

MUNICIPAL FIRE AND POLICE RETIREMENT
SYSTEM OF IOWA
7155 Lake Drive, Suite 201
West Des Moines, IA 50266

IN THE MATTER OF:

ADAM JONES,

Applicant.

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DECISION

Iowa Code § 411.6(3) (2024) and
Iowa Code § 411.6(5) (2024)

STATEMENT OF THE CASE

Adam Jones (“Applicant”) filed his application for an accidental disability pension on or about November 7, 2024. On December 30, 2024, the Medical Board of the University of Iowa Hospitals and Clinics reported to the System its findings regarding Applicant’s disability. The System made an initial decision awarding an ordinary disability pension for PTSD and anxiety disorder on January 8, 2025. On January 24, 2025, Applicant filed a timely appeal challenging the denial of an accidental disability pension for PTSD and anxiety disorder and the determination that the Applicant’s heart condition does not limit his ability to perform the full duties of a police officer. A hearing was held before the Disability Appeals Committee of the Board (comprised of Nickolas Schaul, Duane Pitcher, and Marty Pottebaum) on August 13, 2025 at the offices of the System. Marty Pottebaum served as Chair. Brandon Pflanzner observed the hearing on behalf of the System. Applicant appeared and was represented by attorney Kellie Paschke. The City of Clive (the “City”) appeared and was represented by attorney Mary Funk. Daniel Cassady, Director, appeared on behalf of the System. Stephanie Koltookian was present as counsel to the Committee. Testimony was received from Applicant and Chief Mark Rehberg. The parties waived the filing of post-hearing briefs.

FINDINGS OF FACT

The Committee, having reviewed the evidence of record, finds as follows:

The Application, Medical Records, and Applicant’s Exhibits

1. Applicant was born on May 31, 1971. Applicant commenced service as a police officer for the City of Clive on September 5, 2006. As of the date Applicant filed his application for disability benefits, Applicant held the rank of police officer with the Clive Police Department. Applicant’s last working day on the job was October 16, 2024. Applicant was placed on FMLA temporary disability leave beginning on

October 18, 2024. At the time of his application for disability benefits, Applicant was still employed by the City of Clive. **MFPRSI Ex. 1.**

2. On December 28, 2024, the System's Medical Board opined that Applicant, as a consequence of PTSD and generalized anxiety disorder, is unable to perform the full duties of a police officer. The Medical Board further opined that this incapacity is likely to be permanent based on the impression that further PTSD and generalized anxiety disorder related treatment will be of at least one year's duration. The Medical Board further opined that Applicant was not disabled as a result of coronary artery disease. **MFPRSI Ex. 5.**
3. The System issued a decision awarding an ordinary disability benefit due to PTSD and anxiety disorder and denying a disability benefit due to heart illness on January 8, 2025. **MFPRSI Ex. 6.** Applicant's appeal was timely filed with the System on January 24, 2025. Applicant appealed the determination that his PTSD and anxiety disorder do not meet the requirements for accidental disability benefits, and that his heart condition does not limit his ability to perform the full duties of a police officer. **MFPRSI Ex. 7.** The City did not appeal the decision.
4. Applicant first reported anxiety to a provider in July 2015, after his father passed away. Over the next few years, Applicant was on and off of antianxiety medication. On or about May 13, 2018, Applicant reported increased stress at work. On or about April 16, 2019, Applicant again reported increased stress at work due to changing shifts and at home. Applicant was first diagnosed with PTSD in 2020. By February 24, 2021, Applicant reported doing better, noting that most of his anxiety had centered around his health. In September 2024, Applicant's diagnoses continued to include PTSD and panic attacks. In the following months, he continued to report symptoms consistent with PTSD and panic attacks. He experienced symptoms such as lightheadedness, shortness of breath, and a feeling as if he was going to pass out. **MFPRSI Exs. 4B-21 to 4B-22, 4B-13 to 4B-14, 4B-43 to 4B-44, 4B10 to 4B-11, 4E-68 to 4E-71, 4B-6 to 4B-9, 4B-5 to 4B-6, 4G-4 to 4G-5, 4E-85 to 4E-90, 4C-1 to 4C-3, 4A-1, 4A-12 to 4A-14, 4A-7 to 4A-10, 4G-6 to 4G-7, 5-8 to 5-10, 5-23.**
5. Beginning in February 2016, Applicant began seeking preventative cardiology treatment. At that time, his provider questioned whether he had a clotting disorder that had led to a stroke at 42. On October 31, 2023, Applicant experienced a heart arrhythmia during a colonoscopy. In December 2024, Applicant was found to have a calcium score of 13, indicating "mild or minimal coronary narrowings likely." This score indicated that Applicant was "at low risk for coronary disease." **MFPRSI Exs. 4H-1 to 4H-4, 4A-78 to 4A-81, 5-8 to 5-10, 4A-7.**
6. In 2016, there were officer murders in the metro. Applicant knew the shooter from high school. Following this event, he struggled at work. **MFPRSI Exs. 4C-3 to 4C-4.**
7. On January 4, 2024, Applicant responded to the Perry Community School shooting. According to his medical records, Applicant did not enter the building and was outside with approximately 100 other first responders. He sought mental health

