

LIVE VIRTUAL BOARD MEETING



TO VIEW VIA WEB



TO PROVIDE PUBLIC COMMENT

You may submit a request to speak during Public Comment or provide a written comment by emailing PublicComment@lacera.com. If you would like to remain anonymous at the meeting without stating your name, please let us know.

Attention: Public comment requests must be submitted via email to PublicComment@lacera.com.

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION
300 N. LAKE AVENUE, SUITE 650, PASADENA, CA

AGENDA

A REGULAR MEETING OF THE BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., THURSDAY, JUNE 10, 2021*

This meeting will be conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

Any person may view the meeting online at
https://members.lacera.com/lmpublic/live_stream.xhtml

*The Board may take action on any item on the agenda,
and agenda items may be taken out of order.*

I. CALL TO ORDER

II. PUBLIC COMMENT

(Written Public Comment - You may submit written public comments by email to PublicComment@lacera.com. Correspondence will be made part of the official record of the meeting. Please submit your written public comments or documentation as soon as possible and up to the close of the meeting.

Verbal Public Comment - You may also request to address the Committee. A request to speak must be submitted via email to PublicComment@lacera.com. We will contact you with information and instructions as to how to access the meeting as a speaker. If you would like to remain anonymous at the meeting without stating your name, please let us know.)

III. CHIEF EXECUTIVE OFFICER UPDATE (For Information Purposes Only)

IV. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

V. CONSENT ITEMS

- A. Recommendation as submitted by JP Harris, Chair, Disability Procedures and Services Committee: That the Board authorize the proposed contracts and fee schedules for its panel physicians for the 2021-2022 fiscal year.
(Memo dated May 14, 2021)

V. CONSENT ITEMS (Continued)

- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeals and request for an administrative hearing for applicants Arnette A. West, Purisima M. Valencia, Serena S. Gilliam, and Maleine M. Tea.
(Memo dated May 27, 2021)
- C. Recommendation as submitted by Tamara L. Caldwell, Disability Retirement Specialist Supervisor, Disability Retirement Services: That the Board dismiss with prejudice John P. Harris' appeal for service-connected disability retirement. (Memo dated May 27, 2021)
- D. Recommendation as submitted by Tamara L. Caldwell, Disability Retirement Specialist Supervisor, Disability Retirement Services: That the Board dismiss with prejudice Lovia J. Pitts' appeal for an earlier effective date.
(Memo dated May 27, 2021)

VI. ITEMS EXCLUDED FROM CONSENT ITEMS

VII. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated May 24, 2021)

VIII. ITEMS FOR STAFF REVIEW

IX. GOOD OF THE ORDER
(For information purposes only)

X. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability
- B. Disability Retirement Appeals
- C. Staff Recommendations
 - 1. Recommendation as submitted by Tamara L. Caldwell, Disability Retirement Specialist Supervisor, Disability Retirement Services: That the Board approve the service provider invoice for Mary L. Williams.
(Memo dated May 27, 2021)

June 10, 2021

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XI. EXECUTIVE SESSION

A. Conference with Legal Counsel—Existing Litigation
Paragraph (1) of subdivision (d) of Section 54956.9

1. Oscar Ramos v. LACERA
Los Angeles County Superior Court Case No. 20STCP00476

XII. ADJOURNMENT

**Although the meeting is scheduled for 9:00 a.m., it can start anytime thereafter, depending on the length of the Committee meeting preceding it.*

Documents subject to public disclosure that relate to an agenda item for an open session of the Board of Retirement that are distributed to members of the Board of Retirement less than 72 hours prior to the meeting will be available for public inspection at the time they are distributed to a majority of the Board of Retirement Members at LACERA's offices at 300 N. Lake Avenue, Suite 820, Pasadena, CA 91101, during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.

**Requests for reasonable modification or accommodation of the telephone public access and Public Comments procedures stated in this agenda from individuals with disabilities, consistent with the Americans with Disabilities Act of 1990, may call the Board Offices at (626) 564-6000, Ext. 4401/4402 from 8:30 a.m. to 5:00 p.m. Monday through Friday or email PublicComment@lacera.com, but no later than 48 hours prior to the time the meeting is to commence.*



Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.

