

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
January 24, 2019 at 9:30 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 January 24, 2019, the following members were present: Keith Peercy, Chair, Sherry Kremer, and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Alan Hurst, KRS, Allison Daniels, KRS, and Tracy Chambers, Recording Secretary.

It was moved by Ms. Shelton, seconded by Ms. Kremer, and carried to approve the Minutes of the November 15, 2018 Disability Appeals Committee Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 16-D-79, 17-D-20, 17-D-34, 17-D-01, 18-D-01, 18-D-14, 18-D-17, 14-D-65, 18-D-06, 17-D-35, 18-D-49, and 18-D-39.

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

It was moved by Ms. Shelton, seconded by Ms. Kremer, 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-79, 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 retirement benefits.

It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 17-D-20, 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 Ms. Kremer, 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: 17-D-34, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for in-line-of-duty disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 17-D-01, 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 retirement benefits.

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It was moved by Ms. Kremer, seconded by Mr. Peercy, 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: 18-D-01, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits. Ms. Shelton abstained.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 18-D-14, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, 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.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 18-D-17, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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 on Remand, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 18-D-06, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for hazardous in-line-of-duty disability retirement benefits, with a review in one year.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 17-D-35, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve claimant's application for disability retirement benefits, with a review in one year.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 18-D-49, to accept the Hearing Officer's Order of Dismissal, as modified in the Board Final Order, and to dismiss claimant's application for disability retirement benefits without prejudice.

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It was moved by Ms. Shelton, seconded by Ms. Kremer, 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: 18-D-39, to accept the Hearing Officer's Order of Dismissal, and to dismiss claimant's application for disability retirement benefits without prejudice.

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There being no further business, the meeting was adjourned at 9:56 A.M., E.T. to meet on March 28, 2019 at 9:30 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 3.28.19
Tracy Chambers Date
Recording Secretary

I, Keith Percy, do certify that the Minutes of the meeting held on January 24, 2019 were approved by the Disability Appeals Committee on March 28, 2019.

Keith Percy 3/28/19
Keith Percy, Chair Date
Disability Appeals Committee

I, Alan Hurst, was present at the January 24, 2019 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst 3/28/19
Alan Hurst Date
KRS Staff Attorney