



MINUTES

Claims Panel Meeting of the Board of Trustees of the State Universities Retirement System Friday, July 22, 2022, 8:30 a.m.

Via remote access only due to ongoing COVID-19 concerns statewide

This public meeting was held virtually via Zoom rather than in person due to ongoing health and safety concerns caused by the Covid-19 pandemic. The chair of the SURS Board of Trustees determined that it was not practical to hold in-person meetings at this time while the Governor's disaster proclamation is still in effect and while public health and safety concerns continue to exist.

The meeting of the Claims Panel of the Board of Trustees of the State Universities Retirement System convened on Friday, July 22, 2022, at 8:30 a.m., via Zoom (video conference) based on the Executive Order allowing for remote public meetings to be conducted via phone or video conference.

The following Claims Panel members were present: Mr. Daniel Gaumer, Hearing Officer; Ms. Suzanne Mayer, Executive Director; and Mr. Richard Figueroa, SURS Board of Trustee member.

Others present: Ms. Bianca Green, General Counsel; Mr. Albert Lee, Associate General Counsel; Ms. Heather Kimmons, Associate General Counsel; Ms. Jennifer Bartell, Senior Claims Manager; Ms. Denise Shelton, Medical Claims Processer; Ms. Karen Nyi and Ms. Annette Ackerman, Executive Assistants; Ms. Ann Parkinson, Area Wide Reporting; Ms. Carolyn Clifford of the law firm of Ottosen, DiNolfo, Hasenbalg & Castaldo; and Mr. Christopher Carlson, Claimant.

Claims Panel roll call attendance was taken. Hearing Officer Daniel Gaumer, present; Executive Director Suzanne Mayer, present; and Trustee Richard Figueroa, present.

APPROVAL OF MINUTES

Mr. Gaumer presented the open minutes from the Claims Panel Hearing of April 27, 2022.

Ms. Mayer made the following motion:

- That the open minutes from the April 27, 2022 Claims Panel Hearing be approved as presented.

Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer - aye
Ms. Mayer - aye
Trustee Figueroa - aye

Mr. Gaumer presented the closed minutes from the Claims Panel Hearing of April 27, 2022, for approval.

Ms. Mayer made the following motion:

- That the closed minutes from the April 27, 2022 Claims Panel Hearing be approved as presented and remain closed.

Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer - aye
Ms. Mayer - aye
Trustee Figueroa - aye

PRESENTATION OF CLAIM – SHARON KAHL

The claim of Ms. Sharon Kahl was called for hearing. Ms. Kahl opted in writing to waive her right to appear in person at the hearing. Mr. Gaumer admitted documentary evidence into the record consisting of 85 pages. The admitted record includes the staff brief filed by SURS legal counsel in response to the Statement of Claim filed by Claimant. Ms. Heather Kimmons provided a verbal summary of the issues to be addressed by the Claims Panel. Ms. Jennifer Bartell was sworn in by Ms. Parkinson, the court reporter from Area Wide Reporting. Ms. Bartell provided testimony on behalf of SURS in support of the staff's position on the claim.

Upon the conclusion of the claim presentation, Hearing Officer Dan Gaumer closed the proof of evidence. The Claims Panel members decided to hear all of the claims scheduled for this date in open session and then move into closed session to deliberate all of them at the same time.

PRESENTATION OF CLAIM – JIMMIE LOCKETT

The claim of Mr. Jimmie Lockett was called for hearing. Mr. Jimmie Lockett opted in writing to waive his right to appear in person at the hearing. Mr. Gaumer admitted documentary evidence into the record consisting of 150 pages. The admitted record includes the staff brief filed by SURS legal counsel in response to the Statement of Claim filed by the Claimant. Ms. Bianca Green provided a verbal summary of the issues to be addressed by the Claims Panel. Ms. Jennifer Bartell was then sworn in by the court reporter. Ms. Bartell provided testimony on behalf of SURS in support of the staff's position on the claim

Upon the conclusion of the claim presentation, Hearing Office Dan Gaumer closed the proof of evidence. Given the Claims Panel's decision to hear all of the claims scheduled for this date in open

session and then move into closed session to deliberate all of them at the same time, the panel continued the meeting with the presentation of the final claim.

PRESENTATION OF CLAIM – CHRISTOPHER CARLSON

The claim of Mr. Christopher Carlson was called for hearing. Mr. Carlson was present, via Zoom, to present his claim. Documentary evidence consisting of 191 pages was admitted into the record. The record includes the staff brief in response to the Statement of Claim submitted by SURS legal counsel. Mr. Lee provided a verbal summary of the issues to be addressed by the Claims Panel and all parties agreed with that summary. Mr. Carlson testified in support of his claim after being sworn in by Ms. Parkinson, the court reporter from Area Wide Reporting. Jennifer Bartell was subsequently sworn in by the court reporter and she testified in favor of the SURS staff decision on the claim.

Upon the conclusion of the claim presentation, Hearing Officer Dan Gaumer closed the proof of evidence.

CONTINUATION OF CLAIM – PRIMAL DE LANEROLLE

Mr. Gaumer presented the continuation of the claim for Primal De Lanerolle by accepting 37 additional pages into to the record, representing the Claimant’s written closing argument, the SURS Staff Response to the same and the Claimant’s Reply to the SURS Staff Response. Hearing Officer Dan Gaumer then closed the proof of evidence.

CLAIMS PANEL DELIBERATIONS

Ms. Mayer made a motion to move into closed session pursuant to §2(c)(4) of the Illinois Open Meetings Act to consider the evidence and testimony presented in all of the cases heard and addressed in open session as is authorized by law. Trustee Figueroa seconded the motion which passed via the roll call vote referenced below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

All three Claims Panel members deliberated on the Kahl, Lockett and Carlson claims during closed session.

Ms. Mayer recused herself from the deliberation of the Primal De Lanerolle case due to the conflict she reported the first time this matter was presented to the Claims Panel. Trustee Figueroa and Mr. Daniel Gaumer, deliberated on this claim.

RETURN TO OPEN SESSION

Upon completion of the two closed session deliberations, the Claims Panel returned to open session at approximately 11:00 am.

Ms. Mayer then made the following motion:

- To affirm the staff decision, finding that Sharon Kahl has not proven by preponderance of the evidence that she is entitled to the relief sought and a written decision of factual findings and conclusion will be drafted by the hearing officer and signed by members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion which passed via the following roll call vote:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Ms. Mayer then made the following motion:

That the matter be remanded to SURS staff with the direction to subpoena additional medical documents on behalf of Jimmie Lockett. Trustee Figueroa seconded the motion which passed via the following roll call vote:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Ms. Mayer then made the following motion:

- To affirm the staff decision, finding that Christopher Carlson has not proven by preponderance of the evidence that he is entitled to the relief sought and a written decision of factual findings and conclusion will be drafted by the hearing officer and signed by members of the Claims Panel voting in favor of the motion.

Trustee Figueroa seconded the motion which passed via the following roll call vote:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	Aye

The Claims Panel committee noted that the Primal De Lanerolle case remains under advisement for further deliberations.

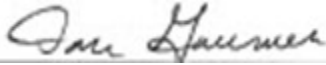
PUBLIC COMMENT

There was no public comment.

There was no further business before the Claims Panel and Trustee Figueroa moved that the meeting be adjourned. The motion was seconded by Ms. Mayer and passed via the roll call vote below:

Mr. Gaumer	-	aye
Ms. Mayer	-	aye
Trustee Figueroa	-	aye

Respectfully submitted,



Daniel L. Gaumer
Hearing Officer

dlg:aa