

NOTE: The draft of these minutes from the July 21, 2016 Benefits Committee meeting were approved at the October 4, 2016 Committee meeting.

**Benefits Committee
Board of Trustees
July 21, 2016**

Public Minutes

**New Hampshire Retirement System
54 Regional Drive
Concord, NH 03301**

Committee Members: George Walker, *Chair*, and Germano Martins, present. John Beardmore and David McCrillis, *telephonically*. Don Roy, *absent*.

Staff: George Lagos, *Executive Director*; Tim Crutchfield, Esq., *Chief Legal Counsel*; Denise Call, *Director of Employer Services*; Mark Cavanaugh, Esq., *Associate Counsel and Compliance Officer*; Carolyn Johnson, *Hearings Examiner*; and, Shannan Hudgins, *Administrative Coordinator*.

Chair Walker called the meeting to order at 11:35 a.m. On a motion by Trustee Beardmore, seconded by Trustee Martins, the Committee unanimously approved the public and non-public minutes of the June 6, 2016, Benefits Committee meeting.

On a motion by Trustee Beardmore, seconded by Trustee Martins, the Committee voted to enter into non-public session under RSA 91-A:3, II(c) to discuss matters which could adversely impact the reputation of someone other than a member of the Board, on a roll call vote, as follows:

Ayes: Trustees Walker, Beardmore, Martins, and McCrillis.

Nays: None.

On a motion by Trustee Martins, seconded by Trustee McCrillis, the Committee unanimously voted to conclude the non-public session.

No votes were taken during the non-public session.

On a motion by Trustee Beardmore, seconded by Trustee McCrillis, the Committee unanimously voted to recommend to the full Board that it require a review of ongoing disability eligibility in two years in the matter of C.S. Atty. Cavanaugh provided the Committee an update on the HB 342 certification letters which had been sent to 84 employers, stating the current response rate was approximately 25%, with affidavits signed and two-thirds of the respondents returning hour and wage supporting documentation. A brief discussion of the 32-hour a week statutory limit and NHRS process ensued.

Atty. Crutchfield discussed the Staff proposal on how to implement SB 390, which became 2016 Chapter Law 49, and its mandate for a separate hearings officer in disability cases initially denied, then appealed to the Board. Following a detailed discussion, on a motion by Trustee McCrillis, seconded by Trustee Beardmore, the Committee unanimously voted to recommend to the full Board that it approve the one year pilot for the re-designed disability process as suggested by Staff.

The Committee next discussed the Gainful Occupation process and the statute governing excess earnings for disability recipients. A lengthy discussion ensued, after which the Committee members requested Staff draft criteria for implementation of the discretion implicit in the statutory provision which provides that a beneficiary's state annuity "may" be reduced.

Atty. Crutchfield then presented draft language for an electronic filing rule intended to fulfill the directive of the Board following the decision rendered in Dixon Leslie hearing at its June meeting. The draft rule would allow electronic filing of appeals to NHRS up until 11:59 p.m. on the deadline date.

On a motion by Trustee Martins, seconded by Trustee Beardmore, the Committee unanimously voted to recommend to the full Board that it approve the draft amendments to the filing rule to permit electronic filings and thereby begin the rule making process.

Having no further business matters to review, on a motion by Trustee Martins, seconded by Trustee McCrillis, the meeting was adjourned at approximately 12:32 p.m.

Respectfully submitted,
Shannan Hudgins