**For further information, contact:
LACERA
Attention: Public Records Act Requests
300 N. Lake Ave., Suite 620
Pasadena, CA 91101**



May 14, 2021

TO: Each Trustee
Board of Retirement

FROM: Disability Procedures & Services Committee
J.P. Harris, Chair
Wayne Moore, Vice Chair
Herman B. Santos
Gina Zapanta
William Pryor, Alternate

FOR: June 10, 2021, Board of Retirement Meeting

SUBJECT: PROPOSED CHANGES TO PANEL PHYSICIANS' FEE SCHEDULE

RECOMMENDATION

It is recommended that the Board of Retirement authorize new contracts and fee schedules for its panel physicians as proposed below.

DISCUSSION

On April 1, 2021, the Division of Workers' Compensation adopted new rules governing payment for Independent Medical Evaluations (IME). The new rules raised the flat fee for most medical-legal reports from \$1,500.00 to \$2,015.00. For psychiatric reports, the flat fee was raised from \$1,800.00 to \$4,030.00. The new rules also include a new \$3,022.00 flat fee for oncologist and toxicologist reports. These flat fees include 200 pages of record review, and thereafter, the doctor is paid \$3.00 per page reviewed. Previously, doctors were paid an hourly fee per inch of records reviewed. Reportedly, the change from an hourly to a per-page fee was adopted to reduce the volume of medical records being sent to the evaluator. The new workers' compensation fee schedule also raises the physicians' hourly deposition fee from \$350.00 per hour to \$455.00 per hour.

Most, if not all, LACERA's panel physicians provide medical-legal evaluations in the workers' compensation system, and they will be paid under the newly adopted fee schedule. To maintain the quality of our evaluation reports for our members, the Disability Procedures and Services Committee is recommending that the Board adopt a fee schedule for its panel physicians that closely matches the workers' compensation fee schedule.

Proposed Fee Schedule

Generally, evaluations for disability-retirement applications involve reviewing more records than evaluations in the workers' compensation system. Adopting the per-page record-review fee found in the new workers' compensation fee schedule will likely increase LACERA's medical-legal fees significantly. To keep these costs under control and remain competitive, the Committee recommends adopting the following fee schedule which matches the flat fee provided in the workers' compensation system but pays the doctor an hourly fee per inch of records reviewed.

Type of Service Provided	Costs
Examination (in office) and Initial Report by Physician (plus per hour record review charge – see below):	\$2,015.00
Record Review Only (no exam) and Initial Report (plus per hour record review charge – see below):	\$1,007.50
Psychiatric/Psychological Examination (in office) and Initial Report (plus per hour record review charge – see below):	\$4,030.00
Psychiatric/Psychological Record Review Only (no exam) and Initial Report (plus per hour record review charge – see below):	\$2,015.00
Toxicology and Oncology Examination and Initial Report (plus per hour record review charge – see below):	\$3,022.50
Toxicology and Oncology Record Review Only (no exam) and Initial Report (plus per hour record review charge – see below):	\$1,511.25
Record review by physician (per inch per hour):	\$455.00
Record review by nurse (per inch per hour)	\$75.00
Supplemental Report (per hour):	\$455.00
Supplemental Report to provide omitted information	\$0
Deposition Fee: (per hour with a two (2) hour minimum)	\$455.00
Expert witness fees in Superior or Appellate Court: (No Change)	\$3,500.00 (½ day)
	\$7,000.00 (full day)

Each Trustee, Board of Retirement

May 14, 2021

Re: Proposed Changes to Panel Physicians' Fee Schedule

Page 3 of 5

Attached for the Board's review is the proposed updated contract for the panel physicians that will incorporate the new fee schedule. Also attached for the Board's review is a chart comparing the proposed fee schedule with the current fee schedule and the new workers' compensation fee schedule.

LACERA's Current Fee Schedule

Since 2013, LACERA has been paying its medical providers based on the following fee schedule.

Type of Service Provided	Costs
Examination and Initial Report by Physician:	\$1,500.00
Psychiatric and Neurological Initial Reports:	\$1,800.00
Additional Fee for Review of Medical Records: LACERA will pay up to 1 hour of record-review time per inch of medical records:	
• Record Review by Physician:	\$350.00 (per hour)
• Record Review by Registered Nurse:	\$75.00 (per hour)
Supplemental Reports based on additional information:	\$350.00 (per hour)
Supplemental Reports to provide omitted information:	No Payment
Deposition fee:	\$350.00 (per hour)
Preparation for testimony at administrative hearing:	\$350.00 (per hour)
Expert witness fees in Superior or Appellate Court:	\$3,500.00 (½ day)
	\$7,000.00 (full day)

Current Fee Schedule vs. Proposed Schedule

Using data from the prior three fiscal years, the current estimated average cost for a panel-physician evaluation and report, based on a review of five inches of medical records (1,250 pages, 250 pages per inch), is \$3,250.00. This average is based on the costs for all medical-legal reports in total, including psychiatric and neurological reports which are currently hired.

