

MINUTES
OF THE MEETING OF
THE EXECUTIVE COMMITTEE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

February 9, 2012

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, February 9, 2012, at 8:30 A.M. in the System's Springfield office at 2101 S. Veterans Parkway.

Committee members present:

Loren Iglarsh, Chairman
Lori Laidlaw, Vice Chairperson
Timothy Blair, Executive Secretary

Others Present:

Steve Bochenek, Attorney
Kathy Yemm, Manager, Claims Division
Joseph Maggio, Manager, Service & Refunds Division
Chris Silver, Supervisor, Disability Section
Michael Noblet, Supervisor, Pensions & Deaths Section
Dawn Blakeman, Recording Secretary
Nikki Malley, Hearing

Minutes of the Previous Meeting

The minutes of the January 12, 2012 meeting of the Executive Committee were presented by Chairman Iglarsh for approval. Copies of the minutes were previously mailed to Committee members for review. There being no additions or corrections, on motion by Vice Chairperson Laidlaw seconded by Executive Secretary Blair and by unanimous vote, the minutes were approved as submitted.

Routine Claims & Denial Report

The Routine Claims and Denials Report for the month of January, 2012 were presented for approval. Following review and discussion, Chairman Iglarsh moved acceptance of the Routine Claims and Denials Report for the period of January, 2012. On motion by Executive Secretary Blair seconded by Vice Chairperson Laidlaw and by unanimous vote, the minutes were approved as submitted.

Old Business

Robert Ruiz Pension

Robert Ruiz requested a personal hearing with the Executive Committee in a letter dated November 19, 2009, regarding the reciprocal agreement be cancelled so he can still collect his pension benefits from the County Employees' Annuity & Benefit Fund of Chicago pension fund.

Mr. Ruiz through a telephone conversation in December, 2011 with Michael Noblet, Supervisor of the Pension and Death Division has requested another hearing continuance.

Accordingly, this case continues to be deferred.

Proof of Birth Policy

Modification

Section 1540-100 regarding Birth Date Verification: We have made limited exceptions for people born out of the country by accepting copies of, Naturalization papers or passports without a letter of “no record exists”.

Based on an email from the Claims Division Manager at that time, in 2008 the policy was reviewed by the Executive Committee and was approved at that time to accept DD 214’s, Naturalization papers and immigration papers in lieu of a birth certificate without the necessity of obtaining a statement of “No Record Exists” from the state of birth. This decision cannot be located.

Recently it was found that some employees of the Claims Division are accepting only birth records or a letter stating “no record exists” with a copy of military papers, Naturalization papers, passport and other records with a date of birth on them.

All staff should be consistent and use the same documentation requirements for birth certificates. Staff is asking the committee for direction on whether they can accept DD214’s and passports as proof of date of birth without the “No Record Exists” certification form the member’s state of birth. Staff is also asking the Committee to clarify if a hospital record is acceptable as proof of birth date. This matter was referred to the Executive Secretary at his request to do further research. This subject continues to be deferred.

The Committee agreed to adopt a rule to modify the existing rule for Birth date verification.

Upon submission by the member of their signed affidavit that no birth record exists, the following documents may be submitted:

- 1) Military Records;
- 2) Marriage record showing date of birth;
- 3) Evidence of Social Security payments that require attainment of specific age;
- 4) Church record of birth or baptism;
- 5) Passport;
- 6) Valid driver’s license; or
- 7) Two or more documents showing birth dates, such as, but limited to Naturalization papers, insurance policies, school records or medical records.

The Executive Committee has agreed to ask the Board of Trustees for approval of the modification to the existing rule for birth date verification.

Diane Pignato

Non-Occupational Disability

Diane Pignato works for a state agency. She was granted a medical leave of absence. Ms. Pignato’s application for disability benefits was denied based upon the results of a review of medical information in her file.

Medical information on file was reviewed by the System's medical consultant on July 8, 2011 and again on September 22, 2011. Based upon this review, a disability was not documented. Based upon a review of the file and information submitted, the Executive Committee finds the employee's job description and work location are as stated and that she was granted a medical leave of absence.

Ms. Pignato's claim for non-occupational disability benefits was denied due to medical information failing to substantiate a disability. Ms. Pignato requested a written appeal pursuant to the denial of disability benefits.

During the October 6, 2011 meeting, the Committee agreed to defer Ms. Pignato's appeal so that additional medical records could be provided.

Johnny Rigdon Survivor-Beneficiaries

Johnny Rigdon passed away on August 15, 2011 at the time of his death he was receiving an occupational disability benefit. At the time of his death he had a qualified survivor.

Surviving spouse Julie Rigdon's mother and Power of Attorney completed the survivor application for Mrs. Rigdon who is the sole survivor and beneficiary of Johnny Rigdon.

