

Note: City of Richland Resolution No. 100-20 temporarily designates virtual locations for all municipal meetings. The Police Pension Board will meet remotely for this meeting. Members of the public may attend this meeting remotely by calling the phone number provided.

Agenda

Police Pension Board Regular Meeting

Thursday, March 18, 2021 - 8:15 AM

****REMOTE ATTENDANCE ONLY****

Public Telephone Access: (509) 942-7699

Police Pension Board Regular Meeting No. 740

Call to Order

Attendance

Presentations

Public Comments

Minutes: (Approve by Motion)

1. Approval of the February 18, 2021 Police Pension Board Meeting Minutes
- Jennifer Rogers, Police Pension Board Secretary
2. **Financial Reports and Investments:** None available
- Cathleen Koch, Administrative Services Director

Medical/Dental/Vision/Medicare/Other Claims: (Approve by Motion)

3. March 2021 Medical/Dental/Vision/Medicare/Other Claims Report - \$10,136.26
- Jennifer Rogers, Police Pension Board Secretary

Business Items: (Approve by Motion)

1. Police Pension Board Process and Procedures Discussion
- Police Pension Board Member Moore

Board Member Comments

Adjournment: (Motion to Adjourn)

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7389.



POLICE PENSION BOARD AGENDA ITEM COVERSHEET

Meeting Date: 3/18/2021

Agenda Category: Minutes

Subject:

Approval of the February 18, 2021 Police Pension Board Meeting Minutes

Department:

Police Pension Board

Document Type:

Minutes

Recommended Motion:

Approve the meeting minutes from the Police Pension Board meeting held February 18, 2021.

Summary:

Draft meeting minutes from the Police Pension Board meeting held February 18, 2021 are presented for the Board's consideration and approval.

Attachments:

- I. DRAFT 2021.02.18 Police Pension Board Meeting Minutes

Minutes

Police Pension Board Regular Meeting
Thursday, February 18, 2021 - 8:15 AM
REMOTE ATTENDANCE ONLY
Public Telephone Access: (509) 942-7699

Police Pension Board Regular Meeting No. 739

Call to Order:

Police Pension Secretary Rogers called the remote meeting to order at 8:19 a.m.

Attendance:

Administrative Services Director Koch, Police Representatives Couch, Moore and Thomas and Police Pension Board Secretary Rogers. Mayor Lukson was absent.

Presentations

None.

Public Comments:

None.

Minutes:

1. Approval of the January 21, 2021 Police Pension Board Meeting Minutes

Mr. Couch moved and Mr. Thomas seconded the motion to approve the January 21, 2021 meeting minutes as presented. The motion carried 5-0.

Financial Reports and Investments:

2. Preliminary February 2021 Financial Statements

Administrative Services Director Koch stated that financial reports will not be available until March or April.

Medical/Dental/Vision/Medicare/Other Claims

3. February 2021 Medical/Dental/Vision/Medicare/Other Claims Report - \$20,699.93.

Administrative Services Koch inquired about the claim submitted by P17. She then stated that the requested reimbursement should have been paid in full by Medicare and Cigna. Additional information was requested to determine if the charges resulted from an out-of-network claim.

Mr. Moore moved and Mr. Thomas seconded the motion to approve the claims, excluding the claim submitted by P17. The motion carried 5-0.

Total claims approved by the Board was \$20,634.13.

Business Items:

4. P23 - Reimbursement Request

Police Pension Board Secretary Rogers provided an overview of this claim. Administrative Services Director Koch stated that a hearing aid benefit was added to the open enrollment plan in 2020 and is covered at 100% with participating in-network providers, therefore, this claim would be eligible for reimbursement through Cigna.

Mr. Moore moved and Ms. Koch seconded the motion to table this item and direct P23 to submit this claim to Cigna for reimbursement. The motion carried 5-0.

Administrative Services Director Koch suggested that a memo be provided to police pensioners reminding them of the benefits available through the Open Enrollment Packet.

5. Police Pension Board Issues Document (Discussion)

Police Pension Board Secretary Rogers conveyed that Mayor Lukson requested that this agenda item be tabled until the next meeting. The Board members agreed to postpone the discussion.

Board Member Comments:

None.

Adjournment:

Police Pension Board Secretary Rogers adjourned the meeting at 8:30 a.m.

