

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

June 9, 2022

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, June 9, 2022, at 8:45 a.m. in the System's Springfield office at 2101 S. Veterans Parkway and by videoconference as allowed under Section 7(e) of the Open Meetings Act (5 ILCS 120/7(e)).

Committee Members Present:

Marvin Becker, Chairperson
David Morris, Vice-Chairperson
Timothy Blair, Executive Secretary

Others Present:

Jeff Houch, Assistant to the Executive Secretary
Eric Glaub, Manager, Claims Division
Aaron Evans, Attorney, Sorling Northrup
Jessica Blood, Recording Secretary

Minutes of the Previous Meeting

The minutes of the Executive Committee's meeting on May 12, 2022, were presented by Chairperson Becker for approval. Copies of the minutes were previously e-mailed to Committee members for review. Chairperson Becker moved to approve the minutes as submitted. The motion was seconded by Vice-Chairperson Morris, and by unanimous vote, the minutes were approved by the Committee members present.

Routine Claims Report

The Routine Claims Report for May 2022 was presented. Following review and discussion, the Routine Claims Report for May 2022 as prepared by staff, was received by the Committee.

Old Business

Talea Akers – Appeal of Nonoccupational Disability Benefit Claim Denial - Recommendation

Talea Akers worked for the Illinois Department of Corrections as a Correctional Officer. Her last day worked was November 28, 2021, and she filed a nonoccupational disability application on November 23, 2021 due to post-partum care.

The Disability Examiner found there was insufficient medical evidence to meet the statutory requirements to receive nonoccupational disability benefits. The case file was also reviewed by the Disability Supervisor to confirm. On January 3, 2022 the case file was referred to SERS' medical consultant, MMRO, for review.

A recommendation to disapprove the claim was received from MMRO on January 20, 2022. The report noted 'there was no support that the member is considered mentally or physically incapacitated to perform their duties as a Correctional Officer.' Ms. Akers was sent a letter on January 28, 2022 to inform her that her claim had been denied.

Ms. Akers then inquired about an appeal of the unfavorable decision made on her claim. She also provided additional medical evidence in support of her claim. On March 23, 2022 the case file was resent to MMRO along with the new documentation she provided.

On March 31, 2022, MMRO provided an addendum to their initial report. The addendum also states that the additional medical evidence provided still does not support the approval of the nonoccupational disability claim. Ms. Akers was sent a letter on March 31, 2022 to inform her the claim was denied. She is now appealing the denial of her nonoccupational disability claim.

After hearing Ms. Akers present the facts of her case at their May 2022 meeting, the Committee referred her case for a recommendation.

Attorney Evans presented Recommendation No. 2022-9 to deny Ms. Akers' appeal. After discussing the recommendation and reviewing the facts of the case, Executive Secretary Blair moved to adopt Recommendation No. 2022-9. The motion was seconded by Chairperson Becker, and all were in favor.

New Business

Janelle Kellerman – Appeal of Nonoccupational Disability Benefit Claim Denial

Janelle Kellerman works for the Illinois Department of Corrections as a Correctional Assessment Specialist. She last worked February 23, 2022 and began a medical leave of absence for pregnancy related complications. SERS received a completed nonoccupational disability application on March 29, 2022.

The Disability Specialist found there was insufficient medical evidence to meet the statutory requirements for Ms. Kellerman to receive nonoccupational disability benefits. The case file was also reviewed by the Disability Section Supervisor to confirm. On April 4, 2022, the case file was referred to the SERS medical consultant, MMRO, for review.

A recommendation to disapprove the claim was received from MMRO on April 18, 2022. The report noted 'there was no support that the member is considered mentally or

physically incapacitated to perform their duties as a Correctional Assessment Specialist.’ Ms. Kellerman was sent a letter on April 19, 2022 to inform her that her claim had been denied.

Ms. Kellerman has requested a written appeal for the denial of her nonoccupational disability claim.

After a brief discussion, Executive Secretary Blair moved to deny Ms. Kellerman’s appeal. The motion was seconded by Vice-Chairperson Morris and passed unanimously.

Audrey Cantali-Lopez – Appeal of Termination of Nonoccupational Disability Benefits

Audrey Cantali-Lopez worked for the Illinois Department of Natural Resources as a Human Resource Associate. She had last worked on March 5, 2020. She then applied for a nonoccupational disability benefit on March 6, 2020.