treatment on January 8, 2024. He attended a debriefing of this critical incident. **MFPRSI Ex. 4C-3 to 4C-4.**

8. Applicant offered **Member Exhibits 1–3** at the hearing, and the City of Clive objected to each on the bases of relevancy, lack of foundation, and hearsay. **Member Exhibit 1** was United States Department of Justice, Federal Bureau of Investigation – *Active Shooter Incidents in the United States* (June 2024). **Member Exhibit 2** was United States Department of Justice, Federal Bureau of Investigation – *Law Enforcement Officers Killed and Assaulted* (May 2025). **Member Exhibit 3** was United States Department of Justice, Federal Bureau of Investigation – *Law Enforcement Officers Killed and Assaulted* (2010–2019). The admission of these exhibits was taken under advisement at the hearing. After further review, the Committee finds they are relevant to the issues before the panel based on the arguments advanced by Applicant’s counsel. The Committee further finds that these records do fall within the public records exception to the hearsay rule. *See* Iowa R. Evid. 5.803(8). The Committee further finds that the residual exception would also apply in these circumstances. *See* Iowa R. Evid. 5.807. Finally, the Committee finds that there is no foundational issue with these records, which are official publications. *See* Iowa R. Evid. 5.902(5). The Committee has reviewed and considered **Member Exhibits 1–3** in reaching its decision.

Applicant’s Testimony

9. Applicant testified about his approximately 18.5 years as a police officer. Applicant testified at the hearing that the 2016 police officer shooting and the 2024 Perry Community School shooting were traumatic to him.
10. Applicant testified about the November 2016 officer shooting, where two metro police officers were murdered near a high school. Applicant was not on duty at the time, but when he learned about the shooting, he went in early. Applicant testified that then-Clive Police Chief Damon Herzog directed him to get in a patrol car with a rifle, and he was given a vehicle identification for the suspect. Ultimately, he was also given a suspect to search for, which was a friend or acquaintance of Applicant from high school. Applicant testified that he was affected by this incident and felt guilty about it. He also worried about whether, if he had apprehended the suspect, the suspect would recognize Applicant, or if Applicant would have to shoot the suspect. Ultimately, Applicant never apprehended the suspect. Applicant never went to the scene of this shooting.
11. Applicant also testified about the Perry Community School Shooting. He explained that he was on regular patrol duties when the call went out about an active shooter and requested assistance. Applicant made a 20-minute high speed drive to the scene. During the drive, he recalled thinking about what to do and what his kids would do. He testified that when he arrived, he helped set up a perimeter with an Iowa state trooper on the southwest corner of the school. He was not asked to go inside the school, but knew it was a possibility to go in. Applicant recalls a lot of other police officers at the scene. He recalled parents were asking for answers, but he did not have

much information to share. He never saw the shooter and never went inside the school. He did see the principal, who was injured, get put on a life flight.

