## **MINUTES**

OF

## ADMINISTRATIVE APPEALS COMMITTEE September 27, 2018 at 9:34 A.M., E.T.

**Board Room** 

Perimeter Park West, 1270 Louisville Road Frankfort, KY 40601

At the meeting of the Administrative Appeals Committee, held on September 27, 2018, the following members were present: Keith Peercy, Chair, and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Joseph Bowman, KRS, Alan Hurst, KRS, Allison Daniels, KRS, and Tracy Chambers, Recording Secretary.

It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried to approve the Minutes of the July 26, 2018 Administrative Appeals Committee Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the administrative appeals of Administrative Action Numbers: 18-PS-01, 17-A-05, 17-PS-09, 17-PS-11, 17-A-03, and 16-A-12.

Following discussion in closed session, the Committee returned to open session, whereafter the following transpired.

It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 18-PS-01, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's appeal and affirm Kentucky Retirement Systems' determination.

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It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 17-A-05, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to affirm Kentucky Retirement Systems' determination that claimant was not eligible to apply for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 17-PS-09, to remand this case in order for the hearing officer to issue a new Recommended Order.

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It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 17-PS-11, to accept the Hearing Officer's Report on Remand, as modified in the Board Final Order, and to deny claimant's appeal and affirm Kentucky Retirement Systems' determination.

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It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 17-A-03, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to affirm Kentucky Retirement Systems' determination that claimant was reemployed in violation of KRS 61.637 and 105 KAR 1:390.

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It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried unanimously, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 16-A-12, to reject the Hearing Officer's Report and issue a Board Final Order denying claimant's appeal. Mr. Hurst recused himself from participation because of prior involvement in this matter.

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There being no further business, the meeting was adjourned at 9:47 A.M., E.T. to meet on November 15, 2018 immediately following the Disability Appeals Committee meeting.

## **CERTIFICATION**

I, Tracy Chambers, do certify that I was present at this meeting, and I have recorded the above action of the Committee on the various items considered by it at this meeting.
Tracy Chambers Recording Secretary  11 15 18  Date
I, Keith Peercy, do certify that the Minutes of the meeting held on September 27, 2018 were approved by the Administrative Appeals Committee on November 15, 2018.    Committee
I, Alan Hurst, was present at the September 27, 2018 Administrative Appeals Committee meeting, and have reviewed the minutes for form and legality.