On September 12, 2011 before any benefits were paid Julie Rigdon passed away. Since Mrs. Rigdon died subsequent to Mr. Rigdon, her benefits would be payable to her named beneficiary son Cory Michael Glispie.

Johnny Rigdon's two children are appealing to the committee to have the benefits paid to them instead.

Following discussion, the Committee agreed to defer this matter at this time.

Jill Gordon Non-Occupational Disability

The System's attorney submitted a recommendation to deny based on the facts and findings on file in this case for the Committee's review. Following discussion, and on motion by Executive Secretary Blair and seconded by Chairperson Iglarsh and by unanimous vote, the Committee accepted Recommendation No. 2012-01 in the matter of Jill Gordon.

A copy of this recommendation has been made a part of this member's file.

Loretta Chambers Non-Occupational Disability

Ms. Chambers works for a state agency and was granted a medical leave of absence.

Loretta Chambers received non-occupational disability benefits from September 12, 2006 through October 31, 2011. She began receiving SERS pension November 1 2011. She became eligible to receive her full Social Security Retirement benefit in February 2010. SERS was not aware of this until April 2011.

Her unreduced social security retirement benefit amount should have been subtracted from the monthly amount of her SERS non-occupational disability check beginning February 2010

This oversight created an overpayment of non-occupational disability benefits being paid by SERS.

Based upon a review of the file and information submitted, the Executive Committee finds the employee's work location is as stated and Loretta Chambers was granted a medical leave of absence.

Ms. Loretta Chambers requested an appeal of the amount of the overpayment of non-occupational disability benefits. She appealed the fact that SERS offset the monthly amount of SSA retirement benefits that she would have been eligible to receive instead of the reduced amount that she actually received.

After discussion the Executive Committee agreed to defer this matter at this time in order to obtain additional information.

After additional discussion, Chairman Iglarsh moved to deny Loretta Chambers' written appeal to lower the amount of the overpayment of non-occupational disability benefits, and approve to lower the monthly overpayment deduction from her pension check from \$200.00 to \$100.00 monthly. Executive Secretary Blair seconded the motion, and all were in favor.

Rosalind Fuller (deceased member) Survivor Benefit Waiver/Paul Fuller

Rosalind Fuller passed away on October 25, 2010.

Ms. Fuller's surviving son Paul Fuller (under 22) has sent in a written request to waive his rights to survivor benefits, he is over eighteen and not a full time college student. If approved the remaining monies would be split equally among the named beneficiaries.

However, Mr. Noblet, Supervisor of the Pension/Death Division has noted Paul is currently enrolled at the Dayton Jobs Corp Center.

Based on the facts of this case and information submitted and after some discussion has agreed to defer the request to waive survivor benefits.

Following a review of the file and some discussion, Chairman Iglarsh moved that the appeal of Paul Fuller be approved. Executive Secretary Blair seconded the motion, and all were in favor.

New Business

Nikki Malley Non-Occupational Disability

Nikki Malley works for a state agency and a medical leave of absence was granted.

Ms. Malley's claim for disability benefits was denied based on a review of medical documentation from treating medical sources.

Ms. Malley's file was reviewed by the System's medical consultant on November 16, 2011. Based on the medical documentation available, Ms. Malley's claim for disability benefits was denied.

Nikki Malley requested a personal appeal pursuant to the denial of disability benefits.

Ms. Malley requested and attended a personal hearing with the Executive Committee pursuant to the denial of disability benefits.

She explained she has more medical information and would send it as soon as she returns.

The Executive Committee agreed to have Ms. Malley send the additional information to the Disability Supervisor for review.

Following a review of the file and some discussion, Chairman Iglarsh moved that the appeal of Nikki Malley be deferred so additional information can be submitted. Trustee Laidlaw seconded the motion, and all were in favor.

Jeffrey Shaffer Occupational Disability

Jeffrey Shaffer works for a state agency and a service connected leave of absence was granted.

Mr. Shaffer's claim for disability benefits was denied due to failure to apply for occupational disability benefits within the proper time frame.

Based upon a review of the file and information submitted, the Committee finds Jeffrey Shaffer works for a state agency and a service connected leave of absence was granted.

The System did not receive the employee's application for disability benefits within the time limitation pursuant to occupational disability benefits as noted in 40 ILCS 5/14-123, therefore the application was denied.

Mr. Shaffer requested a written appeal pursuant to the denial of disability benefits due to late filing, information was received with the appeal request which lists the reasons the employee failed to file on a timely basis.

Based on the facts of this case and information submitted, the Committee recommends approving Jeffrey Shaffer's appeal for a waiver of the twelve month filing limitation.

Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Jeffrey Shaffer for a waiver of the twelve month filing time limit for occupational disability benefits. Vice Chairman Laidlaw seconded the motion and all were in favor.