12. With respect to Applicant's medical history, Applicant admitted being diagnosed with PTSD in 2020. He testified that after the Perry incident, his sleep deteriorated and medications were not very effective. He testified that he would get 1–2 hours of sleep per night. Applicant also testified that he has had regular nightmares throughout his entire career, but they have intensified over time. He also testified that his panic attacks are now worse than they used to be.
13. Applicant testified that he saw Dr. Ascherman before and after the Perry Community School shooting. He testified that he had reviewed those records and did not recall any inaccuracies. Applicant testified that he recalled the medical record from after the Perry Community School shooting stating that the stress symptoms appeared to be mild, and that Applicant didn't need to be taken off work. He also recalled being told by Dr. Ascherman that his acute stress reaction seemed to be resolved, and that Applicant had exhibited a normal emotional response.
14. Applicant admitted that he had never been diagnosed with coronary heart disease. He explained that his calcium scores had increased between 2015 and 2024.

Chief Rehberg's Testimony

15. Chief Mark Rehberg testified about his 30 years of experience as a law enforcement officer.
16. Chief Rehberg testified that the police department conducts yearly training for active shooting response. Chief Rehberg testified that the shootings discussed at the hearing are not unexpected or unusual, and police officers train as though such events will happen at some point. Police officer training is guided by law enforcement responses to what has happened nationwide. Although school shootings are rare in Iowa, police departments developed procedures for how to respond to them after the Columbine shooting.¹
17. Chief Rehberg testified that he responded to the Perry Community School shooting and arrived prior to Applicant. By the time Chief Rehberg arrived, the shooter was down, and there were injured individuals in the building. Chief Rehberg testified that there were approximately 250 officers ultimately called to the vicinity of the school.
18. Chief Rehberg has never responded to the murder of a fellow law enforcement officer. He testified that there were no records that Applicant had responded to the 2016 law officer shooting.

¹ The Committee takes notice that the Columbine High School shooting occurred on April 20, 1999 in Littleton, Colorado.

19. Chief Rehberg also testified to responding to other active shooter events, including one where the shooter died by suicide in front of him and one where Chief Rehberg himself was shot in the leg and had to return fire.

CONCLUSIONS OF LAW

1. Iowa Code § 411.6(3) states:

3. *Ordinary disability retirement benefit.* Upon application to the system, of a member in good standing or of the chief of the police or fire departments, respectively, any member in good standing shall be retired by the system, not less than thirty and not more than ninety days next following the date of filing the application, on an ordinary disability retirement allowance, if the medical board after a medical examination of the member certifies that the member is mentally or physically incapacitated for further performance of duty, that the incapacity is likely to be permanent, and that the member should be retired. However, if a person's membership in the system first commenced on or after July 1, 1992, the member shall not be eligible for benefits with respect to a disability which would not exist, but for a medical condition that was known to exist on the date that membership commenced. A medical condition shall be deemed to have been known to exist on the date that membership commenced if the medical condition is reflected in any record or document completed or obtained in accordance with the system's medical protocols pursuant to section 400.8, or in any other record or document obtained pursuant to an application for disability benefits from the system, if such record or document existed prior to the date membership commenced. A member who is denied a benefit under this subsection, by reason of a finding by the medical board that the member is not mentally or physically incapacitated for the further performance of duty, shall be entitled to be restored to active service in the same position held immediately prior to the application for disability benefits. The member-in-good-standing requirement of this subsection may be waived for good cause as determined by the board. The burden of establishing good cause is on the member.

