MINUTES

OF

DISABILITY APPEALS COMMITTEE January 23, 2020 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 January 23, 2020, the following members were present: Keith Peercy, Chair, Campbell Connell, and Donna Shelton, Proxy on behalf of Gerina D. Whethers.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Alan Hurst, KRS, Victoria Hale, KRS, and Tracy Chambers, Recording Secretary.

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It was moved by Ms. Shelton, seconded by Mr. Connell, and carried to approve the Minutes of the November 21, 2019 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: 18-D-19, 16-D-26, 18-D-56, and 19-D-36.

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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 Ms. Shelton, seconded by Mr. Connell, 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-D-19, 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.

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It was moved by Ms. Shelton, seconded by Mr. Connell, 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-26, to remand this case in order for the hearing officer to issue a new Recommended Order regarding whether the claimant is entitled to disability retirement benefits and duty-related disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Connell, 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-D-56, 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. Connell, and carried unanimously, that the Committee members having considered the record, including the Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 19-D-36, to accept the Order of Dismissal, as modified in the Board Final Order, and to dismiss this action without prejudice.

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There being no further business, the meeting was adjourned at 9:49 A.M., E.T. to meet on March 26, 2020 at 9:30 A.M., E.T. **NOTE:** On March 6, 2020, the Governor issued Executive Order 2020-215, declaring a State of Emergency pursuant to his power under the Kentucky Constitution and KRS Chapter 39A regarding COVID-19. On March 12, 2020, Holly M. Johnson, Secretary of the Finance and Administration Cabinet issued a memo regarding "Meeting Protocols for Novel Coronavirus (COVID-19)". Due to the short period of time between receiving this memo and the March 26, 2020, DAC meeting, Mr. Keith Peercy, as Chair, cancelled the March 26, 2020 meeting, and transferred those cases to the Disability Appeals Committee who met in April. Mr. Peercy thereafter set the next DAC meeting for May 28, 2020.

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

Date

Tracy Chambers

Recording Secretary

approved by the Disability Appeals Com		. 2020 were
10llCe Deen	5/28/20	
Keith Peercy, Chair	Date	
Disability Appeals Committee		
I, Victoria Hale, was present at the January 23, 2020 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.		
Veclous A. Hale	5-20-20	
Victoria Hale	Date	
KRS Staff Attorney	•	