

**Ohio Police & Fire Pension Fund
MINUTES**

**Disability Committee
140 East Town Street, Columbus, Ohio
December 6, 2022**

FULL BOARD SESSION

Chair-Elect Miller called the meeting to order at 1:00 p.m.

Committee Members/Trustees: Czack, Deal, Drum, Miller, Moore

Staff: Bowlby, Danish, Foley, Jordan, McCann, Rue, M. Trakas

Others Present: Doctor B. Growick, Dr. J. Steinberg

MOTION TO EXCUSE TRUSTEE

Mr. Miller moved and Ms. Czack seconded a motion to excuse Mr. Britt, Mr. Corvi, Mr. Heller and Ms. Maloney Stiffler from today's meeting. The motion passed with the roll call vote as follows:

Ayes: Czack, Deal, Drum, Miller, Moore

Nays: None

ITEM A: Approval of Motion to Enter Executive Session at 1:03 p.m.: Mr. Miller moved and Ms. Czack seconded a motion that the Board go into executive session pursuant to R.C. 121.22(G)(5) for the purpose of discussing members' medical records and/or the degree of disability of a member which matters are required by R.C. 742.41 to be kept strictly confidential. The motion passed with the roll call vote as follows:

Ayes: Czack, Deal, Drum, Miller, Moore

Nays: None

ITEM B: Adjourn Executive Session: Mr. Miller adjourned executive session at 2:06 p.m.

ITEM C: Approval of December 6, 2022 Hearing Recommendations: Ms. Czack moved and Mr. Drum seconded a motion that the Board approves the recommendations for three (3) death benefit fund applications; thirteen (13) initial determination hearings; one (1) reconsideration hearing; four (4) appeal hearings; and waives the mandatory medical evaluations and filing of annual earnings statements for the members as identified in the lists presented to the Board on December 6, 2022. The motion passed with the roll call vote as follows:

Ayes: Czack, Deal, Drum, Miller, Moore

Nays: None

ITEM D: Approval of October 26th, 2022 Disability Committee Meeting Minutes – 2022 12 001 DC: Ms. Czack moved and Mr. Drum seconded a motion that the Board approve the October 26th, 2022 Disability Committee Meeting Minutes. The motion passed with the roll call vote as follows:

Ayes: Czack, Deal, Drum, Miller, Moore

Nays: None

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ITEM E: Five-year Review of Administrative Rules – 2022 12 002 DC: Mr. Danish present that as part of the 5-year rule review requirement under Ohio Revised Code Chapter 119, staff has reviewed the following Administrative Rules:

- 742-3-04/Disability benefit recipient’s annual earnings statement
- 742-3-11/Decision deadline/non-COLA benefit
- 742-3-20/Statutory termination of disability benefits
- 742-3-21/Forfeiture and termination of disability benefits
- 742-7-16/Guardianship
- 742-16-02/Board of Trustees
- 742-19-01/Administration of public safety officers death benefit fund

For Rule 742-7-16 (Guardianship), Staff proposed an amendment to update a statutory cross reference. For Rule 742-19-01 (Death Benefit Fund), we are proposing removing Paragraph (B)(1)(b) since that language no longer applies (S.B. 296 of the 132nd General Assembly amended ORC Section 742.63 effective December 27, 2018 to eliminate an offset for statutory survivor pensions). Staff further proposed clarifying the definition of an adopted child in Paragraph (F)(2) of the Rule.

No changes were proposed to the other Rules since they reflect OP&F’s current course of practice.

Ms. Czack moved and Mr. Drum seconded a motion that the Disability Committee recommends that the Board adopt the Administrative Rules as outlined in staff’s memorandum dated December 6, 2022. The motion passed with the roll call vote as follows:

Ayes: Czack, Deal, Drum, Miller, Moore

Nays: None

ITEM F: Status of Annual Earnings Statement: Staff provided a memo dated December 6, 2022 outlining the Status of Annual Earnings.

ITEM G: Annual Report of Disability Terminations: Staff provided a memo dated December 6, 2022 and a report of Disability Terminations through December 31, 2022.

ITEM H: Annual Report of Disability Fraud Activity: Staff provided a memo dated December 6, 2022 and a report of potential Disability Fraud Activity.

ITEM I: Open Discussion: None.

Ms. Czack adjourned the meeting at 2:17 p.m.

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Tanya Czack
Disability Committee Chair

Materials provided:

1. Memo dated December 6th, 2022 from Pamela Vest-Boratyn regarding approval of the Disability Committee Minutes, October 26th, 2022.
2. Disability Committee Minutes, October 26th, 2022.
3. Memo dated December 6th, 2022 from John Danish regarding the Five-year Review of Administrative Rules.
4. Copies of the Administrative Rules.
5. Memo dated December 6th, 2022 from Pamela Vest-Boratyn, Jamie Bowlby, and Heather Jordan regarding the Status of Annual Earnings Statement
6. Memo dated December 6th, 2022 from Pamela Vest-Boratyn, Jamie Bowlby, and Heather Jordan regarding the Annual Report of Disability Benefit Terminations with report.
7. Memo dated December 6th, 2022 from Pamela Vest-Boratyn, Jamie Bowlby, and Heather Jordan regarding the Annual Report of Potential Disability Fraud with report.