



**LOCAL BOARD
CORRECTIONS OFFICER RETIREMENT PLAN
ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS**



MINUTES OF PUBLIC MEETING

FOR CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD

ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS

A Public meeting of the Juvenile Corrections Officer Retirement Plan Local Board for the Department of Juvenile Corrections was convened Wednesday, July 08, 2015, at 10:30 a.m., at the Arizona Department of Juvenile Corrections Building, 1624 West Adams, 1st Floor Conference room, Phoenix, Arizona.

Present at the meeting were the following individuals:

Tom Biciolis

Joseph Glen - Via Telephone

Desiree Cruz

Pamela Linnins – Attorney General Office

Absent:

- I. **Call to order** - Local Board meeting called to order by T. Biciolis at 10:30 a.m., Wednesday, July 08, 2015.
- II. **Roll call** – Roll call was taken by Board Secretary/Board Member, Desiree Cruz.
- III. **Approval of Minutes** - Review of June 10, 2015 meeting minutes. A motion to approve the June 10, 2015 Minutes was made by J. Glen. Seconded by T. Biciolis. Motion passes unanimously.
- IV. **Disability Retirement Application** - **The Local Board may consider and vote on the following application(s) (a-d) for Retirement Benefits in public meeting or defer decision to a later date.** This Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. 38-431.3(A)(2). In addition, the board may hold executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. 38-431.03(A)(3).
 - a. David Mattausch – Accidental Disability Retirement: All required documents received and reviewed by board members. T. Biciolis – note this was voted on in Oct 2014 for the same type of application for Accidental Disability Retirement. The vote was to decline, not approved. Since then there are new documents. By reviewing the minutes it was denied based on the injury occurred during physical therapy not by an inmate. D. Cruz read the definition of Accidental Disability. D. Cruz – While looking at a report dated April 18, 2013 it was reported, resulted in back injury that he described performing an exercise with pvc pipe, during which he reportedly felt something pop in his back”. That was during physical therapy at Concentra. There was another note on 01/20/11 “He reported a completely new

problem. He reported severe back pain that occurred when he was working out doing rehabilitation for his shoulder". It states that again in a new document from an IME that occurred on January 16, 2015. It states "On January 20, 2011, Scott Slagis M.D. noted that the claimant has a completely new problem. Reported he developed severe back pain. States it occurred when he was working out during rehabilitation for his shoulder". J. Glen - It also says from Phoenix Spine Consultants it is noted that the claimant resulted a minor back strain associated with the incident on August 19, 2010 which was the only reference to an inmate assault or retraining inmates. D. Cruz I do see that, it reads "Based upon a review of the medical records and history provided by the claimant; it is my opinion that the claimant probably experienced a mild lumbar sprain/strain on August 19, 2010. The claimant reports that he noted low back pain while participating in physical therapy for a right biceps tendon injury in mid January 2011". J. Glen- it states the Industrial Commissions ruled that his back injury was compensable and related to the industrial injury on Aug 19, 2010 that's a little conflicting. D. Cruz - It does say it was part of the industrial claim but what are the requirements to approve this as an industrial claim vs the definition of the disability. We have to look at our definitions which are if he did get injured during physical therapy was it definition a. b. or c. he met. J. Glen- I agree.

Motion was made to deny the Accidental Disability Retirement Application by D. Cruz. Seconded by T. Biciolis. Motion passes unanimously.

- b. David Mattausch – Total and Permanent Disability Retirement: All required documents received and reviewed by the local board. T. Biciolis read the definition of Total and Permanent Disability. J. Glen - I would be inclined to decline based on the same reasons as the accidental. It appears by the evidence he provided this was not a direct and proximate result of his duties while on his job. D. Cruz – I agree. Motion was made to deny the Total and Permanent Disability Retirement Application by J. Glen. Seconded by T. Biciolis. Motion passes unanimously.
- c. David Mattausch – Ordinary Disability Retirement: All required documents received and reviewed by the board. Motion was made to accept the Ordinary Disability Retirement Application and order an Independent Medical Examination by D. Cruz. Seconded by J. Glen. Motion passes unanimously.
- d. Usman Sillah – Ordinary Disability Retirement: All required documents received. Local Board Members reviewed the Independent Medical Examination results. Motion was made to approve the Ordinary Disability Retirement by T. Biciolis. Seconded by J. Glen. Motion passes unanimously.

V. General Discussion – No comments made.

VI. Call to Public – A call to the public was made in the lobby and the conference room. No public was in attendance in the lobby or the conference room.

J. Glen made a motion to adjourn meeting. Seconded by T. Biciolis. Motion passes unanimously. Meeting adjourned on July 08, 2015 at 10:49 a.m.

Transcribed this 10th day of July 2015

A handwritten signature in blue ink, appearing to read "Desiree Cruz".

Desiree Cruz, CORP Board Coordinator