



GOVERNMENT OF GUAM
RETIREMENT FUND
 STABILITY • SECURITY • REWARDS

Eddie Baza Calvo
 Governor

Ray Tenorio
 Lieutenant Governor

Paula M. Blas
 Director

Trustees:

Joe T. San Agustin
 Chairman

Wilfred P. Leon Guerrero, Ed.D.
 Vice-Chairman
 Investment Committee, Chairman

Antolina S. Leon Guerrero
 Secretary

Gerard A. Cruz
 Treasurer
 Audit & Operations Committee,
 Chairman

Katherine T.E. Taitano
 Trustee

James R.F. Duenas
 Trustee

David M. O'Brien
 Trustee

BOARD OF TRUSTEES
Reconvened Regular Meeting
 Monday, November 4, 2013, 11:00 a.m.
 Retirement Fund Conference Room

MINUTES

DEFINED BENEFITS

I. ATTENDANCE, QUORUM, AND CALL TO ORDER

After determining a quorum was present, the Retirement Fund Board of Trustees Regular Meeting for the Defined Benefits Plan reconvened at 11:22 a.m. Monday, November 4, 2013, in the Retirement Fund Conference Room. Acting Chairman Wilfred P. Leon Guerrero officiated.

Board of Trustees Present:

Wilfred P. Leon Guerrero, Acting Chairman
 Antolina S. Leon Guerrero, Secretary
 Gerard A. Cruz, Treasurer
 David M. O'Brien, Trustee

Board of Trustees Absent:

Joe T. San Agustin, Chairman (*Excused*)
 Katherine T.E. Taitano, Trustee (*Excused*)
 James R.F. Duenas, Trustee (*Excused*)

Staff Present:

Paula Blas, Director
 Jackie Blas, Recording Secretary
 Jackie Sablan, Benefit Specialist II

Medical Consultant Present (Via Conference Call):

Dr. Laura Post

II. STANDING COMMITTEE REPORTS

A. Members and Benefits Committee

DISABILITY CASE NO. 13-002 (CONT'D)

Acting Chairman Leon Guerrero stated that the Retirement Fund's Medical Consultant, Dr. Laura Post, in her recommendation, suggested that the applicant's condition will improve in December 2013 if he continues to receive rehabilitation treatment. Dr. Post stated that the applicant may be better. The applicant's high blood pressure, diabetes, and his stroke take at least one year to resolve itself. Acting Chairman Leon Guerrero stated that the Board discovered that the applicant is not going to therapy due to financial constraint. Acting Chairman Leon Guerrero stated that the applicant always needs help to move around. The applicant has no income. Dr. Post stated that it is an acute issue with no money. Director Paula Blas stated that the applicant pays his health insurance premium directly.

Dr. Post stated that she had considered that the applicant was rated less than 75% full body impairment by both Dr. Patrick Santos and Dr. Vincent Duenas. Dr. Post stated that being below 75%, there is still work possible for the applicant. There is still time for rehabilitation. Dr. Post stated that the applicant is clearly disabled. Secretary Antolina Leon Guerrero stated that since the Skilled Nursing Unit (SNU), the applicant has had only two therapy sessions at home at \$80.00 per visit. Dr. Post stated that the applicant needs rehabilitation. Dr. Post stated that it is premature to give the applicant a disability pension at this time. Acting Chairman Leon Guerrero inquired about the idea of one year to recover from a stroke. Dr. Post stated that one to two years is normal for a physician to see an improvement. Dr. Post stated that the applicant should continue rehabilitation at home and wait until December 2013 and maybe the applicant's impairments may be rated differently. Trustee David O'Brien stated that it is only a few weeks away from December. The applicant contends that he needs help to move around. Putting the applicant back to work will put a burden at his workplace. The applicant is not in the condition to conduct inspections at his workplace as his medication affects him. Dr. Post stated that she does not disagree with Trustee O'Brien, but the two physicians' rating are below 75%. Trustee O'Brien stated that he is concerned of the safety of others if the applicant goes back to work. Therapy will help the applicant later in life. Secretary Leon Guerrero stated that the applicant is permanently, but not totally disabled. Dr. Post stated that there may be some permanent disability, but not totally. Acting Chairman Leon Guerrero thanked Dr. Post for joining the Board meeting via conference call.

Trustee O'Brien asked what happens if after a disability pension is granted and after one year, that individual is no longer deemed disabled. Director Blas stated that the individual will then be without a job. Trustee O'Brien stated that the bottom line is the applicant is below 75%. Treasurer Gerard Cruz stated that the 75% is only a guide used. A determination is made by interviewing the applicant. Treasurer Cruz inquired about the recertification process. Director Blas stated that during the reexamination process and the individual is found to be no longer disabled, the individual will no longer have a job. Acting Chairman Leon Guerrero asked whether we had cases where the individual was found to be no longer disabled. Director Blas stated that there were two cases and the individuals' department did not rehire them. Acting Chairman Leon Guerrero asked whether it was someone with a stroke. Director Blas stated that one was psychological and the other was a metal implant.

Director Blas stated that the Board could defer making a decision and wait until next month. Treasurer Cruz stated that the question is whether the applicant is totally and permanently disabled. Trustee

O'Brien stated that four physicians examined the applicant. Dr. Fred Schroeder gave a rating of 78%, Dr. Hao Van Nguyen 78%, Dr. Santos 70%, and Dr. Duenas 68%. Treasurer Cruz, Secretary Leon Guerrero, and Trustee O'Brien recommended to defer making a decision until next month and see what the applicant's evaluation will be then. Secretary Leon Guerrero stated that she is not ready to vote to approve a disability pension at this time.

Trustee David O'Brien, seconded by Treasurer Gerard Cruz, moved to defer Disability Case No. 13-002 until December 2013 as recommended by the Retirement Fund's Medical Consultant. Votes as follows: Yes Votes – Secretary Antolina Leon Guerrero, Treasurer Gerard Cruz, Trustee David O'Brien, Acting Chairman Wilfred Leon Guerrero. With four "Yes" votes, the motion unanimously passed. Chairman Joe San Agustin, Trustee Katherine Taitano, and Trustee James Duenas were absent.

III. OPEN DISCUSSION / GENERAL PUBLIC INPUT

A. Director and Officers Insurance

Trustee O'Brien inquired about the D & O Insurance. Director Blas stated that she will include this in her Director's Report.

B. Government of Guam Health Insurance Negotiations Retiree Advocate

Director Blas stated that she would like to have the Board reaffirm Michael Carlson as the Retiree Advocate on the Health Insurance Negotiations.

Secretary Antolina Leon Guerrero, seconded by Treasurer Gerard Cruz, moved to reaffirm, until further notice, Michael Carlson as the Retiree Advocate on the Government of Guam Health Insurance Negotiations. Without objection, the motion unanimously passed.

IV. ADJOURNMENT

There being no further business before the Board for the Defined Benefits Plan, on motion of Secretary Antolina Leon Guerrero, seconded by Treasurer Gerard Cruz, and without objection, the meeting was adjourned at 12:20 p.m. Motion unanimously passed.

I hereby certify that the foregoing is a full, true and correct copy of the Minutes of November 4, 2013 Reconvened Regular Meeting duly adopted and approved by the Government of Guam Retirement Fund Board of Trustees on November 22, 2013.


ANTOLINA S. LEON GUERRERO, Board Secretary

RECORDING SECRETARY:


Jackie Blas