2. Iowa Code section 411.6(5) states (in relevant part) as follows:

5. *Accidental disability benefit.*

a. Upon application to the system of a member in good standing, of an ordinary disability beneficiary, or of the chief of the police or fire departments, respectively, any member in good standing or ordinary disability beneficiary *who has become totally and permanently incapacitated for duty as the natural and proximate result of an injury or disease incurred in or aggravated by the actual performance of duty or arising out of and in the course of employment, or while acting, pursuant to order, outside of the city by which the member is regularly*

employed, shall be retired by the system, or may have a retirement for an ordinary disability converted to a retirement for an accidental disability, if the medical board certifies that the member or ordinary disability beneficiary is mentally or physically incapacitated for further performance of duty, that the incapacity is likely to be permanent, and that the member should be retired or should have a retirement for an ordinary disability converted to a retirement for an accidental disability. However, if a person's membership in the system first commenced on or after July 1, 1992, the member or ordinary disability beneficiary shall not be eligible for benefits with respect to a disability which would not exist, but for a medical condition that was known to exist on the date that membership commenced. A medical condition shall be deemed to have been known to exist on the date that membership commenced if the medical condition is reflected in any record or document completed or obtained in accordance with the system's medical protocols pursuant to section 400.8, or in any other record or document obtained pursuant to an application for disability benefits from the system, if such record or document existed prior to the date membership commenced. A member who is denied a benefit under this subsection, by reason of a finding by the medical board that the member is not mentally or physically incapacitated for the further performance of duty, shall be entitled to be restored to active service.

3. No evidence was presented showing Applicant was not a member in good standing at the time he submitted his application for an accidental disability retirement.
4. The questions before the Committee are (1) whether Applicant's PTSD, anxiety disorder, or insomnia constitute an injury or disease for which accidental disability benefits are available under Iowa Code Chapter 411 and (2) whether Applicant's heart condition limits his ability to perform the full duties of a police officer.

Applicant's Mental Incapacity Claims

5. The Medical Board opined that Applicant was totally and permanently disabled as a result of his PTSD and anxiety disorder. The Medical Board diagnosed Applicant with PTSD and generalized anxiety disorder with panic attacks. Although the Medical Board recognized Applicant had a history of "chronic insomnia," it did not connect the permanent disability to Applicant's insomnia. *See MFPRSI Ex. 5-26.*
6. Applicant did not timely appeal the denial of accidental disability benefits for insomnia. MFPRSI Ex. 7. Further, the Medical Board did not link Applicant's disability to insomnia or diagnose Applicant with insomnia. Therefore, Applicant is not entitled to accidental disability benefits for insomnia.²

² The Committee recognizes insomnia as a symptom frequently associated with PTSD. The Committee has considered the testimony about Applicant's insomnia as part of the PTSD claim discussed below.

7. Iowa Code §411.6(5)(d) states:

To establish that a mental incapacity occurred as the natural and proximate result of an injury or disease incurred in or aggravated by the actual performance of duty or arising out of and in the course of the employment, or while acting, pursuant to order, outside of the city by which the member is regularly employed, *the member must demonstrate that the mental incapacity is traceable to a readily identifiable work event constituting a manifest happening of a sudden traumatic nature from an unexpected cause or unusual strain in the workplace. Whether an incident is traumatic, unexpected, or unusual is determined by comparing the incident, and not the effect on the member, to the experiences of other police officers or fire fighters in Iowa.* A member must be able to trace their mental injury to a specific event or events in the workplace to be eligible for accidental disability benefits.

Iowa Code §411.6(5)(d) (emphasis added).

