

BOARD OF RETIREMENT
Staff Report

File #: 22-164.1

Agenda Date: 6/2/2022

Agenda #: 17.

FROM: Barbara Hannah, Chief Counsel**SUBJECT:** Disability Retirement Application of Juanita Weiss**RECOMMENDATION:**

Review and determine the Service-Connected Disability Retirement with Supplemental Retirement Allowance of Juanita Weiss - San Bernardino County - Probation.

Requested Benefit:

1. Service-Connected Disability Retirement with Supplemental Retirement Allowance

Staff Recommendation:

1. Juanita Weiss is permanently incapacitated for the performance of duties and a disability retirement should be granted.

2. Juanita Weiss' disability is non-service connected based on the claimed injury(ies)/disease as listed in Exhibit A; therefore, grant a non-service connected disability benefit.

3. Juanita Weiss is not capable of gainful employment; therefore, grant the supplemental disability retirement allowance.

4. Staff shall initiate disability benefit payments with an effective date of June 8, 2019, the day after the last day of regular compensation.

BACKGROUND:

At the May 5, 2022 Board meeting, the board granted an extension to June 2, 2022 for the member to obtain legal representation. Juanita Weiss retained Kristen Zierhut as her attorney.

Medical Advisor - Jeffrey Wainstein, M.D.

Attorney - Kristen M. Zierhut, Esq. - Legion Law Group

STAFF CONTACT:

Barbara Hannah

David Lantzer

ATTACHMENTS:

Exhibit A: Claimed Injury or Disease

Exhibit B: Demographic Information

Exhibit C: Medical Advisor's Report

Exhibit D: Independent Medical Examiner's Report - Dr. Schreiber 12-01-21

Exhibit E: Independent Medical Examiner's Report - Dr. Lipper 01-26-22

Exhibit F: Applicant's Statement of Facts and Physician's Report

Exhibit G: Department Statement of Facts

Exhibit H: Job Description, Physical Requirements