MINUTES

OF

DISABILITY APPEALS COMMITTEE February 26, 2019 at 10:00 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 February 26, 2019, the following members were present: Betty Pendergrass, Chair, Jerry Powell, and Donna Shelton, Proxy on behalf of Thomas Stephens.

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

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It was moved by Ms. Shelton, seconded by Mr. Powell, and carried to approve the Minutes of the December 10, 2018 Disability Appeals Committee Meeting.

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Ms. Pendergrass noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 17-D-42, 17-D-48, 17-D-25, 17-D-47, 17-D-38, 18-D-18, 17-D-57, and 17-D-61.

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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. Powell, seconded by Ms. Pendergrass, 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: 17-D-42, to accept the Hearing Officer's Report on Remand, Findings of Fact, Conclusions of Law, 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 Mr. Powell, 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: 17-D-48, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits and duty-related disability retirement benefits.

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It was moved by Mr. Powell, seconded by Ms. Pendergrass, 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: 17-D-25, to accept the Hearing Officer's Report on Remand, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits. Ms. Shelton abstained.

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It was moved by Ms. Shelton, seconded by Mr. Powell, 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-D-47, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Powell, 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-D-38, 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. Powell, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the recommended order, any exceptions duly filed, and Kentucky Retirement Systems' Motion to Strike Letter Attached to Claimant's Exceptions, in the case of Administrative Action Number: 18-D-18, to grant the motion to strike and 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 Ms. Pendergrass, 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: 17-D-57, 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. Powell dissented.

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It was moved by Mr. Powell, seconded by Ms. Pendergrass, and carried by a majority, that the Committee members having considered the record, including the recommended order, any exceptions duly filed, and Claimant's Motion to Accept Late Filings, in the case of Administrative Action Number: 17-D-61, to grant the motion, reject the recommended order, and remand this matter to the hearing officer for further proceedings as appropriate. Ms. Shelton abstained.

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There being no further business, the meeting was adjourned at 10:45 A.M., E.T. to meet on April 23, 2019 at 10:00 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 varie	ous items considered by it at this meeting.
Tracy Chambers Recording Secretary	4 · 2 3 · 19 Date
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I, Betty Pendergrass, do certify that the Minutes of the meeting held on February 26, 2019 were approved by the Disability Appeals Committee on April 23, 2019.

Betty Pendergrass, Chair Date

Disability Appeals Committee

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I, Alan Hurst, was present at the February 26, 2019 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst Date

KRS Staff Attorney