

**MINUTES OF THE
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM**

GLENDALE LOCAL FIRE BOARD

July 23, 2014 – 9:00 a.m.
City Hall, 4th Floor Conference Room
5850 W. Glendale Ave.
Glendale, AZ

MEMBERS PRESENT: City Manager Brenda S. Fischer, Acting Chair
Charles Erickson, Citizen Board Member
Capt. Mark Manor, Board Member
Capt. Joe Hester, Board Member

STAFF PRESENT: Jim Brown, Director Human Resources and Board Secretary
Nick DiPiazza, Chief Deputy City Attorney
Pam Hanna, City Clerk (Present for Loyalty Oath Only)
Assistant Fire Chief Chris DeChant
Lynn Baumer, HR Administrator/Benefits
Marcia Zientek, Human Resources Support Staff

MEMBERS ABSENT: Mayor Jerry Weiers, Board Member

Call to Order A Joint Meeting of PSPRS Fire and Police Boards

City Manager Brenda S. Fischer called to order a joint meeting of the PSPRS Fire and Police Boards at 9:05 a.m.

Administration of Loyalty Oath

Pam Hanna, City Clerk, administered the Loyalty Oath to reelected Fire Board Member, Capt. Joe Hester.

Discuss New Hire Medical Documentation

The Police and Fire Board members discussed the new hire medical documents that are presently given to the Board members for review before they approve the new hire as a member into the PSPRS. The discussion centered on whether the full report is necessary, or if just the doctor's summary report would be sufficient. Capt. Hester stated that he has talked with colleagues from other cities in the Valley and believes that the amount of documents and the kind of documents given to the board are only understood in the professional world and that in the spirit of HIPAA, a consolidation of the documents should be considered. Assistant Fire Chief DeChant stated that he had a chance to discuss this issue with Jim Brown, Director Human Resources and Board Secretary. Chief DeChant's proposal would be to have a front sheet that has a checkbox that asks, "Does the employee have any pre-existing conditions that would exclude him/her from the ability to do the job, 'yes' or 'no'. "Does he/she have any pre-conditions that do not exclude him/her from doing the job?" This would be the information given to the Board. He stated that, as he looked around at other cities, typically all they had were two front sheets of information which included the doctor's report.

Jim Brown noted that he and Chief DeChant had a couple of conversations regarding this topic. Jim has looked at our benchmark cities and found that the type of documents provided to their boards varies from city to city. The only city that gives their board the full packet of medical information is the City of Mesa. Jim noted that Glendale's past Board had a Mayor and citizen Board member that requested a complete packet of the medical information. He also noted, however, that in his seven years of attending the meetings as the Board Secretary, he has never observed where the Board has voted 'No' and not accepted an employee into the PSPRS.

City Manager Fischer stated that she was surprised at the level of information provided to the Board, and felt that it was the type of information that only medical professionals would be able to understand. She questioned whether the Board has the educational background or capability of understanding the medical reports. She advised that she would be relying on the physician's recommendations. She stated that she would never vote to not accept someone into the PSPRS because she is not trained in the medical field.

Mr. Erickson, Citizen Board member, asked where the complete package of medical information is kept and how it is retained. Mr. Brown advised that Human Resources and the Glendale Regional Public Safety Training Center (GRPSTC) both have areas where HIPAA documents are kept locked and secured according to HIPAA regulation. Mr. Erickson then confirmed with Mr. Brown that the complete medical package would always be available should a disability claim come forward.

Nick DiPiazza, Chief Deputy City Attorney, presented a case for the legal issue of providing the Board members with a full packet of the medical documents. He advised that, whether or not all of the documents presented are understood, many are and those documents provide the basis of the information by which the Board's decision is made in regard to the new hire's membership into the PSPRS. Mr. DiPiazza stated that the Board has the important responsibility of maintaining the integrity of the Retirement System by making decisions so that the Local PSPRS continues to be viable. Part of this responsibility is to be able to review all documents so that the Board members are able to make the best informed decision possible at that time. Should a disability claim be filed by a member in the future, the pre-employment medical documents would provide evidence of any pre-existing conditions that were noted, both in the documents and by the Board. The Board would then be able to compare those original documents with the new medical documents that are presented for the claim.

City Manager Fischer recognized that this item was not a decision item for this meeting and would require additional research. She will ask Candace MacLeod, City Auditor, to review how the medical documents are handled and stored. Ms. Fischer also requested that Mr. Brown provide comparisons of the cities in the Valley to what the City of Glendale does in regards to the documents that go to their PSPRS boards. Ms. Fischer also requested that Mr. DiPiazza prepare any documents he may want to present to the board to support his position of giving full packets to the Board members. Ms. Fischer recommended that this topic be tabled and discussed further at the next board meeting on August 27, 2014 when the additional information will be available.

Adjournment

City Manager Brenda S. Fischer asked for a motion to adjourn the joint meeting of the Police and Fire Boards. Capt. Joe Hester made a motion to adjourn the joint meeting of the Police and Fire Boards. Capt. Mark Manor seconded the motion. The joint meeting was adjourned at 9:55 a.m.

Call to Order Fire Board

City Manager Brenda S. Fischer called to order the Local Fire Board meeting at 9:57 a.m.

Review and Approval of the June 25, 2014 Local Fire Board Meeting Minutes

The minutes of the June 25, 2014 Local Fire Board meeting were reviewed. Charles Erickson moved to accept the minutes as presented. Capt. Mark Manor seconded the motion. The Board voted and passed the motion unanimously.

New Business

Capt. Mark Manor inquired about the review of the Open Meeting Law and Public Records Requests mentioned at the last meeting by Nick DiPiazza. Mr. DiPiazza advised that he is ready to present this information as soon as the next joint meeting of both the Fire & Police Boards is scheduled.

Adjournment

City Manager Brenda S. Fischer asked for a motion to adjourn the meeting. Capt. Mark Manor moved to adjourn the PSPRS Fire Board meeting. Charles Erickson seconded the motion. The meeting was adjourned at 10:03 a.m.

Submitted by:



Jim Brown
Board Secretary