Disability Benefits Subcommittee Meeting
October 31, 1981
Rochester, Minnesota
9 a.m.

PRESENT: Representatives Frank Rodriguez and John Sarna
Senator Earl Renneke, Reding

The minutes of the October 1 and 2 meetings were approved.

The chairman, Rep. Frank Rodriguez, continued the agenda from the previous day's meeting.

Accident Prevention Programs

Karen Dudley went over the memo which consisted mainly of potential questions and areas of further study to be considered. Discussion followed.

Dave Niebur, Minneapolis Police, stated that police are vehemently opposed to mandatory physical fitness programs because such programs can be used for discriminatory purposes.

Tom Gelbmann, Saint Paul Fire, suggested that the training officers or public safety officers of each police and fire department be contacted for information about accident prevention and safety programs already in effect.

Jim Heim, Duluth Fire, in response to a question from Senator Renneke, indicated that both salaried and volunteer firefighters are subject to OSHA "Fire Brigade Standards".

Elmer Herkenhoff and Tom Dickinson, Minneapolis Fire, in response to a question from Senator Renneke, commented on the topic of rehabilitation programs.

Disability Benefit Administrative Appeal and Review Process

Larry Martin went over the memo and discussion followed on the following points:

a) Currently most relief association boards do not include representatives from the municipality;

b) If a relief association board grants a disability benefit that the municipality disagrees with, there is no appeal available to the municipality;

c) If an applicant for a disability benefit is refused, the only relief available is to go to court to appeal the denial, whereas members of the statewide funds, in which the initial decision is made by the administrator, can first appeal the decision to the board of trustees before going to court; and

d) The establishment of an extended administrative appeal process, either on a statewide or regional basis could keep many cases out of court.

Ron Seliski, Minneapolis Police, commented that the establishment of a new administrative board would place additional burdens on the applicant to prepare sufficiently to present evidence of the disability.

Jim Heim, Duluth Fire, commented that problems exist with medical examinations. For example, the Duluth association sent an applicant to four doctos, all of whom could find nothing wrong with the applicant, but all said that if the applicant was in pain that the person should not work.

Discussion followed. Many questioned the need to set up a new administrative process now that most relief associations are phasing out.

Don Richter, Albert Lea Police, questioned whether there is much abuse in the granting of disabilities.

Discussion followed on the subject of the public's perception of abuse in the granting of disability benefits.

Ron Kastner, Minneapolis Police, suggested that additional citizen or city input is not needed in the process, but rather the medical standards should be strengthened because medical personnel should be the ones to determine if an applicant is disabled.

The following individuals commented upon the attendance of municipal officials at relief association meeting:

Jim Heim of the Duluth Fire Department
K. C. Reed of the Rochester Police Department
Tom Dickinson of the Minneapolis Fire Department
Mike Holman of the Saint Cloud Fire Department
Dave Niebur of the Minneapolis Police Department

Discussion followed on the question of whether municipal representation on relief associations should be mandatory.

Don Richter, Albert Lea Police, requested that further testimony be taken on the subject of offsets at a future meeting. Representative Rodriguez stated that further testimony could be given at the Saint Paul meetings in November.

Overview of the Work of the Subcommittee

Larry Martin reviewed the work of the Subcommittee since the first meeting in Alexandria in July. He highlighted the following:

a) There's a public perception of a problem with police and fire disability benefits, as evidenced by the WCCO-TV's I-Team report in early 1980;

b) The Subcommittee has investigated and taken testimony in the the following areas in meetings held in New Ulm, Duluth, Saint Paul, and Rochester:

1) the statistics of disability benefit recipients;
2) recomputation of disability benefits
3) less hazardous employment for the marginally disabled;
4) offsets;
5) lower-than-average disability benefits levels;
6) definitions of disability;
7) procedures to determine disability;
8) appeals;
9) accident prevention programs;
10) pre-employment screening; and
11) the alternative of insurance coverage.

Representative Rodriguez commented that the report by the Subcommittee will make recommendations that certain issues require legislative action; that certain issues require no action; and that other areas require further study. The Subcommittee wull submit a two-part report: one part will be a narrative discussion of all views suggested and the Subcommittee's decisions regarding the need for legislation or further study where necessary; and the other portion will be a draft of a bill that mirrors the Subcommittee's recommendations.

Karen Dudley
Commission staff