

**ATTACHMENT A**  
**PROPOSED DECISION**

**BEFORE THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

**In the Matter of the Application for Disability Retirement by:  
JONATHAN D. BLIX and COUNTY OF NEVADA, Respondents.**

**Agency Case No. 2023-0971**

**OAH No. 2025030629**

**PROPOSED DECISION**

Administrative Law Judge Juliet E. Cox, State of California, Office of Administrative Hearings, heard this matter on October 22, 2025, by videoconference.

Senior Attorney Sean Stowers appeared representing complainant Sharon Hobbs, Chief, Disability and Survivor Benefits Division, California Public Employees' Retirement System.

Respondent Jonathan D. Blix appeared representing himself.

Despite notice, no one appeared for respondent County of Nevada. The hearing proceeded in this respondent's absence, in accordance with Government Code section 11520.

The matter was submitted for decision on October 22, 2025.

## **FACTUAL FINDINGS**

1. The California Public Employees' Retirement System (CalPERS) provides retirement services to persons who have worked for California local government agencies that contract with CalPERS to provide such services to the local government agencies' employees and retirees. Sharon Hobbs, Chief of the CalPERS Disability and Survivor Benefits Division, is the complainant in this matter.

2. Respondent County of Nevada is a California county that contracts with CalPERS to provide retirement services for its local safety employees.

3. Respondent Jonathan D. Blix worked as a correctional officer for the County. Because of this employment, respondent Blix is a CalPERS local safety member.

4. In February 2023, respondent Blix applied for disability retirement. He alleges that he is unable to continue working as a correctional officer because of injuries to his left shoulder and chest, which he suffered in a workplace conflict with an inmate.

5. In September 2023, Assistant Chief of the Disability and Survivor Benefits Division Tina Matthews notified respondent Blix and the County that CalPERS intended to deny the disability retirement application. As the basis for this denial, the letter states that "you are not substantially incapacitated from the performance of your job duties" as a correctional officer.

6. Respondent Blix timely appealed; the County did not. Complainant signed a Statement of Issues for this appeal in March 2025. The Statement of Issues alleges that respondent may not retire for disability because reports from "competent

medical professionals” fail to establish that he is “permanently disabled or incapacitated from the performance of his duties” as a correctional officer.

## **Employment History and Duties**

7. Nevada County correctional officers staff the County’s jails. They supervise inmates, monitor their safety and their activities, and escort them both within the jails and between the jails and other places.

8. As is relevant to this matter, correctional officers must be physically fit enough to restrain other adults; to lift items weighing as much as 165 pounds; to reach, bend, climb, stand, and walk; and to perform first aid, including cardiopulmonary resuscitation.

9. The evidence does not establish exactly when respondent Blix became a correctional officer, except that he is experienced enough to have been promoted. He testified credibly that he had intended before his injury to continue as a correctional officer until his mid-50s (between 10 and 15 more years), so that he would have a pension and health insurance coverage to provide for himself and his family.

10. While working in a County jail on February 23, 2021, respondent was involved in a violent conflict with an inmate. He experienced immediate, extreme pain in his left shoulder and in his chest near the left shoulder. He sought medical treatment, but continued working on modified duty for several more months. Eventually, after surgery (described below in Finding 13) and another several months of modified duty, respondent applied for disability retirement as described above in Finding 4.

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11. Since mid-2021 or earlier, respondent also has worked part time as a coach at a CrossFit<sup>1</sup> gym in Grass Valley. He leads small group workouts between one and five days per week.

12. Respondent has had no other employment aside from coaching since he stopped working as a correctional officer in early 2023.

## **Medical Evidence**

13. In September 2021, respondent underwent left shoulder surgery to repair two torn rotator cuff tendons and a muscular tear at the junction between the left pectoralis major and the tendon attaching this muscle to the left humerus. After the surgery, respondent had rehabilitative physical therapy.

14. CalPERS retained Anthony Bellomo, M.D., to examine respondent and to review medical and other records about him. Dr. Bellomo is an orthopedic surgeon. He examined respondent on August 21, 2023, and testified at the hearing.

15. In his examination, Dr. Bellomo noted "a significant amount of muscular development in the upper extremities and chest region," but with a visible "defect involving the left lateral chest region in the area of the pectoralis insertion." Dr. Bellomo measured some range of motion restrictions in respondent's left shoulder, as compared to his right, but observed normal and symmetrical muscular stability around both joints.

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<sup>1</sup> CrossFit is an athletic and physical fitness program that focuses on high-intensity training for strength and power.

