

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
June 28, 2019 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 June 28, 2019, the following members were present: Betty Pendergrass, Chair, Jerry Powell, and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Liza Welch, KRS, Alan Hurst, KRS, Victoria Hale, KRS, Crystal Lawson, KRS, and Tracy Chambers, Recording Secretary.

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It was moved by Mr. Powell, seconded by Ms. Shelton, and carried to approve the Minutes of the April 23, 2019 Disability Appeals Committee Meeting.

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Ms. Pendergrass noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 11-D-139, 18-D-47, 18-D-48, 18-D-42, 18-D-51, and 18-D-44.

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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. Powell, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Kentucky Court of Appeals' Remand Order, the recommended order on Remand and any exceptions duly filed, in the case of Administrative Action Number: 11-D-139, 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. Furthermore, the Board, having fully considered KRS' Motion to Strike the Exceptions filed by claimant hereby grants the motion.

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It was moved by Ms. Shelton, seconded by Mr. Powell, 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-47, 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. Powell, 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: 18-D-48, 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 Mr. Powell, 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-42, 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 Mr. Powell, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Agreed Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 18-D-51, to accept the Agreed Order of Dismissal, and to dismiss claimant's application for disability retirement benefits without prejudice.

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It was moved by Ms. Shelton, seconded by Mr. Powell, 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-44, 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 10:31 A.M., E.T. to meet on August 29, 2019 at 10:30 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 9.12.19  
Tracy Chambers Date  
Recording Secretary

I, Betty Pendergrass, do certify that the Minutes of the meeting held on June 28, 2019 were approved by the Disability Appeals Committee on August 29, 2019.

Betty A Pendergrass 9/12/2019  
Betty Pendergrass, Chair Date  
Disability Appeals Committee

I, Alan Hurst, was present at the June 28, 2019 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst 9/12/2019  
Alan Hurst Date  
KRS Staff Attorney