

**MINUTES OF THE DISABILITY SUBCOMMITTEE
OF THE
EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF RHODE ISLAND**

February 9, 2007

A meeting of the Disability Sub-Committee of the Rhode Island Retirement Board (hereinafter "Committee") was held on February 9, 2007 in the Board Room of the Employees' Retirement System, 40 Fountain Street, Providence, Rhode Island.

The following Committee members were present: Michael Boyce, William Finelli, Daniel Beardsley, Mark Dingley (left at 11:50) and Susan Rodriguez.

Also in attendance were: Jack Walsh, General Counsel; Dr. Christopher Ley (left at 11:05), Medical Advisor; Diane Bourne, Arne Perry, and Frank Karpinski, Employees' Retirement System.

1. CALL TO ORDER

Recognizing a quorum, Chairperson William Finelli called the meeting to order at 9:12 A.M.

2. APPROVAL OF MINUTES

A draft of the minutes of the January 5, 2007 meeting was mailed to the Committee members for review prior to the meeting.

Upon a motion duly made by Mr. Boyce and seconded by Mr. Beardsley, it was

VOTED: To approve the minutes of the meeting of
January 5, 2007.

The following applications were presented for consideration:

3. **ORDINARY DISABILITY**

Elinor DeOrsey A 43 year old Teacher with the Lincoln School Department for 15 years and 9 months.

Upon a motion made by Mr. Boyce and seconded by Mr. Dingley, it was unanimously voted to disperse with the reading of the Statement of Fact.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Beardsley and seconded by Mr. Boyce, it was unanimously

VOTED: To recommend that the Retirement Board **approve** the application for an ordinary disability retirement.

David Hyland A 57 year old Teacher with the North Providence School Department for 7 years and 6 months.

Upon a motion made by Mr. Beardsley and seconded by Mr. Boyce, it was unanimously voted to disperse with the reading of the Statement of Fact.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Boyce and seconded by Mr. Beardsley, it was unanimously

VOTED: To recommend that the Retirement Board **approve** the application for an ordinary disability retirement.

Linda Langlais A 56 year old clerical ward aide with the Department of Mental Health, Retardation and Hospitals for 12 years and 11 months.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Beardsley and seconded by Mr. Boyce, it was unanimously

VOTED: To recommend that the Retirement Board **approve** the application for an ordinary disability retirement.

Ellen Ricciardi

A 52 year old teacher with the Providence School Department for 13 years.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Boyce and seconded by Mr. Dingley, it was unanimously

VOTED: To **table** the application for an ordinary disability retirement pending the receipt of the IME from Dr. Adams.

Jenny Rosario

A 55 year old teacher with the Providence School Department for 19 years and 9 months.

Upon a motion made by Mr. Beardsley and seconded by Mr. Dingley it was unanimously voted to dispense with the reading of the Statement of Fact.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Beardsley and seconded by Mr. Dingley, it was unanimously

VOTED: To recommend that the Retirement Board **approve** the application for an ordinary disability retirement.

4. Accidental Disability

George Barrett, Jr.

A 54 year old caseworker with the State Department of Mental Health for 28 years and 4 months.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Dingley and seconded by Mr. Beardsley, it was voted 4-1

VOTED: To recommend that the Retirement Board **deny** the application for an accidental disability retirement.

The following voted to deny the application:
Dingley, Beardsley, Rodriguez and Finelli. To
approve the application Boyce.

Edward Cardillo, Jr. A 52 year old Clerk with the State Department of
Motor Vehicles for 13 years.

After reviewing the application, supporting documentation, the medical reports
submitted by the three physicians engaged by the Retirement System and upon a motion
duly made by Mr. Beardsley and seconded by Mr. Boyce, it was unanimously

VOTED: To recommend that the Retirement Board **deny**
the application for an accidental disability
retirement as the documentation and medical
reports submitted do not support an accidental
disability.

Edward Costellese A 54 year old laborer with the Town of Johnston for
7 years and 4 months.

After reviewing the application, supporting documentation, the medical reports
submitted by the three physicians engaged by the Retirement System and upon a motion
duly made by Mr. Dingley and seconded by Ms. Rodriguez, it was unanimously

VOTED: To recommend that the Retirement Board **deny**
the application for an accidental disability.
Retirement as the documentation and medical
reports do not support an accidental disability.

Gail Leonard A 60 year old implementation aide for the DCYF
for 23 years and 6 months.

After reviewing the application, supporting documentation, the medical reports
submitted by the three physicians engaged by the Retirement System and upon a motion
duly made by Mr. Dingley and seconded by Ms. Rodriguez, it was unanimously

VOTED: To **table** the application for an accidental disability retirement, and request additional records from the attending physician and employer be provided to include work history and attendance.

Craig Marciniak A 43 year old firefighter with the Cranston Fire Department for 16 years and 2 months.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Beardsley and seconded by Ms. Rodriguez, it was unanimously

VOTED: To recommend that the Retirement Board **deny** the application for an accidental disability retirement as the documentation and medical records submitted do not support an accidental disability.

Julia Riley A 63 year old registered nurse with the RI Veterans Home for 17 years.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and upon a motion duly made by Mr. Beardsley and seconded by Ms. Rodriguez, it was unanimously

VOTED: To **table** the application for an accidental disability retirement pending the receipt of injury reports for 1991, and work history for 2004 - 06. Prior to the vote to table, Mr. Beardsley made a motion to deny that was seconded by Ms. Rodriguez. After further discussion, Mr. Beardsley withdrew his motion.

4. **RECONSIDERATION**

Accidental Disability/Appeal

Dennis Kraus

A 58-year-old Special Education Teacher with the Providence School Department for 1 year and 3 months.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System and additional medical reports and a motion duly made by Mr. Beardsley and seconded by Mr. Boyce, it was unanimously

VOTED:

To **table** the application for an accidental disability retirement and provide copies of the October 31, 2006 transcript to all of the Committee members along with a copy of RIGL 36-10-8. Voting to table were Dingley, Beardsley, Boyce and Finelli. Voting not to table is Ms. Rodriguez.

Richard Delbonis

A 52 year old fireman with the Cranston Fire Department for 27 years.

After reviewing the application, supporting documentation, the medical reports submitted by three physicians engaged by the retirement system and upon a motion duly made by Mr. Beardsley and seconded by Ms. Rodriguez, it was unanimously

VOTED:

To **table** the application for an accidental disability pending an opinion from Dr. Ley.

Patricia Quinn

A 58 year old teachers assistant in the Central Falls School District for 15 years.

After reviewing the application, supporting documentation, the medical reports submitted by the three physicians engaged by the Retirement System, hearing testimony from Ms. Quinn's attorney Robin Factor, and upon a motion duly made Mr. Beardsley and seconded by Ms. Rodriguez, it was unanimously

VOTED:

To recommend that the Retirement Board **deny** the application for an accidental disability retirement as the documentation and medical reports submitted do not support an accidental disability.

5. **NEW BUSINESS**

6. **ADJOURNMENT**

There being no further business to come before the Committee, it was unanimously

VOTED: To adjourn the meeting at 12:10 PM.

Respectfully submitted,

Arne C. Perry
Assistant Director Member Services