeting held on December 2, 2020.
 - i. At 9:29 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Purchase of Service and Related Matters Subcommittee Recommendations from the Meeting held on December 2, 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the Purchase of Service and Related Matters Subcommittee Recommendations from the Meeting held on December 2, 2020.
17. In the event that the Commission accepts the recommendation by the Subcommittee on Purchase of Service and Related Matters for the posthumous processing of a non-service connected disability retirement application for Jessica Stefanowicz, the request is for a Commission determination of under which option election should the benefit be payable if approved.

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- i. At 9:29 a.m., Mr. Luciano called for discussion on Item 17. Mr. Newman provided background that although the Subcommittee on Purchase of Service & Related Matters approved the posthumous processing of a non-service connected disability retirement application for Jessica Stefanowicz, the Subcommittee did not make a recommendation regarding under which option election the benefit should be payable.
 - ii. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Poulin, that the matter should be referred to the Subcommittee on Purchase of Service & Related Matters for further review and recommendation.
 - iii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iv. The Commission voted unanimously in favor to refer the matter to the Subcommittee on Purchase of Service & Related Matters for further review and recommendation.

18. Request Received from Patricia Shannon that the Commission Review and Reconsider its July 16, 2020 denial of her request to purchase her service from May 2, 1983 to September 26, 1985 to allow her to be eligible for a retirement benefit as a Tier I Plan B member of SERS.
 - i. At 9:33 a.m., Mr. Luciano asked for discussion on the matter. There was brief discussion about whether the Commission should enter executive discussion for discussion of the written legal opinion related to this matter.

19. Request Commission Acceptance of the Actuarial Valuation Report for State Employees Retirement System (“SERS”) as of June 30, 2020.
 - i. At 9:35 a.m., Mr. Luciano moved, seconded by Mr. Poulin to accept the Actuarial Valuation Report for the State Employees Retirement System (“SERS”) as of June 30, 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.
 - iii. The Commission voted unanimously in favor to accept the Actuarial Valuation Report for State Employees Retirement System (“SERS”) as of June 30, 2020.

20. Request Commission Acceptance of the Actuarial Valuation Report of the Judges, Family Support Magistrates, and Compensation Commissioners Retirement System Valuation as of June 30, 2020.
 - i. At 9:36 a.m., Mr. Luciano moved, seconded by Mr. Poulin to accept the Actuarial Valuation Report of the Judges, Family Support Magistrates, and Compensation Commissioners Retirement System Valuation as of June 30, 2020.
 - ii. Chairman asked if there was any discussion. There being no discussion he called for a vote.

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- iii. The Commission voted unanimously in favor to accept the Actuarial Valuation Report of the Judges, Family Support Magistrates, and Compensation Commissioners Retirement System Valuation as of June 30, 2020.

At 9:37 a.m., Ms. Shannon was invited to make her claim to the Commission relating to Item. 18. Ms. Shannon presented her claim and the Commission trustees asked Ms. Shannon some questions. At the conclusion of her presentation, Ms. Shannon exited the meeting.

At 10:02 a.m., Michael Carey moved, seconded by Mr. Bailey to enter executive session for the purposes for the purposes of discussing Ms. Shannon's claim and the written legal opinion related to the same. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss the written legal opinion related to Ms. Shannon's claim.

At 10:37 a.m., Mr. Luciano moved, seconded by Mr. Poulin to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:37 a.m., Mr. Luciano moved, seconded by Mr. Coffey to grant Ms. Shannon's request to purchase her service from May 2, 1983 to September 26, 1985 to allow her to be eligible for a retirement benefit as a Tier I Plan B member of SERS. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor of the motion.

Executive Session – Discussion and Possible Action

1. Plan Compilation Documents Other Than SERS – written legal opinion.
2. Hartford Housing Authority – written legal opinion.
3. Ronald Johnson v. SERC – pending claim/pending litigation.
4. Ralph Tedesco v. SERC – pending litigation.
5. Mylinh Le-Jones petition for declaratory ruling – pending claim/written legal opinion.
6. Marianna Grzeszczyk v. SERC – pending litigation.
7. Catherine Crandle v. SERC – pending litigation.
8. Brian Comerford v. SERC – pending litigation.

At 10:38 a.m., Mr. Luciano moved, seconded by Mr. Bailey to suspend the regular meeting and go into executive session for the purposes of discussing Item 1. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 1.

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At 10:41 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:42 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 2. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 2.

At 10:43 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:44 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 3. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 3.

At 10:44 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:44 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 4. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 4.

At 10:45 a.m., Mr. Luciano moved, seconded by Mr. Chisem to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:45 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 5. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 5.

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At 10:52 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:52 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 6. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 6.

At 10:54 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

At 10:54 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 7. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 7.

At 10:59 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There was some discussion by Mr. Poulin. The Commission voted unanimously to exit executive session.

At 11:00 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 8. Attorney Barth, Attorney Cieslak, John Herrington, Colin Newman, Michael Rose, and Attorney Sullivan were invited by the Commission to stay for executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously in favor to enter executive session to discuss Item 8.

At 11:01 a.m., Mr. Luciano moved, seconded by Mr. Bailey to exit executive session. The Chairman asked if there was any discussion. There being no discussion he called for a vote. The Commission voted unanimously to exit executive session.

Public Session

No further motions were made in Public Session.

Adjournment

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With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Bailey to adjourn at 11:01 a.m. The Commission voted unanimously to adjourn.

Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division