

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

April 10, 2025

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, April 10, 2025, at 8:45 a.m. in the System's Springfield office at 2101 S. Veterans Parkway.

Committee Members Present:

Marvin Becker, Chairperson
Arnold Black, Vice-Chairperson
Timothy Blair, Executive Secretary

Others Present:

Jeff Houch, Associate Executive Secretary
Samantha Goetz, General Counsel
Cory Mitchell, Manager, Claims Division
Karen Brown, Supervisor, Disability Section
Jessica Blood, Recording Secretary
Aaron Evans, Attorney, Sorling Northrup

Other Present via Videoconference:

Gina Tomasone, Stenographer
Carolyn Abernathy, Claimant
Scott Moran, Claimant's Attorney
Kelly Ellis, Claimant
Taj Wade, Claimant

Minutes of the Previous Meeting

Chairperson Becker presented the minutes of the Executive Committee's meeting on March 13, 2025, for approval. Copies of the minutes were previously emailed to Committee members for review. Chairperson Becker moved to approve the minutes as submitted. The motion was seconded by Vice-Chairperson Black and passed unanimously.

Routine Claims Report

The Routine Claims Report for March 2025 was presented. Following a brief discussion, the Routine Claims Report for March 2025 as prepared by staff was received by the Committee.

Old Business

Jacquelyn Jordan – Appeal Overpayment of Disability Benefits – Recommendation

Jacquelyn Jordan works for the Department of Human Services as a Human Services Caseworker. She went on a non-service-connected leave of absence on April 28, 2023. Her disability claim was approved, and she began receiving benefits from SERS on May 31, 2023.

Ms. Jordan reached full SSA retirement age in September 2023, but SERS did not start offsetting her benefit until September 2024. When Ms. Jordan called SERS about the reduction in her offset it was determined that she reached full retirement age in September 2023, and the offset should have started then. At the time of her entitlement, her SSA benefit was only \$1,669.00.

SERS paid Ms. Jordan the difference in the offset for September and October 2024. Starting November 2024, her monthly benefit is at the correct rate. SERS then set up an overpayment from September 2023, through August 2024.

Ms. Jordan is appealing her overpayment. She states she should have been aware that she needed to file for her Social Security benefits before October 15, 2024. She disagrees with the amount of the overpayment. She also states she has not received her first benefit check from SSA and that her retroactive check will not be anywhere near the overpayment that she owes SERS.

Ms. Jordan is requesting a personal appeal in the Springfield office and has requested a copy of the overpayment calculation sheet, which was emailed to her on January 2, 2025.

Ms. Jordan presented her appeal to the Committee. The oral proceedings were recorded by stenographer Serena Bonifazi, and the transcripts will be provided to Ms. Jordan and the Executive Committee. After discussing the information presented in Ms. Jordan's appeal, the Committee referred her case to external counsel for a recommendation.

After discussing the case in detail, the Committee decided to defer a decision pending additional research with the Social Security Administration.

Michelle Williams-Flowers – Appeal Denial of Nonoccupational Disability Benefits – Deferred

Michelle Williams-Flowers works at the Department of Children and Family Services as a Child Welfare Staff Development Coordinator IV. She last worked October 15, 2024, and began a medical leave of absence on November 2, 2024, due to injuries sustained in a vehicle accident.

Ms. Williams-Flowers was sent a letter on December 31, 2024, stating the medical

report form was insufficient to determine disability and requesting that she submit her medical records. She submitted additional records, and her claim was referred to MMRO on January 7, 2025, for review.

The MMRO Medical Consultant determined based on the review of medical evidence that there is no support that Ms. Williams-Flowers is mentally or physically incapacitated from performing her duties as a Child Welfare Staff Development Coordinator IV. They noted that her job is not physically demanding and allows her to rest if she does not need to exert herself. They state that while she does have some pain and is undergoing physical therapy, it does not preclude her from being able to do her job.

SERS sent a denial letter to Ms. Williams-Flowers on January 21, 2025. She is appealing the denial of benefits. She states she has limited mobility and memory loss as a result of her injuries, adding that her doctor has told her she will not be returning to work due to said injuries.

Ms. Williams-Flowers submitted additional medical evidence and requested a personal appeal via telephone. After hearing Ms. Williams-Flowers present her case at their March 2025 meeting, the Committee deferred a decision pending an MMRO review of her additional documentation.

Jeff Houch informed the Committee that SERS staff had reviewed additional documentation submitted by Ms. Williams-Flowers and determined that she was eligible for nonoccupational disability benefits, and no further action was required by the Committee.

