

**MINUTES
OF
ADMINISTRATIVE APPEALS COMMITTEE
September 29, 2014 at 9:27 A.M., E.T.
Board Room
Perimeter Park West, 1270 Louisville Road
Frankfort, KY 40601**

At the meeting of the Administrative Appeals Committee, held on September 29, 2014, the following members were present: Vince Lang, Chair, William Summers and Mary Hook, Proxy on behalf of Timothy Longmeyer.

In addition, those present were Liza Welch, KRS, Deborah Crocker, KRS, Carrie Slayton, KRS and Tracy Chambers, Recording Secretary.

It was moved by Ms. Hook, seconded by Mr. Summers, and carried to approve the Minutes of the July 29, 2014 Administrative Appeals Committee Meeting.

Mr. Lang noted the necessity of closed session for the purpose of reviewing the administrative appeals of Administrative Action Numbers: 11-T-09, 12-A-13, 14-T-01, 13-T-09, 13-A-12 and 13-A-01.

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

It was moved by Mr. Summers, seconded by Ms. Hook, 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: 11-T-09, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to discontinue claimant's disability retirement benefits **effective October 1, 2014.**

It was moved by Mr. Lang, 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: 12-A-13, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and affirm the hearing officer's decision that Systems properly determined that the claimant engaged in unapproved employment while receiving disability retirement benefits. It is further held that the claimant is obligated to repay the total amount of the retirement allowance and health insurance benefits paid to him, and on his behalf, while he was engaged in unapproved employment. Kentucky Retirement Systems is hereby ordered to calculate the current amount owed and begin recoupment of this amount immediately.

It was moved by Mr. Summers, seconded by Ms. Hook, 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-T-01, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to continue claimant's disability retirement benefits, with review in three years.

It was moved by Ms. Hook, 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: 13-T-09, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to continue claimant's disability retirement benefits, with review in five years.

It was moved by Mr. Summers, seconded by Ms. Hook, 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: 13-A-12, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to affirm the hearing officer's decision that Systems made the correct administrative determination in this matter and denying claimant's request to select a different payment option.

It was moved by Ms. Hook, seconded by Mr. Summers, and carried unanimously, that the Committee members having considered the record, including the agreed recommended order and any exceptions duly filed, in the case of Administrative Action Number: 13-A-01, to defer this case to the October 31, 2014 meeting.

There being no further business, the meeting was adjourned at 9:53 A.M., E.T. to meet on November 25, 2014 immediately following the Disability Appeals Committee meeting.

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 11-25-14
Tracy Chambers Date
Recording Secretary

I, Vince Lang, do certify that the Minutes of the meeting held on September 29, 2014 were approved by the Administrative Appeals Committee on November 25, 2014.

Vince Lang 11-25-14
Vince Lang, Chair Date
Administrative Appeals Committee

I, Deborah Crocker, was present at the September 29, 2014 Administrative Appeals Committee meeting, and have reviewed the minutes for form, content and legality.

Deborah Crocker 11/25/14
Deborah Crocker Date
KRS Staff Attorney