The following comparison demonstrates that the adoption of the proposed fee schedule will increase the average cost per report from \$3,250.00 to \$4,290.00, a 33% increase from the current fee schedule.

Current Fee Schedule		Proposed Fee Schedule	
Examination and Report:	\$1,500.00	Examination and Report	\$2,015.00
Five inches of medical records (\$350.00 x 5 hours)	<u>1,750.00</u>	Five inches of medical records (\$455 x 5 hours)	<u>2,275.00</u>
	\$3,250.00		\$4,290.00

Proposed Fee Schedule vs. New Workers' Compensation Fee Schedule

If the Board were to adopt the \$3.00 per page record review fee under the new workers' compensation schedule, the average cost per report would be \$5,165.00, a 62% increase from the current fee schedule. As noted above, the fees have the potential to increase significantly for files involving voluminous records. Below is a comparison of the proposed fee schedule with the new workers' compensation fee schedule.

Proposed Fee Schedule		New Workers' Comp Fee Schedule	
Examination and Report:	\$2,015.00	Examination and Report (including 200 pages of record review)	\$2,015.00
Five inches of medical records (\$455.00 x 5 hours)	<u>2,275.00</u>	Review of remaining 1,050 pages (\$3.00 per page)	<u>3,150.00</u>
	\$4,290.00		\$5,165.00

Projected Budget Increase

LACERA currently budgets \$1.8 million dollars for medical fees. Based on the average-cost-per-case scenario presented above, adoption of the proposed fee schedule would result in an approximate 33% increase in fees, and it would be necessary to allocate an additional \$600,000 for an approximate total of \$2.4 million

Each Trustee, Board of Retirement

May 14, 2021

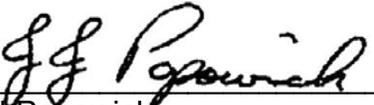
Re: Proposed Changes to Panel Physicians' Fee Schedule

Page 5 of 5

for Fiscal Year 2021-2022 to accommodate the new increases. These increases are significant, however, the current fee schedule was most likely undervalued since it was based on a workers' compensation fee schedule that was adopted in 2006.

IT IS THEREFORE RECOMMENDED THAT THE BOARD authorize the proposed contracts and fee schedules for its panel physicians for the 2021-2022 fiscal year.

REVIEWED AND APPROVED



JJ Popowich
Assistant Executive Officer

FJB:mb

Attachments

**AGREEMENT TO PROVIDE MEDICAL SERVICES
TO THE BOARD OF RETIREMENT OF THE LOS ANGELES
COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

This Agreement is made and entered into on July 1, 2021, by and between the Los Angeles County Employees Retirement Association (“LACERA”) and

[INSERT PHYSICIAN's NAME] (“PHYSICIAN”).

LACERA administers a disability retirement program pursuant to the County Employees Retirement Law of 1937, Government Code Section 31450, et seq. In connection with the disability retirement program, LACERA is required to determine whether the applicant for a disability retirement is permanently incapacitated for the performance of the applicant’s usual duties, based on competent medical evaluations, and, if so, whether such incapacity is service-connected;and

PHYSICIAN is licensed, competent, and qualified to provide medical evaluations on behalf of LACERA in the following area(s) of medical specialty:

[INSERT MEDICAL SPECIALTY]

LACERA and PHYSICIAN agree as follows:

Scheduling:

1. Within 30 days of contact by LACERA, PHYSICIAN will schedule an examination of the applicant for disability retirement.
2. LACERA is to be advised by PHYSICIAN of any change or rescheduling of an appointment that is more than 7 days after the original appointment date.

Examination and Reporting:

3. PHYSICIAN accepts appointment to the panel of examining physicians established by LACERA, will examine applicants for disability retirement as requested by LACERA’s agents, and will provide reports of PHYSICIAN’s findings, conclusions, and opinions only in regard to the PHYSICIAN’s area(s) of medical specialty listed above.
4. Within 30 days following each such examination, PHYSICIAN will provide LACERA with a comprehensive report of PHYSICIAN’s findings, conclusions, and opinions. In each case, PHYSICIAN’s report shall meet the requirements of LACERA’s “Board Panel Physician Guidelines,” Exhibit A to this contract.
5. Using only knowledge derived from the examination and the data provided by LACERA and based upon PHYSICIAN’s experience and specialty, PHYSICIAN will express a medical opinion as to whether the applicant is

permanently incapacitated for the performance of the duties required by the applicant's last permanent position held while in County Service.