Jobina Rogers – Request to Reappeal Suspension of Nonoccupational Disability Benefits

Jobina Rogers works as Mental Health Technician I for the Department of Human Services. She last worked September 25, 2023. She was approved for a nonoccupational benefit and began receiving benefits on October 27, 2023.

Ms. Rogers' file was submitted to the MMRO consultants in July 2024 to determine her continued disability. The MMRO report found that she had experienced improvement in her impairments that no longer incapacitated her from performing her job duties.

Ms. Rogers' disability benefits were suspended August 31, 2024. Ms. Rogers appealed this decision and her appeal was denied.

Ms. Rogers requested a reappeal and submitted a letter and additional information in support of her disability claim. After discussing the information provided, the Committee decided to defer a decision pending staff review of the additional documentation Ms. Rogers provided.

Jeff Houch informed the Committee that SERS staff had reviewed additional

documentation submitted by Ms. Rogers and determined that she was eligible for nonoccupational disability benefits, and no further action was required by the Committee.

Gwen Dowling – Request to Reappeal Termination of Temporary Disability Benefits - Deferred

On November 14, 2024, the Executive Committee unanimously denied Gwen Dowling's appeal when it adopted Recommendation 2024-12. Ms. Dowling has submitted additional information and is requesting a reappeal.

After discussing the case at their March 2025 meeting, the Committee decided to defer a decision pending staff review of the additional documentation provided.

Jeff Houch presented the Committee with an additional denial opinion that had recently been received by SERS. After reviewing the provided document, no member moved to allow Ms. Dowling a reappeal.

New Business

Carolyn Abernathy – Appeal to Remove Workers’ Compensation Death Benefit Offset – Formal Personal Hearing via Teleconference – 9:00 a.m.

Melvin Abernathy was a SERS member who passed away on March 29, 2017. His surviving spouse Carolyn Abernathy began receiving a survivor's annuity effective April 1, 2017. On June 26, 2023, Mrs. Abernathy was awarded a death benefit under the Workers' Compensation Act. On January 8, 2025, Mrs. Abernathy was notified that her SERS survivor's annuity or optional SERS occupational death benefit was subject to offset because she was awarded a death benefit under the Workers' Compensation Act.

SERS contends that a SERS annuity payable to any eligible survivor must be offset by the death benefit they receive under the Workers' Compensation Act, see 40 ILCS 5/14-129 and Title 80, Section 1540.90 a) of the Illinois Administrative Code.

Through her attorney, Mrs. Abernathy is appealing to remove the Workers’ Compensation Death benefit offset from her SERS benefit. SERS staff believe the basis of the appeal is that she was not dependent on Mr. Abernathy at the time of his death.

Scott Moran, attorney for Mrs. Abernathy, presented her appeal to the Committee. The oral proceedings were recorded by stenographer Gina Tomasone, and the transcripts shall be provided to Mrs. Abernathy and the Executive Committee. After discussing the information presented in Mrs. Abernathy’s appeal, the Committee decided to refer to external counsel for a recommendation.

Kelly Ellis – Appeal Denial of Nonoccupational Disability Benefits – Personal Hearing via Teleconference – 9:45 a.m.

Kelly Ellis works as a Mental Health Recovery Support Specialist I for the Department of Human Services. She last worked November 1, 2024, and began a leave of absence November 7, 2024, due to multiple medical conditions. She has not returned to work.

Ms. Ellis' file was sent to MMRO, SERS' medical consultants, for a determination of disability. MMRO found that her records did not support her incapacity to perform her duties. Her exams were normal overall. They also noted that the intensity of services provided to Ms. Ellis once every four weeks is not a frequency of services typical for an individual with an impairment such as Ms. Ellis'.

Ms. Ellis is requesting a telephone appeal of her nonoccupational disability claim denial. She feels she is unable to work at this time and states her doctor has taken her off work until June 2025. She has not supplied any other supporting medical evidence for her appeal at this time.

After hearing Ms. Ellis present her case, the Committee decided to refer to external counsel for a recommendation after receiving additional documentation from Ms. Ellis.

Taj Wade – Appeal Denial of Nonoccupational Disability Benefits – Personal Hearing via Teleconference – 11:15 a.m.

Taj Wade works for the Department of Human Services as a Mental Health Technician II. He went on medical leave December 26, 2024.

Mr. Wade underwent an elective surgery on December 26, 2024, and had an estimated return to work date of February 6, 2025.

Mr. Wade's claim was denied because he underwent an elective procedure, which is SERS policy.

Mr. Wade has requested a telephone appeal against the denial, stating that his doctor deemed his surgery to be medically necessary and that his insurance company paid for his procedures.

