

AD HOC COMMITTEE ON DISABILITY PENSIONS

AGENDA

Board of Fire and Police Pension Commissioners

Ruben Navarro
Brian Pendleton
Paul Weber
Garrett Zimmon

October 3, 2019

**11:00 a.m. or as soon thereafter as the
Board adjourns its regular meeting**

Sam Diannitto Boardroom
Los Angeles Fire and Police Pensions Building
701 East 3rd Street, Suite 400
Los Angeles, CA 90013

An opportunity for the public to address the Board or Committee about any item on today's agenda for which there has been no previous opportunity for public comment will be provided before or during consideration of the item. Members of the public who wish to speak on any item on today's agenda are requested to complete a speaker card for each item they wish to address, and present the completed card(s) to the commission executive assistant. Speaker cards are available at the commission executive assistant's desk.

In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board or applicable Committee of the Board in advance of their meetings may be viewed at the office of the Los Angeles Fire and Police Pension System (LAFPP), located at 701 East 3rd Street, 2nd Floor, Los Angeles, California 90013, or by clicking on LAFPP's website at www.lafpp.com, or at the scheduled meeting. Non-exempt writings that are distributed to the Board or Committee at a scheduled meeting may be viewed at that meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the commission executive assistant, at (213) 279-3038 or by e-mail at rhonda.ketay@lafpp.com.

Sign language interpreters, communication access real-time transcription, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. Due to difficulties in securing sign language interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Department of Fire and Police Pensions, (213) 279-3000 voice or (213) 628-7713 TDD.

1. ELECTION OF AD HOC COMMITTEE CHAIR AND VICE-CHAIR
2. DISCUSSION OF AD HOC COMMITTEE EXPECTATIONS AND GOALS
3. [DISCUSSION ON THE DISABILITY APPLICATION PROCESS AND POSSIBLE COMMITTEE ACTION](#)
4. GENERAL PUBLIC COMMENTS ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION

SPECIAL MEETING

AGENDA

Board of Fire and Police Pension Commissioners

October 3, 2019

**11:00 a.m. or as soon thereafter as the
Board adjourns its regular meeting**

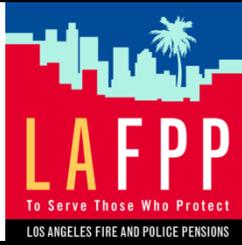
Sam Diannitto Boardroom
Los Angeles Fire and Police Pensions Building
701 East 3rd Street, Suite 400
Los Angeles, CA 90013

An opportunity for the public to address the Board or Committee about any item on today's agenda for which there has been no previous opportunity for public comment will be provided before or during consideration of the item. Members of the public who wish to speak on any item on today's agenda are requested to complete a speaker card for each item they wish to address, and present the completed card(s) to the commission executive assistant. Speaker cards are available at the commission executive assistant's desk.

In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board or applicable Committee of the Board in advance of their meetings may be viewed at the office of the Los Angeles Fire and Police Pension System (LAFPP), located at 701 East 3rd Street, 2nd Floor, Los Angeles, California 90013, or by clicking on LAFPP's website at www.lafpp.com, or at the scheduled meeting. Non-exempt writings that are distributed to the Board or Committee at a scheduled meeting may be viewed at that meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the commission executive assistant, at (213) 279-3038 or by e-mail at rhonda.ketay@lafpp.com.

Sign language interpreters, communication access real-time transcription, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. Due to difficulties in securing sign language interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Department of Fire and Police Pensions, (213) 279-3000 voice or (213) 628-7713 TDD.

1. ELECTION OF AD HOC COMMITTEE CHAIR AND VICE-CHAIR
2. DISCUSSION OF AD HOC COMMITTEE EXPECTATIONS AND GOALS
3. [DISCUSSION ON THE DISABILITY APPLICATION PROCESS AND POSSIBLE COMMITTEE ACTION](#)
4. GENERAL PUBLIC COMMENTS ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION



DEPARTMENT OF FIRE AND POLICE PENSIONS

701 E. 3rd Street, Suite 200
Los Angeles, CA 90013
(213) 279-3000

REPORT TO THE AD HOC COMMITTEE ON DISABILITY PENSIONS

DATE: OCTOBER 3, 2019

ITEM: 3

FROM: RAYMOND P. CIRANNA, GENERAL MANAGER

SUBJECT: DISCUSSION ON THE DISABILITY APPLICATION PROCESS AND POSSIBLE COMMITTEE ACTION

RECOMMENDATION

That the Committee provide direction to staff regarding possible changes to the Disability application process.

