

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 March 18, 2021 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
- Paul Fortier, Trustee
- Sal Luciano, Trustee
- Karen Nolen, Trustee
- Claude Poulin, Trustee
- Angel Quiros, Trustee
- Timothy Ryor, Trustee
- Mark Sciota, Municipal Liaison

Absent:

- Janet Andrews, 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
- Alisha Sullivan, Tax Counsel to the Commission, Robinson & Cole

Call to Order

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Chairman Adomeit called the meeting to order at 9:03 a.m. Attorney Cieslak identified those in attendance.

Chairman's Report

At 9:05 a.m., the Chairman provided his report. He recognized and thanked everyone involved in keeping operations running throughout the past year.

Division Director's Report

At 9:06 a.m., Mr. Herrington provided the Division Director's Report.

Division Director Report (3/18/2021)

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 June 2021.

- There are 103 Disability Retirement Applications pending of which:
 - 21 New applications received for February 2021
 - 64 Applications have been scheduled for MEB hearings through June 2021
 - 39 Applications are awaiting additional medical documentation

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2021	114	107	103									
2020	291	232	226	197	162	140	117	114	97	86	83	108

B. Twenty-Four Month Reviews:

169 Cases are due for a 24-month review.

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

C. Disability Files Processed:

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	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2021	60	85	156									
2020	19	93	103	48	29	53	43	38	38	44	35	39

D. Disability Backlog:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
2021	1527	1453	1341									
2020	1992	1868	1777	1729	1765	1739	1732	1687	1687	1675	1625	1596

II. Normal Retirement Audits:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
2021	243	192	124										559
2020	178	166	149	268	149	140	170	226	198	219	101	92	2056
10-YR Avg	164	142	124	234	119	192	251	166	167	226	107	91	1982

III. Self-Service Benefit Estimator Roll-Out:

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
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2021	661	1,233	1,366										3260
2020	n/a	n/a	157	n/a	n/a	n/a	n/a	682	584	821	740	811	3795
Total Released to Date:													7055

At 9:14 a.m., Ms. Carlson discussed HR consolidation and related retirement counseling.

New Matters

1. Request Commission Approval of the February 18, 2021 minutes.
 - i. At 9:30 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the February 18, 2021 minutes.
 - 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 February 18, 2021 minutes.

2. Request Commission Approval of the State Employees Retirement Commission Chairman's Per Diem Expenses.
 - i. At 9:30 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 9:30 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.

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4. Request Commission Approval of the State Employees Retirement Commission Management Trustee Timothy A. Ryor's Per Diem Expenses.
 - i. At 9:30 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 February.
 - i. At 9:31 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 February.
 - 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 February.

6. Request Commission Acceptance of the Invoices from Robinson and Cole for CMERS rendered for the month of February.
 - i. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Robinson and Cole for CMERS rendered for the month of February.
 - 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 CMERS rendered for the month of February.

7. Request Commission Acceptance of the Invoices from Rose Kallor rendered for the month of February.
 - i. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the invoices from Rose Kallor rendered for the month of February.
 - 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 February.

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8. Request Commission Approval of the Connecticut State Employees Retirement System Service Retirements for the Month of February 2021.
 - i. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Service Retirements for the Month of February 2021.
 - 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 February 2021.

9. Request Commission Approval of the Connecticut State Employees System Voluntary Pending Retirements for the Month of February 2021.
 - i. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Voluntary Pending Retirements for the Month of February 2021.
 - 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 February 2021.

10. Request Commission Approval of the Connecticut State Employees System Disability Retirements for the Month of February 2021.
 - i. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees System Disability Retirements for the Month of February 2021.
 - 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 Disability Retirements for the Month of February 2021.

11. Request Commission Approval of the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of February 2021.
 - i. At 9:31 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Connecticut State Employees Retirement System Municipal Employees Retirements for the Month of February 2021.
 - 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 February 2021.

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12. Request Commission Acceptance of the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.
 - i. At 9:31 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.
 - iii. The Commission voted unanimously in favor to accept the Recommendations by the Medical Examining Board for the Continued Entitlement Approvals.

13. Request Commission Approval of the Connecticut Judges, Family Support Magistrates and Compensation Commissioners Retirement System.
 - i. At 9:32 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.