6. If PHYSICIAN concludes that the applicant is permanently incapacitated for the performance of their duties in the County Service, PHYSICIAN will, based on an examination of the applicant and a review of any previous medical information and any other information furnished, express a specific medical opinion as to what duties the applicant cannot perform due to their disability and why the applicant cannot perform those duties.
7. If PHYSICIAN concludes that the applicant is permanently incapacitated for the performance of their duties in the County Service, PHYSICIAN will, based on an examination of the applicant and a review of any previous medical information and any other information furnished, express a medical opinion whether the applicant's permanent incapacity arose out of and in the course of their employment and whether the employment substantially contributed to the incapacity.
8. In examining applicants and providing medical reports and opinions to LACERA, PHYSICIAN will apply the legal principles set forth on the attached Board Panel Physician Guidelines, Exhibit A to this contract.
9. If PHYSICIAN determines that medical tests, such as x-rays, ultrasounds, MRIs, or other extensive lab tests are necessary to make an objective finding of an applicant's condition, PHYSICIAN will seek authorization from LACERA before ordering such tests.
10. PHYSICIAN shall not provide applicants with the results of any medical examination except as required by law or upon written approval of LACERA.
11. At the request of LACERA's Disability Retirement Services staff or legal counsel for LACERA, PHYSICIAN will conduct additional examinations, review additional records, including hearing/deposition transcripts, and shall provide supplemental reports for an additional reasonable fee as identified in paragraph 15. Supplemental reports will be provided within 30 days following an additional examination, and/or receipt of additional records to review.

Insurance and Indemnity:

12. PHYSICIAN shall maintain medical malpractice insurance coverage with a single claim limit of at least \$1 million per occurrence and an annual aggregate of at least \$2 million. PHYSICIAN will provide LACERA with proof of such insurance coverage prior to providing services under this Agreement.
13. PHYSICIAN will indemnify, defend, and hold harmless LACERA, its trustees, officers, fiduciaries, employees, and agents, from and against any and all

liability, suit, expenses, including defense costs and legal fees, judgments, and claims for damages of any nature whatsoever, including but not limited to, death, bodily injury, or personal injury to any person arising from or incident to any negligent performance or wrongful acts of PHYSICIAN or their staff.

14. PHYSICIAN represents and warrants that PHYSICIAN currently holds all licenses required to perform the services required by this Agreement. PHYSICIAN shall immediately notify LACERA if any license required by this Agreement is suspended or revoked, or if any proceeding or investigation is commenced by a licensing agency relating to PHYSICIAN's license or certification.

Fees and Billing:

15. PHYSICIAN agrees to bill and accept, and LACERA agrees to pay according to the Panel Physician Fee Schedule attached as Exhibit B.
16. Return of Hard Copy of Records or Proof of Destruction of Electronic/Digital Records is required before payment of an invoice will be made.
17. PHYSICIAN's invoice will be sent along with the PHYSICIAN's report and all hard-copy data provided by LACERA for review including medical records by a system which provides a tracking number – FEDEX.
18. PHYSICIAN will provide a completed LACERA Notice of Destruction of Electronic/Digital Records form with PHYSICIAN's report if electronic copies of records are provided to PHYSICIAN.
19. PHYSICIAN agrees to return all hard-copy records in the condition in which she/he received them, without markings or tabs. PHYSICIAN agrees the cost of replacing records lost by the physician's office, will be deducted from payment of their bill.
20. PHYSICIAN will safely transmit, store, and destroy LACERA-provided medical and employment records in compliance with Federal, State, and local privacy laws, including HIPPA.
21. PHYSICIAN agrees to bill according to this contract. Invoices which do not contain the above information will be returned to the PHYSICIAN for correction.

Contact Information:

22. To facilitate referral of applicants, PHYSICIAN will keep LACERA and its disability staff informed of PHYSICIAN's current place of business.