After hearing Mr. Wade present his case, Executive Secretary Blair moved to approve his appeal if Mr. Wade could provide documentation showing that his elective surgery was fully covered by his insurance. The motion was seconded by Chairperson Becker and passed unanimously.

Lisa Robinson – Appeal to Keep Automatic Annual Increase (AAI) – Exceeded 75-Day Return to Work Limitation

SERS retiree Lisa Robinson exceeded the 75-day return to work limitation of 40 ILCS 5/14-111 in December 2024. This was discovered after her pension payments for

January and February were issued, creating an overpayment. This overpayment represents her entire monthly gross pension payment for December 2024, and the 2025 Automatic Annual Increase (AAI) applied to her January and February 2025 payments.

Although not a statutory nor administrative rule provision, SERS' policy requires a member to receive a monthly pension for the preceding December to receive an AAI. Because Ms. Robinson was technically ineligible for a pension payment for December 2024, she should not have received an AAI for 2025.

Ms. Robinson is appealing to keep the AAIs that were applied to her 2025 pension payments.

After discussing the information provided, Chairperson Becker moved to approve Ms. Robinson's appeal and remove the service credit from her time worked in December 2024. The motion was seconded by Vice-Chairperson Black and passed unanimously.

Jody Huffman – Appeal of SURS Service Credit Transfer Amount

Jody Huffman is an active State Police Officer who elected to transfer 57 months of her prior SURS service as a university police officer to SERS. The 57 months of service so transferred represented service earned from June 17, 1997, through February 28, 2002.

40 ILCS 5/15-134.1, the applicable SURS statute, converts those 57 months of service into 5 years of SURS service credit, but that same conversion dynamic does not apply to the service credit established in her SERS account. Said differently, those 57 months of service credit transferred can only establish 57 months (4.75 years) of SERS service credit.

Ms. Huffman is appealing to the Executive Committee to grant her 5 years of SERS service related to this transfer.

After reviewing the information presented and some discussion, Executive Secretary Blair moved to deny Ms. Huffman's appeal. The motion was seconded by Chairperson Becker and passed unanimously.

Anita Morgan – Appeal to Stop Social Security Offset Removal and Receive Survivor's Benefit Contribution Refund

Anita Morgan retired effective January 1, 2025, and elected the Social Security Offset Removal option, which reduced her SERS pension by 3.825% and would have eliminated the SSA survivor's pension offset from the SERS survivor's annuity that would be payable to an eligible survivor.

Additionally, she declined the survivor's benefit contributions refund. 40 ILCS 5/14-130(c) provides that "a member no longer in service who is unmarried and does not have an eligible survivor's annuity beneficiary on the date of application therefor is entitled to a refund of contributions for widow's annuity or survivors annuity purposes,

or both, as the case may be, without interest."

Ms. Morgan is appealing to stop the Social Security Offset Removal option and to receive the survivor's benefit contributions refund as both decisions were made in error at the time of her retirement.

Following a discussion regarding the information provided, Executive Secretary Blair moved to deny Ms. Morgan's appeal. The motion was seconded by Vice-Chairperson Black and passed unanimously.

Ola Riley – Request to Reappeal Retroactive SSA Award Overpayment

On December 12, 2024, the Executive Committee unanimously denied Ola Riley's appeal, and the basis of that denial is that 40 ILCS 5/14-125 requires that a member's SERS nonoccupational disability benefit must be offset by their SSA disability benefit amount.

Ms. Riley has submitted additional information and is requesting a reappeal.

After determining that Ms. Riley had not submitted documentation sufficient to support her case, no member moved to grant her a reappeal.

Felony Forfeiture Review

On September 26, 2022, SERS retiree Earl Fortenberry entered a plea of guilty to two felony counts under case No. 22 CR 435 out of the United States District Court, Northern District.

SERS reached out to the Office of the Attorney General for an opinion on whether Mr. Fortenberry's felony convictions related to, arose out of, or were in connection with his service, thereby requiring the forfeiture of his SERS pension benefits. On March 24, 2025, SERS received an informal comment from the Office of the Attorney General stating that the information provided does not show that Mr. Fortenberry has been convicted of a service-related felony that would justify the forfeiture of his pension benefits under the State Employees' Retirement System pursuant to section 14-149 of the Illinois Pension Code.

Samantha Goetz briefed the Committee on the provided informal comment from the Attorney General's office and noted that Mr. Fortenberry's benefit would be reinstated.

There being no further business to be brought before the Committee, the meeting was adjourned at 11:36 a.m.

The next meeting of the Executive Committee is scheduled for May 13, 2025, in the System's Springfield office.

Marvin Becker, Chairperson

Arnold Black, Vice-Chairperson

Timothy Blair, Executive Secretary