14. Request Commission Approval of the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period January 15, 2021 through February 11, 2021.
 - i. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Bailey to approve the Probate Judges and Employees Retirement Fund Personnel Expenses for the Pay Period January 15, 2021 through February 11, 2021.
 - 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 January 15, 2021 through February 11, 2021.

15. a. Request Commission Review and Acceptance of the Probate Statement of Operations for Fiscal Year Ending December 31, 2020.
 - i. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Probate Statement of Operations for Fiscal Year Ending December 31, 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 Probate Statement of Operations for Fiscal Year Ending December 31, 2020.

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- b. Request Commission Review and Acceptance of the Connecticut Probate Balance Sheet as of December 31, 2020.
 - i. At 9:32 a.m., Mr. Luciano moved, seconded by Mr. Bailey to accept the Connecticut Probate Balance Sheet as of December 31, 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 Connecticut Probate Balance Sheet as of December 31, 2020.

Executive Session – Discussion and Possible Action

1. West Hartford inquiry re: Conn. Gen. Stat. § 7-438(a) – written legal opinion.
2. Hartford Housing Authority – written legal opinion.
3. Ronald Johnson v. SERC – pending claim/pending litigation.
4. Town inquiry re: CMERS – written legal opinion.
5. Division Inquiry re: Electronic Signatures – written legal opinion.
6. Mylinh Le-Jones petition for declaratory ruling – written legal opinion.
7. Ralph Tedesco v. SERC – pending litigation.
8. Jessica Marquez request for reconsideration – written legal opinion.
9. Thomas Giarratona v. CMERS – pending litigation.
10. Catherine Crandle v. SERC – pending litigation.
11. Marianna Grzeszczyk v. SERC – pending litigation.

At 9:32 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, 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.

At 9:37 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 9:38 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, 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.

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At 9:43 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 9:43 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, 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 9:46 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 9:46 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, 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 9:50 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 9:50 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, 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.

At 9:58 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 9:58 a.m., Attorney Barth and Attorney Sullivan exited the meeting.

At 9:58 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 6. Attorney Cieslak, John Herrington, and Colin Newman 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.

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At 10:07 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 10:07 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 7. Attorney Cieslak, John Herrington, and Colin Newman 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 10:16 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 10:17 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 8. Attorney Cieslak, John Herrington, and Colin Newman 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 10:21 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 10:22 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 9. Attorney Cieslak, John Herrington, and Colin Newman 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 9.

At 10:24 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 10:24 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 10. Attorney Cieslak, John Herrington, and Colin Newman 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 10.

At 10:25 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.

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At 10:25 a.m., Mr. Luciano moved, seconded by Mr. Bailey to go into executive session for purposes of discussing Item 11. Attorney Cieslak, John Herrington, and Colin Newman 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 11.

At 10:26 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

At 10:26 a.m., Mr. Carey moved, seconded by Mr. Poulin to direct the Division to contact the OSC legislative liaison for the purposes of making a legislative proposal to correct MERS legislation such that a MERS retiree who is collecting a pension may accept a employment form a nonparticipating municipality and participate in the retirement system of that nonparticipating municipality for the period of such employment. The Chairman asked if there was any discussion. Following a brief discussion to clarify that the language of the motion was to signify the intent of the proposal, the Chairman called for a vote. The Commission voted unanimously in favor of the motion.

At 10:28 a.m., Mr. Luciano moved, seconded by Mr. Chisem to permit electronic signatures except for spousal waivers which must be witnessed and notarized. 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.

At 10:29 a.m., Mr. Luciano moved, seconded by Mr. Carey to deny the reconsideration request of Ms. Marquez. 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.

At 10:29 a.m., Mr. Carey moved, seconded by Mr. Luciano to deny Ms. Le-Jones's petition for declaratory ruling and direct the Division to process her application so that it may be presented before the Medical Examining Board. 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.

Adjournment

With no further business before the Commission, Mr. Luciano moved, seconded by Mr. Fortier to adjourn at 10:30 a.m. The Commission voted unanimously to adjourn.

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Respectfully Submitted by:

Peter Adomeit, Chairman

Prepared by John Herrington
Director Retirement Services Division