

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
September 27, 2018 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 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 Disability Appeals Committee Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 17-D-42, 16-D-78, 17-D-40, 17-D-36, 17-D-46, and 17-D-55.

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

It was moved by Mr. Peercy, 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-42, to defer this case to the October 29, 2018 Disability Appeals Committee meeting.

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-D-78, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for duty-related disability retirement benefits.

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-D-40, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits and duty-related disability retirement benefits.

It was moved by Mr. Peercy, 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-36, to defer this case to the October 29, 2018 Disability Appeals Committee meeting.

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-D-46, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits. Furthermore, the Board hereby overrules claimant's Request for Resubmission to the Medical Review Board.

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 Dismissing Appeal and any exceptions duly filed, in the case of Administrative Action Number: 17-D-55, to accept the Recommended Order Dismissing Appeal, and to dismiss claimant's application for duty-related disability retirement benefits without prejudice.

There being no further business, the meeting was adjourned at 9:34 A.M., E.T. to meet on November 15, 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 11-15-18
Tracy Chambers Date
Recording Secretary

I, Keith Peercy, do certify that the Minutes of the meeting held on September 27, 2018 were approved by the Disability Appeals Committee on November 15, 2018.

Keith Peercy 11-15-18
Keith Peercy, Chair Date
Disability Appeals Committee

I, Alan Hurst, was present at the September 27, 2018 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst 11-15-18
Alan Hurst Date
KRS Staff Attorney