8. Section 411.6(5)(d) places the burden of establishing the right to an accidental disability benefit for mental incapacity on the member. *See* Iowa Code § 411.6(5)(d).
9. There are at least two requirements to establish a mental incapacity is compensable as an accidental disability benefit: (1) that the incapacity is traceable to a readily identifiable work event; and (2) that the work event constitutes a manifest happening of a sudden traumatic nature from an unexpected cause or unusual strain in the workplace. In other words, the Applicant must make a showing regarding the traceability of the mental incapacity to the injury, and about the nature of the incident being “traumatic, unexpected, or unusual.” The Committee notes that the traceability requirement is noted twice in the statute.
10. The Committee finds that Applicant has not met his burden to trace an aggravation of anxiety or PTSD to either work event. Applicant’s anxiety disorder predates both work events at issue. Applicant’s PTSD predates the Perry Community School shooting. As noted by the Medical Board, Applicant’s career has been marked by exposure to several traumatic events, including suicides, fatal car crashes, and the deaths of fellow officers. **MFPRSI Ex. 5-8 to 5-10.** Applicant also has had many other stressors in his life, including health concerns, which continue to impact him mentally. *See MFPRSI Ex. 4Bhat-21 to 4B-22; MFPRSI Ex. 4G-4 to 4G-5, 4E-85 to 4E-90.* Therefore, the issue is whether Applicant can trace an aggravation of his mental health incapacity to the 2016 and/or 2024 work events. The Committee concludes that he cannot. Based on the Committee’s review of the medical records, most of the records immediately post-dating the 2016 officer shooting did not reflect a significant increase in mental health treatment or symptoms. It appears Applicant first referenced the 2016 incident in January 2024, when he saw Dr. Ascherman after the Perry Community School shooting. *See MFPRSI Ex. 4C-3-4.* Applicant did not present specific testimony that he had an increase in symptoms that he connected to the 2016 incident. Therefore, the Committee finds there is insufficient evidence to

trace any aggravation of Applicant's anxiety or PTSD to the 2016 incident. The Committee also concludes that there is insufficient evidence to trace any aggravation of Applicant's mental incapacities to the Perry Community School shooting. Applicant admitted, and appeared to agree with, his medical records from Dr. Ascherman that his acute stress reaction to the Perry Community School incident appeared to have resolved by February 7, 2024, and that he could recall the incident with a normal level of emotion and adaptive response. *See MFPRSI Ex. 4C-4.* Although Applicant generally testified that many of his symptoms have gotten worse over time, the Committee does not believe that his testimony satisfied his burden to connect any such aggravation to the 2024 incident. In reaching this conclusion, the Committee notes that it had an opportunity to observe Applicant recall the event at the hearing and agree with Dr. Ascherman's assessment that Applicant's recollection of the Perry Community School incident was done with a normal level of emotion.

11. The Committee would also deny accidental disability benefits on the alternative basis that Applicant did not meet his burden to establish that the incidents in 2016 or 2024 were of a sufficient nature to qualify for an accidental disability benefit. For purposes of the Committee's accidental disability analysis, the relevant "incidents" are the portion of each incident that Applicant observed or participated in. This conclusion is supported by the Legislature's reference to a "work event," which strongly suggests that the event at issue must be tied to what the Applicant did (his work) at the incident. The System's Policy Statement regarding mental injury factors, approved by the Board of Trustees on August 15, 2024, provides relevant guidelines for the Committee's consideration of this issue by establishing a list of relevant factors, which include: (1) whether the event(s) resulting in the mental injury is something for which the member received training; (2) whether, with respect to the event(s) resulting in the mental injury, the applicant's department or supervisor followed or deviated from standard protocols in the profession (whether at the time of or following the event(s)); (3) the applicant's degree of familiarity with a victim prior to the event or events; (4) the culpability or innocence of the victim(s); and (5) whether the event(s) occurred in close proximity to other stressful events. This list is not exclusive, and the Committee may consider other relevant factors as well. The Committee may weigh certain factors more heavily than others depending on the specific facts of an appeal. Consistent with this Policy and the fact-intensive nature of this inquiry, the Committee has considered an additional relevant factor in this case — Applicant's level of involvement in responding to each incident. The Committee further finds that the first three enumerated factors weigh against awarding accidental disability benefits, the fourth weighs in favor of accidental disability benefits, and the fifth factor is neutral. Applicant's level of involvement in each incident weighs heavily against awarding accidental disability benefits.
12. As demonstrated by Chief Rehberg's testimony, an Iowa police officer's response to an active shooting is not per se traumatic, unusual, or unexpected. Unfortunately, active shooting incidents occur with sufficient regularity to merit regular training, and the nature of an officer's responsibilities in responding to such an event can vary widely from engaging with the suspect, to assisting victims, to setting up a perimeter after the shooting has already concluded. Here, Applicant never confronted a suspect,

