

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
October 30, 2017 at 10:00 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 October 30, 2017, the following members were present: David Rich, Chair, Betty Pendergrass, and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Mark Blackwell, KRS, Alan Hurst, KRS, Crystal Smith, KRS, Missy Evans, KRS, and Tracy Chambers, Recording Secretary.

It was moved by Ms. Shelton, seconded by Mr. Rich, and carried to approve the Minutes of the August 28, 2017 Disability Appeals Committee Meeting.

Mr. Rich noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 16-D-39, 16-D-40, 16-D-60, 16-D-53, 16-D-50, 16-D-49, 16-D-61, 17-D-03, 17-D-12, and 16-D-31.

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

It was moved by Ms. Pendergrass, seconded by Mr. Rich, 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: 16-D-39, 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 taking into account the committee's finding regarding claimant's physical exertion requirements. Ms. Shelton abstained.

It was moved by Ms. Shelton, seconded by Ms. Pendergrass, 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-40, 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. Pendergrass, 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-60, to reject the Hearing Officer's Report to approve hazardous in-line-of-duty disability retirement benefits and to instead issue a Board Final Order denying claimant's application for hazardous in-line-of-duty disability retirement benefits.

It was moved by Ms. Shelton, seconded by Ms. Pendergrass, 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-53, 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. Pendergrass, 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-50, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits. Furthermore, the Board having reviewed Kentucky Retirement Systems' Motion to Strike, hereby grants the Motion.

It was moved by Ms. Shelton, seconded by Ms. Pendergrass, 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-49, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for hazardous disability retirement benefits and in-line-of-duty disability retirement benefits.

I, David Rich, do certify that the Minutes of the meeting held on October 30, 2017 were approved by the Disability Appeals Committee on December 18, 2017.



David Rich, Chair
Disability Appeals Committee



Date

I, Alan Hurst, was present at the October 30, 2017 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.



Alan Hurst
KRS Staff Attorney



Date