Physician's Testimony:

23. PHYSICIAN understands that by being appointed to this panel, PHYSICIAN may be called upon to provide deposition testimony or to testify at a disability hearing. PHYSICIAN shall provide reasonable accommodations for the taking of PHYSICIAN's deposition at PHYSICIAN's place of business. PHYSICIAN's witness fees for providing testimony, whether payable by the applicant or by LACERA shall be according to the Panel Physician Fee Schedule attached as Exhibit B.

General Contract Terms:

24. The initial term of this Agreement shall commence on the date it is executed by LACERA and shall terminate on **July 1, 2026**. Thereafter, this Agreement shall automatically renew for successive 12-month periods, commencing July 1 of each year. Notwithstanding the foregoing, either party may terminate this Agreement for its convenience at any time by delivering to the other party a 30-calendar day prior written Notice of Termination.
25. PHYSICIAN shall notify LACERA if any license, certification, or insurance coverage is lapsed, suspended, or revoked, or if any proceeding or investigation is commenced by an agency relating to the Physician's license or certification.
26. LACERA reserves the right to place PHYSICIAN on temporary probation or immediately terminate the agreement upon notification of a violation of LACERA's *Hiring of Panel Physicians: Qualifications, Licensing, Certification and Insurance Requirement Policy for Board Appointed Physicians*. LACERA may reinstate a Physician once the violation has been corrected to its satisfaction.
27. No amendment or modification to this Agreement, including a raise in the PHYSICIAN's fees, shall be valid unless made in writing and signed by both parties.
28. This Agreement shall be interpreted and governed by the laws of the State of California. The Superior Court of the State of California for the County of Los Angeles shall have exclusive jurisdiction of any actions to enforce this Agreement or to resolve disputes concerning it.
29. All notices required to be given to LACERA shall be delivered by first class mail to the following address:

Ricki Contreras, Division Manager, Disability Retirement Services
Los Angeles County Employees Retirement Association 300 North Lake
Avenue, Suite 350, Pasadena, CA 91101

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

Physician _____ Dated _____

Chairperson, Board of Retirement _____

Dated

LACERA Panel Physician Fee Schedule Comparison

LACERA Current Fee Schedule	Fees	LACERA Proposed Fee Schedule	Proposed Fees	Workers' Compensation (Adopted April 1, 2021)	Adopted Fees
Type of Service Provided		Type of Service Provided		Type of Service Provided	
Examination and Initial Report	\$ 1,500.00	Examination (in office) and Initial Report by physician*	\$ 2,015.00	Examination and Initial Report by Physician to include 200 pages of record review and \$3.00 per page thereafter	\$ 2,015.00
		Record Review Only (no exam) and Initial Report*	\$ 1,007.50		
Psychiatric and Neurological Examination and Initial Report	\$ 1,800.00	Psychiatric/Psychological Examination (in office) and Initial Report*	\$ 4,030.00	Psychiatric/Psychological Examination and Initial Report to include 200 pages of record review and \$3.00 per page thereafter	\$ 4,030.00
		Psychiatric/Psychological Examination (no exam) and Initial Report*	\$ 2,015.00		
		Toxicology and Oncology Examination (in office) and Initial Report*	\$ 3,022.50	Toxicology and Oncology Examination and Initial Report to included 200 pages of record review and \$3.00 per page thereafter	\$ 3,022.50
		Toxicology and Oncology Examination (no exam) and Initial Report*	\$ 1,511.25		
Record Review by Physician (per hour)*	\$ 350.00	Record Review by physician (per inch/per hour	\$ 455.00		
Record Review by Nurse (per hour)*	\$ 75.00	Record Review by nurse (per inch/per hour	\$ 75.00		
Supplemental Reports based on add'l information (per hour)	\$ 350.00	Supplemental Report (per hour)	\$ 455.00	Supplemental Report to include 50 pages of additional record review and \$3.00 per page thereafter	\$ 650.00
Supplemental Reports to provide omitted information	\$ -	Supplemental Report to provide omitted information	\$ -		
Deposition fee (per hour)	\$ 350.00	Deposition fee (per hour with a two (2) hour minimum)	\$ 455.00	Deposition Fee (per hour with 2 hour min)	\$ 455.00
Expert witness fees in Superior or Appellate Court (Half Day)	\$ 3,500.00	Expert witness fees in Superior or Appellate Court (No Change) (Half Day)	\$ 3,500.00		
Expert witness fees in Superior or Appellate Court (Full Day)	\$ 7,000.00	Expert witness fees in Superior or Appellate Court (No Change) (Full Day)	\$ 7,000.00		
Preparation of testimony at administrative hearing (per hour)	\$ 350.00			Re-evaluation within 18 months of the prior exam to include 200 pages of record review and \$3.00 per page thereafter	\$ 1,316.25
*Additional Fee for Review of Medical Records: (LACERA will pay up to 1 hour of record- review time per inch of medical records)					
				Fee to review sub rosa video (per hour)	\$ 325.00