saw a crime, assisted a victim, and there is no evidence that he personally observed gunfire. There is no evidence that there were any irregularities in the procedures followed in response to these incidents. There is no evidence that Applicant ever knew the victims of these crimes. Instead, the evidence shows that Applicant did what he was trained and instructed to do. With respect to the Perry Community School shooting, he did his duty consistently with approximately 250 other officers or first responders who responded to the scene.

13. Applicant's exhibits do not satisfy his burden of establishing that either readily identifiable work event was traumatic, unexpected, or unusual when compared to the experience of Iowa officers. Although such incidents are rare, the undisputed evidence demonstrated that police officers are trained on how to respond to such incidents, and detailed statistics are maintained for these events to help guide those trainings. Applicant did not sufficiently rebut the testimony of Chief Rehberg that police officers in Iowa typically will, over the course of a lengthy career such as Applicant's, respond to calls involving various types of active shooters. With respect to the 2016 shooting, the Committee concludes that there is insufficient evidence that Applicant was close enough to that incident for it to be traumatic, unexpected, or unusual. He responded to a manhunt for a shooting that had already occurred. He never encountered the suspect and never saw the victims. Similarly, Applicant did not introduce testimony or evidence to demonstrate that what he experienced in setting up a perimeter around the Perry Community School shooting was traumatic, unusual, or unexpected.
14. Additionally, the Committee notes that under the statute, the nature of the incident is viewed under an objective, Iowa officer standard, not based on the effects on the Applicant. *See* Iowa Code § 411.6(5)(d). Therefore, Applicant's testimony that he has experienced an increase in symptoms cannot turn either incident into one that is traumatic, unexpected, or unusual.

Heart Condition

15. The Medical Board opined that Applicant's heart condition did not limit his ability to perform the full duties of a police officer. Applicant submitted little evidence on his heart condition during the hearing. Applicant admitted at the hearing that he has never been diagnosed with a heart condition. Against this medical record and his testimony, the Committee sees no reason to overturn the Executive Director's decision.

DECISION

The appeal for an accidental disability pension on behalf of Adam Jones under Chapter 411 is hereby denied. Applicant will continue to receive an ordinary disability benefit due to PTSD and anxiety disorder.

Dated this 14 day of August, 2025.



Marty Pottebaum, Chair
Disability Appeals Committee

COPIES TO:

Kellie Paschke
SKINNER & PASCHKE, PLLC
1454 30TH Street, Suite 102
West Des Moines, IA 50266
Counsel for Member

Mary E. Funk
NYEMASTER GOODE, P.C.
700 Walnut, Suite 1600
Des Moines, IA 50309
Counsel for City of Clive

Daniel Cassady, Director
Municipal Fire and Police Retirement
System of Iowa
7155 Lake Drive, Suite 201
West Des Moines, IA 50266

Cynthia Boyle Lande
Brown, Winick, Graves, Gross, and
Baskerville, P.L.C.
666 Grand Suite 2000
Des Moines, IA 50309
Counsel for Committee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at such attorney's address as disclosed by the pleadings of record herein on the 14 day of August, 2025.

By: ☐ U.S. Mail ☐ Facsimile
☐ Hand Delivered ☐ Overnight Courier
☐ Federal Express ☒ Other

Signature Jeld Hagg