

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
November 16, 2017 at 9:30 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 November 16, 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, Erin Surratt, KRS, Alan Hurst, KRS, and Tracy Chambers, Recording Secretary.

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It was moved by Mr. Lang, seconded by Ms. Shelton, and carried to approve the Minutes of the September 28, 2017 Disability Appeals Committee Meeting.

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Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 16-D-41, 16-D-45, 16-D-27, 16-D-14, 16-D-73, 16-D-75, and 16-D-01.

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

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It was moved by Mr. Lang, 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: 16-D-41, to accept the Hearing Officer's Report on Remand, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits and duty-related disability retirement benefits. Ms. Shelton abstained.

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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-45, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for hazardous disability retirement benefits and in-line-of-duty disability retirement benefits. Furthermore, the Board having reviewed Claimant's Motion for Extension of Time to Submit Exceptions, hereby overrules the motion due to mootness as timely Exceptions were filed by the claimant.

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-27, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve claimant's application for disability retirement benefits, with review in two years and denying claimant's application for duty-related disability retirement benefits.

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-14, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for hazardous disability retirement benefits and in-line-of-duty disability retirement benefits.

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-73, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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-75, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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: 16-D-01, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits. Mr. Lang dissented.

There being no further business, the meeting was adjourned at 10:08 A.M., E.T. to meet on January 25, 2018 at 9:30 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 1-25-18
Tracy Chambers Date
Recording Secretary

I, Keith Peercy, do certify that the Minutes of the meeting held on November 16, 2017 were approved by the Disability Appeals Committee on January 25, 2018.

Keith Peercy 1-25-18
Keith Peercy, Chair Date
Disability Appeals Committee

I, Alan Hurst, was present at the November 16, 2017 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst 1-25-18
Alan Hurst Date
KRS Staff Attorney