May 27, 2021

TO: Each Trustee
Board of Retirement

FROM: Tamara L. Caldwell, Disability Retirement Specialist Supervisor
Disability Retirement Services

SUBJECT: **APPEALS FOR THE BOARD OF RETIREMENT'S MEETING
OF JUNE 10, 2021**

IT IS RECOMMENDED that the Board of Retirement grant the appeals and requests for administrative hearing received from the following applicants, and direct the Disability Retirement Services Manager to refer each case to a referee:

5155B	Arnette A. West	Irving Meyer	Deny SCD – Ineligible for NSCD
5157B	Purísima M. Valencia	In Pro Per	Deny SCD – Grant NSCD Employer Cannot Accommodate
5162B	Serena S. Gilliam	In Pro Per	Deny SCD – Grant NSCD With the Option of an Earlier Effective Date
5176B	Maleine M. Tea	In Pro Per	Deny SCD

TLC:kw

Memo.New
Appeals.docx



May 27, 2021

TO: Each Trustee
Board of Retirement

FROM: Tamara L. Caldwell, Disability Retirement Specialist Supervisor 
Disability Retirement Services Division

FOR: June 10, 2021 Board of Retirement Meeting

SUBJECT: **DISMISS WITH PREJUDICE THE APPEAL OF JOHN P. HARRIS**

Mr. John P. Harris applied for a service-connected disability retirement on October 15, 2018. On January 9, 2020, the Board denied his application for service-connected disability retirement and granted him a nonservice-connected disability retirement with the option of an earlier effective date.

Mr. Harris filed a timely appeal. On April 28, 2021, Mr. Harris submitted a letter requesting to withdraw his appeal for a service-connected disability retirement.

IT IS THEREFORE RECOMMENDED THAT THE BOARD:

Dismiss with prejudice John P. Harris' appeal for a service-connected disability retirement.

FJB: TLC: mb

Harris, John P.docx

Attachment

NOTED AND REVIEWED:



Francis J. Boyd, Sr. Staff Counsel

Date: 5/27/21



May 27, 2021

TO: Each Trustee
Board of Retirement

FROM: Tamara L. Caldwell, Disability Retirement Specialist Supervisor 
Disability Retirement Services Division

FOR: June 10, 2021 Board of Retirement Meeting

SUBJECT: **DISMISS WITH PREJUDICE THE APPEAL OF LOVIA J. PITTS**

Ms. Lovia J. Pitts applied for a service-connected disability retirement on November 6, 2014. On April 9, 2020, the Board granted her a service-connected disability retirement. Ms. Pitts filed a timely appeal for the option of an earlier effective date.

On January 6, 2021, during her telephone discussion with respondent's attorney, Jason Waller, Senior Staff Counsel, Ms. Pitts expressed a desire to withdraw her appeal. On January 13, 2021, Mr. Waller sent a letter to Ms. Pitts explaining her right to continue with the appeal, or voluntarily withdraw. Subsequent letters with the withdrawal information were sent to Ms. Pitts' on February 5, 2021, and April 14, 2021, per Ms. Pitts' requests.

On April 30, 2021, Ms. Pitts submitted a letter requesting to withdraw her appeal for the option of an earlier effective date.

IT IS THEREFORE RECOMMENDED THAT THE BOARD:

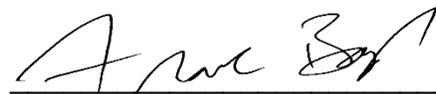
Dismiss with prejudice Lovia J. Pitts' appeal for the option of an earlier effective date.

