MINUTES

OF

DISABILITY APPEALS COMMITTEE May 23, 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 May 23, 2016, the following members were present: Vince Lang, Chair, William Summers, Donna Shelton and Chris Lewis, Dual Proxy on behalf of Thomas Stephens.

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

It was moved by Ms. Shelton, seconded by Mr. Summers, and carried to approve the Minutes of the March 28, 2016 Disability Appeals Committee Meeting.

Mr. Lang noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 14-D-78, 14-D-58, 15-D-42, 15-D-51, 14-D-90, 15-D-49, 14-D-01, 15-D-48, 15-D-07, 15-D-53, 15-D-94, 15-D-66 and 15-D-85.

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

It was moved by Mr. Summers, 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-78, 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. Summers, 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-58, 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. Summers, 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-42, 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 three years.

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It was moved by Ms. Shelton, seconded by Mr. Summers, 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-51, 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. Summers, 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-90, 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 three years.

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It was moved by Ms. Shelton, seconded by Mr. Summers, 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-49, 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. Summers, 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-01, 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.

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It was moved by Ms. Shelton, seconded by Mr. Summers, 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-48, to accept the Hearing Officer's Report, as modified in the Board of Trustees 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. Summers, 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-07, to accept the Hearing Officer's Report, as modified in the Board of Trustees 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. Summers, 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-53, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny claimant's application for disability retirement benefits.

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It was moved by Mr. Summers, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Motion and Agreed Order to Dismiss and any exceptions duly filed, in the case of Administrative Action Number: 15-D-94, to accept the Motion and Agreed Order to Dismiss and to dismiss this administrative appeal with prejudice.

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It was moved by Ms. Shelton, seconded by Mr. Summers, and carried unanimously, that the Committee members having considered the record, including the recommended order and the subsequent Motion to Dismiss along with any exceptions duly filed, in the case of Administrative Action Number: 15-D-66, to accept the Hearing Officer's Report and Motion to Dismiss and to dismiss this administrative appeal with prejudice.

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It was moved by Mr. Summers, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 15-D-85, to accept the Hearing Officer Order of Dismissal and to dismiss this administrative appeal without prejudice, as there being no justiciable controversy between the parties.

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There being no further business, the meeting was adjourned at 9:43 A.M., E.T. to meet on July 18, 2016 at 9:00 A.M., E.T.

CERTIFICATION

I, Tracy Chambers,	do certify that I was present at this meeting, and I have re	ecorded the
above action of the	Committee on the various items considered by it at this n	neeting.
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Tracy Chambers

Recording Secretary

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Date

I, Vince Lang, do certify that the Minutes of the meeting held on May 23, 2016 were approved by the Disability Appeals Committee on July 18, 2016.

Vince Jang
Vince Lang, Chair

Date

Disability Appeals Committee

I, Joseph P. Bowman, was present at the May 23, 2016 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Joseph P. Bowman KRS Staff Attorney 7 / 1 % / 1 \(\phi \)