

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
March 28, 2016 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 28, 2016, the following members were present: Vince Lang, Chair 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.

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It was moved by Ms. Shelton, seconded by Mr. Lang, and carried to approve the Minutes of the January 25, 2016 Disability Appeals Committee Meeting.

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Mr. Lang noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 14-D-04, 15-D-61, 14-D-112, 15-D-18, 14-D-84, 14-D-104, 15-D-57, 15-D-25, 12-D-114, 14-D-61, 14-D-65, 14-D-44, 15-D-34, 15-D-79 and 15-D-05.

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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 Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the corrected recommended order and any exceptions duly filed, in the case of Administrative Action Number: 14-D-04, to accept the Corrected Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits, with review in three years.

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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 granting summary judgment and any exceptions duly filed, in the case of Administrative Action Number: 15-D-61, to accept the Hearing Officer's Report Granting Summary Judgment, Findings of Fact, Conclusions of Law, and to deny claimant's application for duty-related disability retirement benefits.

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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: 14-D-112, 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 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-18, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits, with review in five years.

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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: 14-D-84, to defer this case to the April 26, 2016 meeting.

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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: 14-D-104, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in three years.

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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: 15-D-57, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for duty-related disability retirement benefits.

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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-25, 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 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: 12-D-114, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in three years. Mr. Bowman recused from participation because of prior involvement in this matter.

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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: 14-D-61, 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 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: 14-D-65, 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. 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: 14-D-44, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits, with review in five years.

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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: 15-D-34, to reject the Hearing Officer's Report to deny disability retirement benefits and to instead, issue a Board of Trustees Final Order, approving claimant's application for disability retirement benefits, with review in three years.

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It was moved by Mr. Lang, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order Dismissing Appeal and any exceptions duly filed, in the case of Administrative Action Number: 15-D-79, to accept the Hearing Officer's Order Dismissing Appeal and to dismiss claimant's disability appeal action, at the request of the claimant.

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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 Hearing Officer's Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 15-D-05, to accept the Hearing Officer's Order of Dismissal and to dismiss claimant's disability appeal action, at the request of the claimant.

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There being no further business, the meeting was adjourned at 9:44 A.M., E.T. to meet on May 23, 2016 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      5.23.16  
Tracy Chambers      Date  
Recording Secretary

I, Vince Lang, do certify that the Minutes of the meeting held on March 28, 2016 were approved by the Disability Appeals Committee on May 23, 2016.

Vince Lang 5-23-16  
Vince Lang, Chair Date  
Disability Appeals Committee

I, Joseph P. Bowman, was present at the March 28, 2016 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

[Signature] 5/23/16  
Joseph P. Bowman Date  
KRS Staff Attorney