16. Dr. Bellomo reviewed records from respondent's medical treatment, surgery, and post-surgical physical therapy. He notes that in 2022, several providers advised respondent not to engage in any "pushing, pulling, carrying, or lifting," and especially not overhead lifting. In 2022 and early 2023, an agreed medical examiner for respondent's workers' compensation claim (orthopedic surgeon Patrick J. McGahan, M.D.) opined that respondent should not do any overhead work with his left arm; should not lift, push, or pull items heavier than 50 pounds; and should not interact with inmates who may become violent.

17. Finally, Dr. Bellomo also reviewed video recordings of respondent. Most of this video showed respondent during late March and early April 2023, although at least one recording Dr. Bellomo reviewed showed respondent in September 2022.

18. In video from late March and early April 2023, respondent is visible performing activities such as shopping and coaching a group of people at the gym. On several occasions, he lifts a child who appears to weigh at least 30 pounds into or out of a high-clearance truck. On one occasion, he and a companion lift a large box that is labeled as containing a disassembled six-foot by five-foot storage shed into the truck bed; respondent then reaches over his head to strap down the box. He jogs wearing a weighted vest, and instructs his athletes on form for an overhead lift (but without himself holding a weighted barbell).

19. In the video from September 2022, respondent performs a timed CrossFit workout. The workout involves running back and forth over a 25-foot distance; pausing to lift a plate-loaded barbell (155 pounds in total) from the ground to overhead several times; running again; and pausing to perform several "muscle ups" (jumping up to an overhead bar, pulling the chest above the bar, and pushing until the hips are at bar level). Respondent repeats this sequence for 15 minutes.

20. Dr. Bellomo testified credibly and persuasively that the physical abilities these videos show are inconsistent with the work restrictions Dr. McGahan recommended. They also are inconsistent with respondent's allegation that strength and mobility limitations in his left chest and shoulder prevent him from performing a correctional officer's usual duties, summarized in Findings 7 and 8. Finally, Dr. Bellomo noted that the muscle mass in respondent's upper torso and arms would be difficult if not impossible to develop and maintain if respondent had significant impairments in the strength and stability of his left shoulder. Dr. Bellomo does not believe that the evidence, all together, shows that the condition of respondent's left chest and shoulder substantially incapacitates him for the ordinary duties of a Nevada County correctional officer.

21. Respondent acknowledged that the videos show him engaging in athletic activity that demonstrates considerable strength. He explains, however, that in the gym he can control when and how he exerts himself, whereas on duty he cannot. He also testified credibly that he pushes through pain, and that he sometimes limits activities in the gym because they feel too uncomfortable or unstable. Respondent is proud to have recovered the fitness and strength that he has recovered, but still deems himself diminished by his injury. He would not be sure, if he returned to duty, that he could use physical force if and when necessary to protect others and himself.

22. Neither Dr. McGahan nor any other medical provider who had examined or treated respondent Blix testified at the hearing.

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## LEGAL CONCLUSIONS

1. Respondent Blix may retire for disability if he is “incapacitated for the performance of duty.” (Gov. Code, § 21151.) He must present “competent medical opinion” demonstrating his inability to work, and demonstrating that this inability is “of permanent and extended duration.” (*Id.*, § 20026.) Respondent bears the burden of establishing his incapacity.

2. The matters stated in Finding 16 show that Dr. McGahan advised respondent and Nevada County in writing that he believed respondent incapable of continuing as a correctional officer. The matters stated in Finding 21 confirm that respondent concurs with this assessment, which is why he applied in 2023 to retire for disability despite his pre-injury intention to work for the County for another decade or more.

3. Dr. McGahan did not testify at the hearing, however. In addition, he did not have the opportunity to review the video evidence summarized in Findings 17 through 19, and to consider whether it altered his opinion about respondent’s fitness for duty as a correctional officer. Respondent’s own explanation for the apparent inconsistency between the video evidence and his personal belief that he is incapacitated, while reasonable from respondent’s perspective, is not impartial, competent medical opinion.

4. The only competent medical opinion analyzing all available evidence is Dr. Bellomo’s. This opinion, as summarized in Finding 20, does not establish respondent Blix’s incapacity to perform the usual duties of a Nevada County correctional officer.



## ORDER

The appeal by Jonathan D. Blix regarding his application for disability retirement is denied. The evidence does not demonstrate that respondent Blix is incapacitated from performing the usual duties of a Nevada County correctional officer.

DATE: 10/31/2025



JULIET E. COX

Administrative Law Judge

Office of Administrative Hearings