Ms. Cantali-Lopez was approved for a nonoccupational disability benefit from October 3, 2020 through November 16, 2020. Her agency returned her to full-time status on November 17, 2020. Ms. Cantali-Lopez then used her own benefit time until she went on a nonservice connected leave of absence at her agency on December 4, 2020. She then resumed her nonoccupational disability benefit effective December 5, 2020.

After a review of Ms. Cantali-Lopez’s submission for the January 2022 Disability Certification, the Disability Specialist flagged the case file for further review because the documents seemed to support her condition has stabilized with medication and improvements with her condition. The case file was reviewed by the Disability Supervisor to confirm. On March 17, 2022 the case file was referred to our medical consultant, MMRO, for review.

A recommendation to disapprove the claim was received from MMRO on April 12, 2022. The report noted ‘there is a lack of medical data to support, during the relevant time frame, substantiation that the member is mentally incapacitated to perform her duties as a Human Resource Associate.’ Ms. Cantali-Lopez was sent a letter on April 18, 2022 to inform her that her nonoccupational disability benefit would cease effective March 31, 2022.

Ms. Cantali-Lopez has requested a written appeal for the termination of her nonoccupational disability claim.

Following a review of the facts of the case, Executive Secretary Blair moved to deny Ms. Cantali-Lopez’s request. The motion was seconded by Vice-Chairperson Morris, and all were in favor.

Tambla Elliott – Request for Reappeal to Receive Survivor Contribution Refund after Retirement

Tambla Elliott requested a written appeal to receive a refund of her survivor

contributions after retirement that was considered at the February 10, 2022 meeting of the Executive Committee. Her appeal was denied, and the decision became final at the meeting of the Board of Trustees on April 26, 2022.

Per an inquiry received on April 25, 2022, Ms. Elliott is requesting a reappeal to receive a survivor contribution refund after her retirement.

After discussing the facts of the case and determining no new information pertaining to the case had been submitted, no member of the Committee moved to grant Ms. Elliott's request for a reappeal. Therefore, the request failed.

Lewis Nixon – Request Refund of Prior Refund Repayment with Charged Interest

In 2009, Judge Lewis Nixon, a member with prior SERS service who had previously taken a refund of contributions, repaid that refund with "charged interest". The amount of the total payment made was \$8,091.13, with approximately \$6,500 representing the charged interest.

Judge Nixon repaid the refund to potentially max out his benefits under JRS by utilizing provisions of the Illinois Reciprocal Systems Act. Thirteen years later, Judge Nixon has maxed out his JRS benefits without the SERS service credit. He is now requesting a refund of the payment. He is also requesting that his refund include the "charged interest" that he paid to reestablish the refunded service.

After discussing the facts of the case, Executive Secretary Blair moved to approve Mr. Nixon's request. The motion was seconded by Chairperson Becker, and all were in favor.

Paul Wangerin – Appeal of Final Average Compensation Calculation for Proportional Annuity

Paul Wangerin retired utilizing the Reciprocal Retirement Systems Act. He began receiving proportional annuities from SERS and SURS effective January 1, 2022. The monthly Final Average Compensation (FAC) used to calculate both proportional annuities totaled \$7,602.38. Mr. Wangerin had 31 months of service with SURS, as he was a contributing member of SURS from June 1, 2019, through December 31, 2021.

Because Mr. Wangerin had less than 48 months of service with SURS, earnings he received as a SERS member from May 1, 1978, through August 31, 1979, were used to complete the 48-month period the statute requires for determining a member's FAC.

Mr. Wangerin contends the passage found in Section 14-103.12(a) of the Pension Code prohibits the inclusion of his SERS earnings to his FAC because his service with SERS was not consecutive with his service in SURS:

"the 48 consecutive months of service within the last 120 months of service in which the total compensation was the highest".

Staff contends that the statutory language Mr. Wangerin cites directs the System to connect all the years of service a member has earned under all reciprocal systems for purposes of determining his or her FAC period, even when those years of service are separated by significant periods of non-service. Furthermore, officials from IMRF, SURS, and TRS confirm that they too interpret their applicable statutes, which utilize essentially the same language as the language found in Section 14-103.12(a), in the same manner.

Following a review of the case and some discussion, the Committee decided to refer Mr. Wangerin's case for a recommendation.

There being no further business to be brought before the Committee, the meeting was adjourned at 10:15 a.m.

The next meeting of the Executive Committee is scheduled for July 14, 2022, in the System's Springfield office.

Marvin Becker, Chairperson

David Morris, Vice-Chairperson

Timothy Blair, Executive Secretary