

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
March 20, 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 March 20, 2017, the following members were present: Keith Percy, Chair, Vince Lang and Donna Shelton, Proxy on behalf of Thomas Stephens:

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

It was moved by Ms. Shelton, seconded by Mr. Lang, and carried to approve the Minutes of the January 23, 2017 Disability Appeals Committee Meeting.

Mr. Percy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 16-D-13, 16-D-35, 16-D-03, 15-D-36, 15-D-82, 15-D-101 and 15-D-92.

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: 16-D-13, 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-35, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with a review in three years.

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-03, 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: 15-D-36, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for hazardous in-line-of-duty disability death 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: 15-D-82, 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.

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: 15-D-101, 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.

It was moved by Ms. Shelton, seconded by Mr. Percy, 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-92, 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. Mr. Lang dissented.

There being no further business, the meeting was adjourned at 9:25 A.M., E.T. to meet on May 31, 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 5.31.17
Tracy Chambers Date
Recording Secretary

I, Keith Percy, do certify that the Minutes of the meeting held on March 20, 2017 were approved by the Disability Appeals Committee on May 31, 2017.

Keith Percy 5.31.17
Keith Percy, Chair Date
Disability Appeals Committee

I, Alan Hurst, was present at the March 20, 2017 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst 5.31.17
Alan Hurst Date
KRS Staff Attorney