Approved:

APPROVED:

Ryan Lukson, Chair

ATTEST:

Jennifer Rogers, Police Pension Secretary

DATE APPROVED:

DATE PUBLISHED:



POLICE PENSION BOARD AGENDA ITEM COVERSHEET

Meeting
Date: 3/18/2021

Agenda Category: Medical/Dental/Vision/Medicare/Other
Claims

Subject:
March 2021 Medical/Dental/Vision/Medicare/Other Claims Report - \$10,136.26

Department:
Police Pension Board

Document Type:
Police Pension Board Item

Recommended Motion:
Approve the March 2021 Claims report as presented.

Summary:
March 2021 Medical/Dental/Vision/Medicare/Other Claims Report in the amount of \$10,136.26 is presented for the Board's review and approval.

Attachments:
I. 2021 March Police Claims Log

[illegible]

The above-listed claims were approved by the LEOFF I Police Pension Board at its regular meeting held on March 18, 2021.

We, the LEOFF I Police Pension Board Chairperson and Board Secretary, each swear under the penalty of perjury under the laws of the State of Washington of Washington that the above-listed claims are a true and correct listing of claims approved by the LEOFF I Police Pension Board on the date identified above.

LEOFF I Police Pension Board Chair: _____ Date: _____

LEOFF I Police Pension Board Secretary: _____ Date: _____



POLICE PENSION BOARD AGENDA ITEM COVERSHEET

Meeting Date: 3/18/2021

Agenda Category: Business Items

Subject:
Police Pension Board Process and Procedures Discussion

Department:
Police Pension Board

Document Type:
Police Pension Board Item

Recommended Motion:

Summary:
Police Pension Board (PPB) Representative Moore submitted a document outlining a number of process and procedures for the Board's review and consideration.

Attachments:
I. Board Issues document by Robert Moore

BOARD ISSUES

The Richland fire and police boards are different than most other boards in the state because they come under laws prior to **RCW 41.26**. The Richland fire board comes under **41.16** and **41.18** and the police board, comes under **RCW 41.20**. These laws come under what are called “**Prior Act Laws**”. These prior act laws only apply to cities that were first class cities at the time those laws were in affect. There were only 11 or 12 cities in Washington that came under those laws.

There are a number of issues that I want the board to consider.

1. The first issue is that of board secretary. Kathleen Koch maintains that the law says that the City Clerk shall be the board secretary.
2. The board now requires retirees to pay bills from medical providers that haven't been paid by CIGNA and then submit a claim form to the board asking for reimbursement or have the provider send a bill directly to them, get proper codes, fill out a form and then submit it to the city clerk for payment. If a retiree has a problem with a provider, our insurance administrator, or Medicare, they must resolve it themselves.
3. The position of City Treasurer on the police board is clear and does not allow the Treasure's boss or supervisor to take his place. The courts have held this in prior cases. The courts have also held that the title Finance Director and Treasurer could be used as one and the same, unless the city has both, in which case the Treasure shall be the voting member, as per **RCW41.20.010**.
4. The city and the board are not making the Administrators (CIGNA) handle the retiree's medical bills the way the board wants and this is an issue. They work for us. We are supposed to tell them what to pay.

I recently contacted almost all of the first class cities that come under the original **Prior Act Laws**. Almost all of those cities handle their boards the way we used to before we changed. There were other differences in the way they handle issues with their boards. I have included a summary of those issues in the attached report. I was able to contact almost all of the people handling secretarial duties for police boards for **Prior Act Cities**.

ISSUE NUMBER 1, BOARD SECRETARY

Under **RCW 41.20.010, Board Composition**, the City Clerk shall be on the board. Then under **41.20.020 Annual Report**, it specifies that the City Clerk shall be the ex officio board secretary and shall submit certain annual reports to the city.

After the city was released by the government and it was Incorporated, it made plans to comply with Washington state laws, the RCWs. As part of that, two boards were formed and a board secretary was selected to handle the business of both boards. That secretary was a city employee who handled both boards. She had no voting rights but handled all issues involving the retirees and the active duty police officers. She was responsible for the minutes and the agendas for all meetings. She also pretty much did everything for both boards. That was the way the boards business was handled for at least 40 years and probably many more.

Until fairly recently, the city had the same policy of a single secretary (city employee) to handle the business of both boards. That included correspondence with insurance administrators, providers, Medicare, and officers and firefighters (active and retired). She did it all. She had a lengthy summary of all of her duties, in writing just in case she could not be there because of illness or for any other reason. This manner of handling the secretarial duties worked well and there were very few problems.

