

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
January 23, 2017 at 9:00 A.M. E.T.
Board Room
Perimeter Park West, 1270 Louisville Road
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on January 23, 2017, the following members were present: Keith Peercy, Chair, Vince Lang and Donna Shelton, Proxy on behalf of Thomas Stephens.

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

It was moved by Mr. Lang, seconded by Ms. Shelton, and carried to approve the Minutes of the November 21, 2016 Disability Appeals Committee Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 15-D-71, 15-D-99, 16-D-06, 16-D-07, 16-D-02, 16-D-11, 16-D-20 and 16-D-05.

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

It was moved by Mr. Lang, seconded by Ms. Shelton, 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: 15-D-71, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in three years.

It was moved by Ms. Shelton, seconded by Mr. Peercy, and carried by a majority, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 15-D-99, to reject the Hearing Officer's Report to approve disability retirement benefits and duty-related disability retirement benefits and to instead issue a Board Final Order denying claimant's application for disability retirement benefits and duty-related disability retirement benefits. Mr. Lang dissented.

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It was moved by Mr. Lang, seconded by Ms. Shelton, 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-D-06, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Lang, 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-D-07, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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It was moved by Mr. Lang, seconded by Ms. Shelton, 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-D-02, to reject the Hearing Officer's Report to approve disability retirement benefits and to instead issue a Board Final Order denying claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Lang, 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-D-11, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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It was moved by Mr. Lang, seconded by Ms. Shelton, 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-D-20, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in two years.

It was moved by Ms. Shelton, seconded by Mr. Lang, 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-D-05, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve claimant's application for hazardous disability retirement benefits, with review in three years.

There being no further business, the meeting was adjourned at 9:32 A.M., E.T. to meet on March 20, 2017 at 9:00 A.M., E.T.

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 3-20-17
Tracy Chambers Date
Recording Secretary

I, Keith Percy, do certify that the Minutes of the meeting held on January 23, 2017 were approved by the Disability Appeals Committee on March 20, 2017.

Keith Percy 3-20-17
Keith Percy, Chair Date
Disability Appeals Committee

I, Joseph P. Bowman, was present at the January 23, 2017 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Joseph P. Bowman 3/20/17
Joseph P. Bowman Date
KRS Staff Attorney