FJB: TLC: mb

Pitts, Lovia J.docx

Attachment

NOTED AND REVIEWED:


Francis J. Boyd, Sr. Staff Counsel

Date: 5/27/21

FOR INFORMATION ONLY

May 24, 2021

TO: Each Trustee
Board of RetirementFROM: Ricki Contreras, Division Manager
Disability Retirement Services

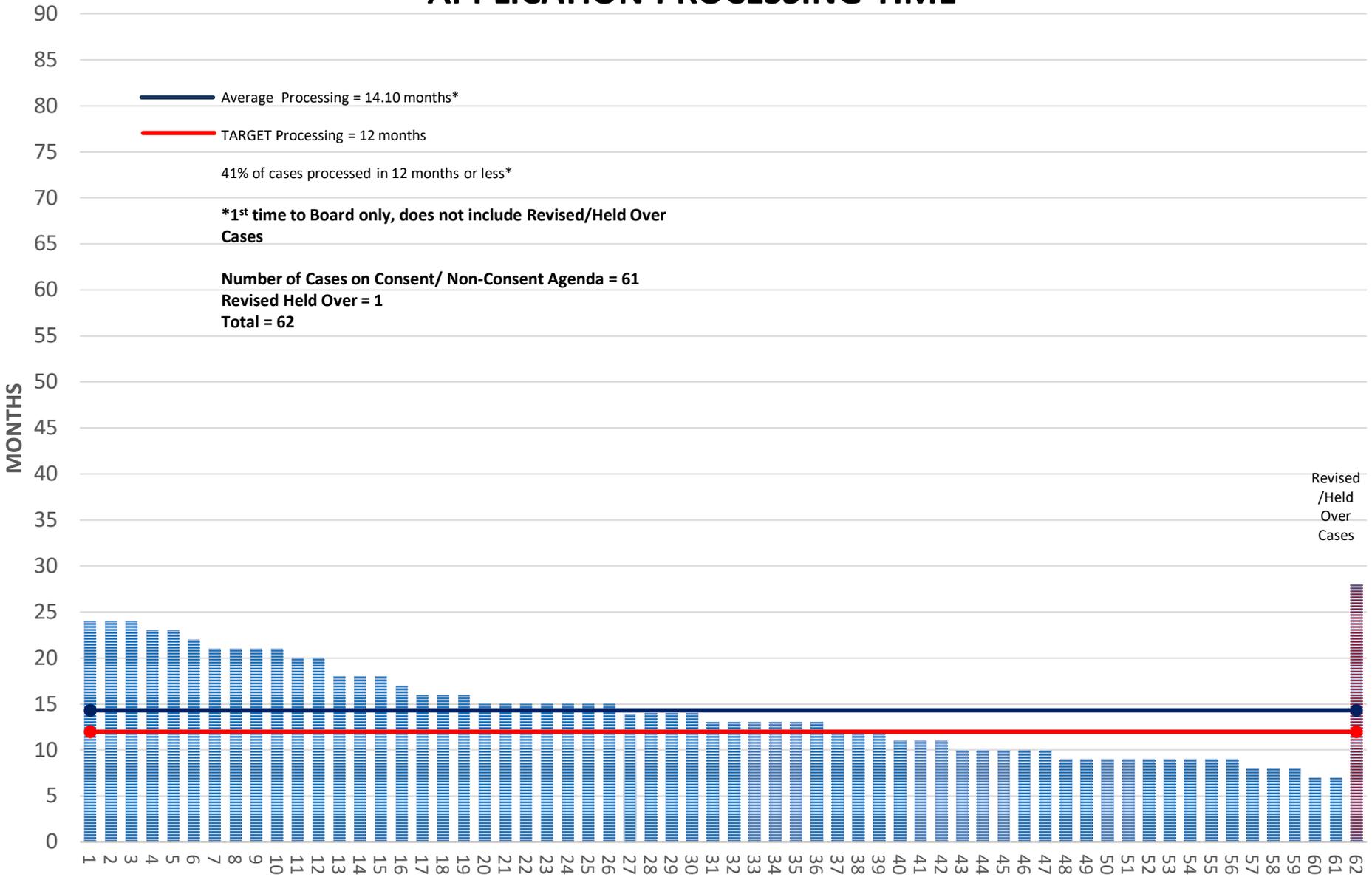
FOR: June 10, 2021 Board of Retirement Meeting

SUBJECT: **Application Processing Time Snapshot Reports**

The following chart shows the total processing time from receipt of the application to the first Board action for all cases on the June 10, 2021 Disability Retirement Applications Agenda.