DISCUSSION

At the September 5, 2019 meeting, the Board President formed an Ad Hoc Committee to review and discuss the current disability pension application process. Over the past six months staff has revised the disability application process to decrease the time it takes between receiving a completed application and the Board hearing. Staff is recommending that the Committee provide direction on additional modifications to the disability application process. The following areas of discussion are being brought to the Committee's attention as significant factors impacting the length of time it takes to process an application or possible areas of improvement:

Application Submission (Collection of Records)

Currently, collection of medical and personnel records begins after a disability applicant submits a completed application. Records are currently collected for all medical specialists that have treated the applicant's injury/illness. The medical specialists may be the applicant's personal physicians or workers' compensation physicians. Records are also requested from the City's Medical Services Division in order to determine if the applicant began City employment with any outstanding and/or related medical conditions. Staff's current goal is to complete the record collection phase within 90 days. Staff is aware of other pension systems, including the California Public Employees' Retirement System (CalPERS), that require applicants to submit a complete set of medical documentation with their disability application.

Personnel records are collected from the applicant's respective employing Department, including areas of assignment, promotional timelines, commendations, personnel complaints, and disciplinary information.

Pension Physician Examinations and Reports

Staff currently works with two (2) third-party medical exam services providers, ExamWorks and QTC, which schedule appointments and finalize pension physician reports. ExamWorks and QTC each provide a network of physicians in various specialties, schedule exam appointments, and relay

communication between Disability Pensions Section Staff and the examining physician for clarifications of physician reports. The two firms were approved by the Board in 2018 and began providing these services in September 2018. Staff continues to work closely with both firms to improve the quality and content of the reports in order to provide the Board with sufficient information to make its determinations.

Instructions that staff has created for the physicians do not require that the physicians state that an impairment is “service-connected” or “nonservice-connected.” Rather, they are asked to opine as to the cause or origin of the illness/injury. Pension physicians are also asked to avoid using the terminology of “able or not able to perform” the applicant’s civil service classification. Rather, they are asked to focus on the specific duties expected to be performed by the applicant and whether there are any physical or psychological limitations that would preclude their performance. Examining physicians are also asked to avoid using the terms “Totally or Partially Disabled or Impaired.” Per the City’s Charter and Administrative Code, the Board makes the determination on whether a member is disabled and if the disability is related to the performance of their sworn duties. Historically, the Board has not wanted physicians to explicitly make these determinations.

Process Delays After Submission of a Disability Application

Processing of a disability application can be delayed when an applicant elects to have surgery, as it adds significant time to the process due to the need to wait until the applicant’s condition has stabilized and collect additional records related to the surgery (both pre- and post-op). Often, applicants will elect to have surgery, only to find that workers’ compensation denies the surgery. After an appeal, the surgery may be approved. Another common delay is when an applicant changes representatives or hires an attorney mid-process. It can take 6 months or longer for the new representative to be ready for the Board hearing. Applicants also have the ability to amend the original application to include additional injuries, which may require staff to collect new medical documentation.

Board Hearings

Disability Board hearings can be lengthy, and concerns have been raised over the time an applicant’s representative is given to present their case. Concerns have also been raised over the scope and nature of information brought up during hearings and whether the Board has authority to impose any limits in that regard. The length of time required to conduct a disability hearing also limits how many cases may be heard on a given date. Additionally, the applicant’s representatives are hesitant to schedule more than two disability cases per meeting.

BUDGET

No impact at this time.

POLICY

No policy changes at this time.

CONTRACTOR DISCLOSURE INFORMATION

There is no contractor disclosure information required with this report.

This report was prepared by:

Kristen M. Rosauer, Manager
Disability Pensions Section

RPC:JS:GM:KR