The first board secretary that I know of was Edith Burnley, a employee, then Monica Michell, also a city employee and then and Andrea, also a city employee. I think Jane in finance also handle those duties when no one else was available.

In the recent past, we were led to believe this policy was illegal and we changed the way we handle all secretarial duties. We no longer handle all the billing problems retirees have with the providers and/or administrators or Medicare. This has resulted in concerns, problems, and complaints from our retirees, some of whom are in their 80s.

As I said earlier, the board had a non-voting city employee as the board secretary for at least 40 years and probably many more. During that time, all issues were handled by that secretary. There were no reimbursement forms to be filed and the retirees did not have to pay the bills.

When I talk to other Prior Act Cities, all had city employees or departments that handle board issues. In only one or two cases did the City Clerk do any of the paperwork for the board and then only the agendas and/or minutes. Some cities had the secretarial work done by; a Recording Secretary, the Human Resources Department, LEOFF Administrator, Executive Secretary, Retirement Board (Benefits Specialist), Pension Specialist, or Recording Administrator.

Yakima is the closest in size to Richland and their system is pretty much the way our system used to be.

None of the other boards have the City Clerk do all of the work of the board secretary.

Conclusion; we need to go back to the way we used to handle the board secretary position.

ISSUE NUMBER 2, CLAIM FORMS

The board now requires a retiree that has a bill that has not been paid for by CIGNA, to submit the bill with certain codes along with the claim form, asking the city to pay the bill or reimburse him if he/she have paid for it. If the bill does not have these codes, the city will not pay. Most of us have no idea what these codes are or look like. All of this is what the old board secretary used to do. In talking to other prior act cities, only two sometimes require the retiree to pay and then be reimbursed, and both say it is very rare this happens. This is the one issue that I get the most complaints about.

Almost all of the cities I contacted said they prefer that all bills and communications from providers, administrators, and Medicare go to them, not the retiree. They have far fewer problems that way.

I was recently advised that the Select Committee on Pension Policy is reviewing this issue. I have been told that a request has been submitted to them asking that **DRS** enact a **Washington Administrative Code (WAC)** doing away with reimbursement of medical bills and requiring direct billing from providers. Most cities are doing this that way now. Apparently a few that are not Prior Act Cities are requiring forms and reimbursement.

In talking to other Prior Act Cities, almost all want paperwork from providers to go directly to them. They don't want the issues of unpaid bills and the complaints and confusion from the retirees. They prefer all issues be handled by their department without the retiree causing complications.

Conclusion; We need to go back to the way we used to handle medical billing and the way other Prior Act Cities handle billing. It worked fine in the past.

ISSUE NUMBER 3, CITY TREASURE POSITION

The position of City Treasurer on the police board is clear and does not allow the Treasurer's boss or supervisor to take his place. The courts have held this in prior cases. The courts have also held that the title Finance Director and Treasurer could be used as one in the same unless the city had both, in which case the Treasurer was the voting member, as per **RCW41.20.010**. One Prior Act City does have both Treasurer and Finance Director. The Treasurer sits on the board.

In one court case, the City Manager was on the board. He maintained that he was ultimately responsible for the city's budget and was the Treasurer's boss and this allowed him to sit on the board. The court held that the law specifically said Treasure. The courts have also held that changing the name from Treasure to Finance Director did not affect the way his/her position was on the board.

In the past, Ron Musson, the Finance Director was on our board. The current Finance Director, Brandon Allen sometimes presents budget information and/or problems to the board. Why is he not on the board? Under what definition or RCW is Kathleen Koch allowed on the board? Her title with the city is Administrative Services Director.

Conclusion; Kathleen Koch should leave the board and the current Finance Director (Treasure) Brandon Allen should be put on the board as per RCW 41.20.010.

ISSUE NUMBER 4, CIGNA NOT PAYING BILLS

While talking to prior act representatives, almost every one of them questioned why we had unpaid bills from the administrators of our program (CIGNA). They don't have that problem because they make sure the administrator pays everything they allow. They said that it seems like we are allowing the company (Administrator) that we hire to make the rules. They said that they tell their Administrators what to pay and that way, they don't have the problems we are having.

Conclusion; I suggest that the board contact CIGNA and ask (demand) that they cover all of the bills as we specify. If we do this, I think we would illuminate most if not all of the problems and complaints we are getting.