Consent & Non-Consent Calendar	
Number of Applications	61
Average Processing Time (in Months)	14.10
Revised/Held Over Calendar	
Number of Applications	1
Processing Time Per Case (in Months)	Case 1 28
Total Average Processing Time All <u>62</u> Cases on Agenda	
	14.32

DISABILITY RETIREMENT SERVICES APPLICATION PROCESSING TIME



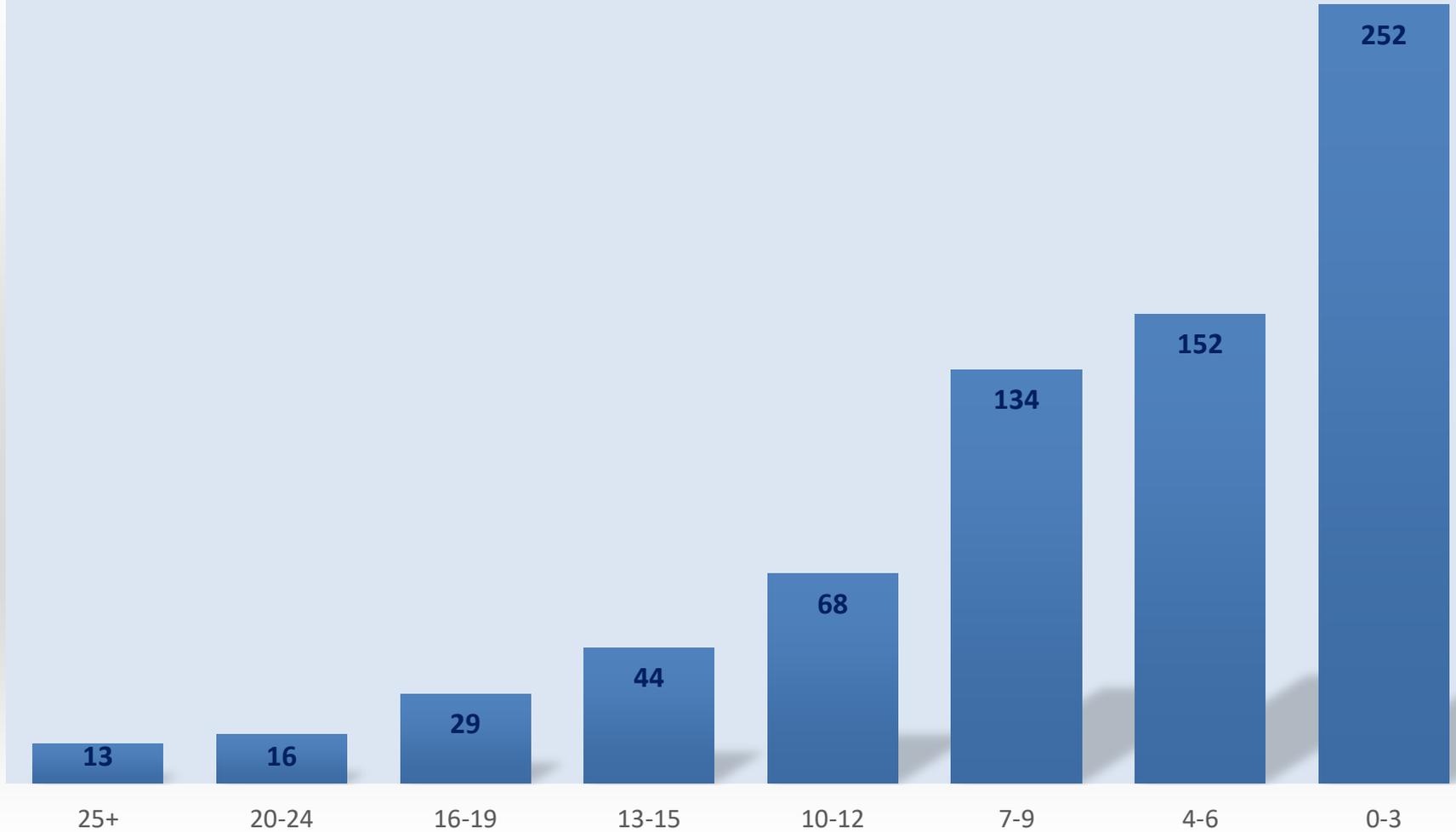
As of May 24, 2021

JUNE 10, 2021 AGENDA

DISABILITY RETIREMENT SERVICES PENDING APPLICATIONS/TIME INTERVALS

Total Pending Cases = 708

NUMBER OF PENDING APPLICATIONS



As of May 24, 2021



Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.

**For further information, contact:
LACERA
Attention: Public Records Act Requests
300 N. Lake Ave., Suite 620
Pasadena, CA 91101**



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