

APPROVED

The Public Safety Retirement Board of Pima County, Arizona met in session on the 1st floor conference room at 130 W. Congress, Tucson, AZ at 8:30 a.m. June 3rd, 2020.

VOTING MEMEBERS PRESENT:

Mr. Leo Duffner
Mr. Michael Hellon
Lt. Bruce Westberg
Lt. Costaki Manoleas

VOTING MEMBERS ABSENT:

Mr. Benny Gomez

OTHERS PRESENT:

Attorney: David McEvoy
Secretary: Robin Jobst
Asst. Secretary: Patricia Aron
Ms. Kori Miklos
Mr. Javier Alatore
Ms. Kathleen Gabriel
Mr. Maurice Othic - Telephonically

Mr. Duffner, acting chair of the board convened the meeting at 8:31 a.m.

Item 1 on the agenda was a Roll Call. Attendance as listed above with Mr. Othic appearing telephonically.

Item 2 on the agenda was the Pledge of Allegiance.

Item 3 on the agenda was approval of minutes from the board meeting held on 05/06/20. Lt. Manoleas moved to approve the minutes as submitted. Lt. Westberg seconded the motion. Motion passed unanimously.

Item 4 on the agenda was the Application for Re-Hearing of Applicant Kori Miklos Application for Accidental Disability Retirement. Mr. Javier Alatore provided the Board Members with a copy of the orthopedic surgeon's report prepared by Jonathan C. Landsman, M.D. He discussed that Dr. Landsman's report stated Ms. Miklos can only preform light duties. Mr. Alatore referenced the IME report from Dr. Schumacher that would defer the matter of the medical necessity of temporary job duties restriction to the treating orthopedic surgeon. He asked if, with the new information from the treating orthopedic surgeon, the Board would resend Ms. Miklos for another IME by Dr. Schumacher. Mr. McEvoy discussed that the Board needs supporting medical evidence form its own doctor. He explained the three options the Board could make: (a) the Board could deny the application with the original opinion from Dr. Schumacher, (b) the Board could choose to send the matter back to Dr. Schumacher with the new information, or (c)

the Board could refer the matter again to Dr. Schumacher. Mr. Duffner asked if Dr. Schumacher has seen Dr. Landman's report. Mr. Alatore explained that this is new information from Dr. Landsman was obtained after Dr. Schumacher's report. Lt. Westberg stated he feels it would be appropriate to provide Dr. Schumacher with the new report from Dr. Landsman. Mr. Duffner agreed. Mr. Hellon asked if the Board felt it would be better to send to a doctor other than Dr. Schumacher. Mr. McEvoy explained that is an option, but it would be good practice to provide Dr. Schumacher with the new report from Dr. Landsman since Dr. Schumacher is familiar with the case. Lt. Westberg moved to send the matter back to Dr. Schumacher with the new information from Dr. Landsman. Lt. Manoleas seconded the motion. Motion passed unanimously

Item 5 on the agenda was the discussion and possible action regarding the review of the Application for Accidental Disability for Maurice Othic. Ms. Jobst explained that Dr. Johnson provided a new report from the initial evaluation. Mr. Hellon asked about Mr. Othic's time at the Sheriff's Department. Ms. Jobst stated he was with the department for approximately 19 years and 3 months when he filed his Application for Accidental Disability. Lt. Westberg stated he felt the report further explains new information that supports the standard. Mr. McEvoy reminded the Board that the new legal standard for determining "unexpected, unusual or extraordinary" stated in the *Frances* case focuses on the stress experienced by the individual, rather than the incident that caused the stress, thereby creating a subjective, and not objective, standard. Mr. McEvoy identified a discrepancy in the date of the letter that was submitted to Dr. Johnson and the date of the addendum to the evaluation. Ms. Jobst explained that there had been verbal contact with the doctor prior to sending the letter, so he evaluated based on his file and not the letter. Mr. McEvoy indicated that the question from the letter whether Mr. Othic met the legal standard was not answered. Mr. Hellon asked if it could be inferred that Mr. Johnson answered the question by reading the addendum and the completed form for PSPRS disability retirements. Lt. Westberg said he felt it is important to determine how to proceed for future applications and asked if we could send this back to Dr. Johnson to answer the question from the letter. Lt. Manoleas stated he felt this was a reasonable request. Lt. Westberg moved to send the matter back to Dr. Johnson to clarify and answer the question from the letter dated 05/01/20. Lt. Manoleas seconded the motion. Motion passed unanimously.

Item 6 on the agenda was the Application for Termination from DROP and Retirement for James Lukosky with an effective date of 06/01/2020. Lt. Manoleas moved to approve the application. Lt. Westberg seconded the motion. Motion passed unanimously.

Item 7 on the agenda was the Application for Deferred Retirement Option Plan (DROP) for Mses Paiana with 25.230 years of credited service effective 06/01/2020. Lt. Westberg moved to approve the application, seconded by Lt. Manoleas. Motion passed unanimously.

Item 8 on the agenda was the Application to Transfer or Redeem Service Credits between Arizona Retirement Plans for John Mitchell. Lt. Manoleas moved to approve the application. Lt. Westberg seconded the motion. Motion passed unanimously.

Item 9 on the agenda was the Termination of Retiree Benefits for James Thomas effective 5/31/2020. As read into the record.

Item 10 on the agenda was review of correspondence from PSPRS. There was none.

Item 11 on the agenda was other board business. Ms. Jobst informed the board that due to scheduling, she will not be able to meet July 1st. The board discussed meeting 07/08/20. Everyone confirmed that date would work with schedules.

Item 12 was the call to the public. There was none.

Lt. Manoleas moved to adjourn the meeting, seconded by Lt. Westberg. Motion passed unanimously. The meeting adjourned at 8:56 a.m.



Robin Jobst
Secretary