

These minutes were approved at the June 3, 2011 Committee meeting.

**Benefits Committee  
of the  
Board of Trustees  
March 14, 2011**

**PUBLIC MINUTES**

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

*Committee Members:* Germano Martins, *Chair*; Brian Morrissey; Danny O'Brien, *via telephone*; Justin Cutting; Jill Rockey, *via telephone*.

*Staff:* Kim France, *Interim Executive Director*; Jack Dianis, *Director of Finance*; Larry Johansen, *Director of Investments*; Nancy Miller, *Director of Member Services*, Tim Crutchfield, Esq., *Chief Legal Counsel*; Carolyn Johnson, Esq., *Hearings Examiner*; Denise Call, *Director of Employer Services*; Shannan Hudgins, *Administrative Coordinator*.

Trustee Martins opened the meeting at 8:35 a.m. Moved by Trustee O'Brien, seconded by Trustee Rockey, the public minutes from the December 14, 2010 Committee Meeting were approved, with Trustee Cutting abstaining because he did not attend the meeting.

Chair Martins asked that the tabled recommendations of B. Suprenant and A. Hoffman be moved to the top of the discussion items of the agenda. A lengthy discussion of the medical subsidy recoupment process in general, and the tabled recommendation of B. Suprenant in particular, followed. The discussion included the statute allowing the NHRS to pursue recoupment, as well as potential criminal charges against parties who knowingly accept incorrect benefit payments. Mr. O'Brien inquired about the employer's responsibility, to which Ms. Call and Atty. Crutchfield explained the practice of withholding the amount overpaid to the employer by NHRS in a future payment. Atty. Johnson made note that in both cases before the Committee, the NHRS would not be made whole by her recommendations because she considered the overpayments made after notification but before implementation to be the responsibility of NHRS.

On a motion by Mr. Cutting, seconded by Mr. Morrissey, the Committee voted unanimously to accept the Hearings Examiner's recommendation in the Suprenant matter to recoup \$1,109.76 in overpayment because the NHRS was not notified of the change in the Petitioner's spouse's Medicare status, and to waive recoupment of \$2,080.80 in medical subsidy overpayment for the period of time after the System had been notified but failed to act on the information.

The Chair then moved the discussion to the tabled recommendation of A. Hoffman and the medical subsidy overpayments made by the System on behalf of his wife. The ensuing discussion included a review of the subsidy questionnaire, the checklist of topics covered in retirement counseling sessions, and the retirement application checklist, which was identified as an internal document.

On a motion by Mr. Cutting, seconded by Mr. Morrissey, the Committee voted to accept the Hearings Examiner's recommendation in the Hoffman matter to recoup \$7,649.85 in overpayment because the NHRS was not notified of the change in the Petitioner's spouse's Medicare status, and to waive recoupment of \$3,329.28 in medical subsidy overpayment for the period of time after the System had been notified but failed to act on the information in a timely manner. Trustee O'Brien voted *Nay*.

Mr. Martins turned the discussion to the Draft Pension Recoupment Policy document. Following extensive discussion, the Committee requested Staff to rework the language regarding joint survivorship and to expand the language in Section II. 5. of the draft Policy to include all legal alternatives, including criminal charges.

Chair Martins requested Staff send Committee members the Recoupment Policy Draft with suggested alterations, and then asked that the Committee respond to Atty. Crutchfield with commentary. He also suggested the Committee might meet before the April 12, 2011, Board Meeting.

On a motion by Mr. Cutting, seconded by Ms. Rockey, the meeting adjourned at 9:44 a.m.

*Respectfully submitted,*  
*Shannan Hudgins*