

**CITY OF BELLEVUE  
LEOFF 1 DISABILITY BOARD  
Meeting Minutes**

February 4, 2009  
5:30 p.m. – Administration  
6:00 p.m. – Business Meeting

Conference Room 1E-118  
Bellevue City Hall

**MEMBERS PRESENT**                      Chairperson Susan Neiman  
   Boardmember Wayne Bergeron  
   Councilmember John Chelminiak  
   Boardmember Bryan Reil

**MEMBER ABSENT:**                      Deputy Mayor Claudia Balducci

**OTHERS PRESENT:**                      Paula Dillon, Human Resources  
   Siona Windsor, Legal Advisor

**MINUTES TAKER:**                      Michelle Cash

**I.        CALL TO ORDER**

The meeting was called to order at 6:14 p.m. by Chairperson Neiman.

**II.       ROLL CALL**

**III.      APPROVAL OF MINUTES**

Approval of the June 4, 2008 meeting minutes was tabled due to lack of quorum for the meeting minutes.

**Motion by Councilmember Chelminiak and second by Boardmember Reil to approve the January 7, 2009 Disability Board Regular Meeting minutes as presented.**

**Chairperson Neiman amended page 2, Item B: Special Claims. Since Member #33's claim was discussed during the Executive Session and not part of the Special Claims, the exception to the motion was deleted. The motion should read, "Motion by Deputy Mayor Balducci and second by Councilmember Chelminiak to approve the Special Claims...At the question, motion carried unanimously (4-0) to approve the Special Claims."**

**At the question, motion carried unanimously (4-0) to approve the Special Claims with the noted correction.**

#### **IV. CONSIDERATION OF APPLICATIONS FOR DISABILITY ALLOWANCES**

##### **A. Applications for Disability Allowances**

**Motion by Councilmember Chelminiak and second by Boardmember Bergeron to approve the Applications for Disability Allowances as presented.**

There was a discussion regarding Member #69's claim for bereavement leave. Ms. Windsor explained that LEOFF 1 does not have a sick leave policy and bereavement is typically covered under sick leave. She will clarify if bereavement leave is part of the bargaining contract.

**At the question, motion carried unanimously (4-0) to approve the Applications for Disability Allowances, except for Member #69's claim.**

##### **B. Applications for Disability Allowances Greater than 1 month**

**Motion by Boardmember Bergeron and second by Councilmember Chelminiak to approve the Applications for Disability Allowances Greater than 1 Month as presented. Motion carried unanimously (4-0).**

#### **V. CONSIDERATION OF MEDICAL CLAIMS**

##### **A. Routine Claims**

**Motion by Boardmember Bergeron and second by Councilmember Chelminiak to approve the Routine Claims as presented.**

##### *Member #38 Discussion:*

Boardmembers discussed whether or not Member #38's claim for eyeglass frames was within policy guidelines. The claim was submitted to Premera five days prior to the required two-year window for such claims. Therefore, Premera did not cover the claim. Boardmember Bergeron felt that an exception should be made to the policy. However, the remainder of the Board felt the policy should be honored without an exception for this claim.

*Member #134 Discussion:*

Boardmembers discussed Member #134's claim, which was submitted for prescription reimbursement. Since the claimant was traveling out of the country, an additional prescription was needed to cover the duration the member was out of town. However, the insurance policy does not allow greater than a 30-day prescription supply from a pharmacy.

Ms. Dillon will forward information to Member #134 regarding the mail-in prescription program, which allows for a 90-day supply of medication.

**At the question, motion carried (3-1) to approve the Routine Claims with the exception of Member #38's claim, which was denied.**

B. Special Claims

**Motion by Councilmember Chelminiak and second by Boardmember Bergeron to approve the Special Claims as presented.**

*Member #58 Discussion:*

Chair Neiman and Councilmember Chelminiak expressed concern with Member #58's claim for dental reimbursement for a tooth that was "accidentally" broken from chewing a hard piece of candy.

Ms. Windsor provided a legal interpretation of the term "accident" and read the statute that applied to this claim. She noted that if a problem occurs to a tooth from repeated activity, then it is most likely not an accident. She added that accidents are covered by the policy, while normal repairs of teeth are not covered by the policy.

Boardmembers discussed various scenarios for accidentally breaking a tooth. In particular, scenarios where someone does not exhibit a proper level of care when the accident occurs (i.e., a wrestler who forgets a mouth guard and ends up getting a chipped tooth or a person not executing care when walking down the sidewalk and trips, falls, and chips a tooth).

*Member #57 Discussion:*

Ms. Dillon clarified that Member #57's claim was preapproved at a previous Board meeting.

**At the question, motion carried unanimously (4-0) to approve the Special Claims.**

**VI. REPORTS BY STAFF**

None.

## **VII. UNFINISHED BUSINESS**

Ms. Dillon reported that the Board physician is scheduled to evaluate Member #155 to make a determination on whether or not the Member is fit to return to work. She added that the doctor will also determine if the Member's medical condition is duty related.

Ms. Windsor discussed the general policy guidelines applicable for a member returning to work.

## **VIII. ANNOUNCE DATE & TIME OF NEXT MEETING**

The next Disability Board meeting will be held on Wednesday, March 4, 2009.

## **IX. ADJOURNMENT**

By general consensus, the meeting was adjourned at 6:56 p.m.