Harvey R. Tackitt, Jr. Service

Mr. Tackitt has requested a written appeal with the Executive Committee. He is requesting that he be allowed to purchase 22.50 months of military service even though he retired effective January 1, 2012.

Harvey Tackitt submitted the form (2003) to request to purchase military service to our office signed and dated November 9, 2011.

On November 21, 2011 a letter was sent to Mr. Tackitt explaining we received your request to purchase military service and here are the options.

When Mr. Tackitt received his lump sum for sick and vacation he noticed the money was not taken to purchase the military service as requested. It appeared an error was made in his payroll department. He called on January 10, 2012 and wanted to know what he had to do to correct this error.

Mr. Charles Ketchum of the Service & Refunds Division explained that the time had to be established prior to retirement. He could appeal to the Executive Committee.

In a written appeal by Mr. Tackitt he explained he thought he had done everything correctly that he hadn't realized SERS had not received all the forms back.

Mr. Maggio explained to the Executive Committee that he believes Mr. Tackitt thought he had completed everything correctly.

Following a review of the file and some discussion, Chairman Iglarsh moved to approve the purchase of 22.50 military service provided that the payment is made within 30 days of the billing notice. Executive Secretary Blair seconded the motion and all were in favor.

Philip Mark Seimer

Pension – SS Offset

Mr. Seimer has been receiving a retirement annuity since September, 2001 at that time he had a survivor.

When Mr. Seimer received the letter to participate in the Social Security Offset P.A. 095-1043 he contacted SERS and he explained he was widowed at the time, however, he could possibly marry at a later date. He was advised not to participate in the program at this time. He was told to contact the office 1 year after he was married to sign up for participation. One year to the day he contacted our office and was told an error had been made that he could not participate in the Social Security Offset.

Mr. Seimer submitted a written appeal and asking the Executive Committee to approve his participation in the offset removal. He believes he did the right thing contacting the office when he received the information and that the appeal is based on his reliance on the erroneous information given to him over the phone by SERS in 2009.

Based upon a review of the file and information submitted, the Executive Committee finds Philip Mark Seimer began receiving a retirement annuity as of September, 2001 and had a survivor at the time of retirement.

Public Act 95-1043 allowed certain annuitants to elect to reduce their monthly retirement annuity in order to remove the Social Security offset from an SERS widow's or survivor benefit. Election forms were required to be returned by June 30, 2009 (with an extension to 12/31/09) in order to determine participation by the effective date of the Public Act (July 1, 2009).

Following a review of the file and some discussion, the Executive Committee recommends deferring Mr. Seimer's appeal for participation in P.A. 095-1043.

Brenda Greeson

Nominated Beneficiary

Brenda Greeson passed on December 19, 2011.

Ms. Greeson had no qualified survivor(s) at the time of her death. Her primary beneficiaries are 2 sisters, Nancy Oliver and Linda Robinson, her father, Mr. Don Greeson and 1 Aunt, Patricia M. Fischer.

In a written appeal letter Ms. Fischer would like to waive her portion so the benefit could be split amongst the remaining primary beneficiaries.

Based on the facts of this case and information submitted and after some discussion the committee has agreed to approve the waiver of death benefit to Patricia Fischer. Vice Chairperson Laidlaw moved for approval. Chairman Iglarsh seconded the motion and all were in favor.

Stanford Tucker deceased member

Survivor Benefits/Jessica Tucker

Stanford Tucker passed away on March 23, 1997.

Mr. Tucker's surviving daughter Jessica (under 22) and a full time student has sent in a written request stating she did not get enrolled for all her spring classes she needed before the deadline and now is not a full time student for the spring of 2012. She is asking the Executive Committee to approve continuation of her benefits because it pays the mortgage on their home.

Following a review of the file and some discussion, Vice Chairperson Laidlaw moved to deny the written appeal of Jessica Tucker. Chairperson Iglarsh seconded the motion and all were in favor.

Paulo Ramirez

Non-occupational Disability

Paulo Ramirez worked for a state agency and resigned his position on September 16, 2011.

Mr. Ramirez's claim for disability benefits was denied because he did not obtain a medical leave of absence.

Based upon a review of the file and information submitted, the Committee finds Paulo Ramirez worked for a state agency, and was terminated prior to being granted a medical leave of absence.

Mr. Ramirez requested a written appeal pursuant to the denial of disability benefits.

Following a review of the file and some discussion, Vice Chairperson Laidlaw moved to deny the appeal of Paulo Ramirez because he was never placed on a medical leave. Chairman Iglarsh seconded the motion and all were in favor.

There being no further business to be brought before the Committee, the meeting was adjourned at 11:15AM. The next meeting of the Executive Committee is scheduled for Thursday March 15, 2012, in the Springfield office.

Loren Iglarsh
Chairman

Lori Laidlaw
Vice Chairperson

Timothy Blair
Executive Secretary