

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
August 28, 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 August 28, 2017, the following members were present: Betty Pendergrass, Chair, David Rich, 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, and Tracy Chambers, Recording Secretary.

It was moved by Ms. Shelton, seconded by Mr. Rich, and carried to approve the Minutes of the June 26, 2017 Disability Appeals Committee Meeting.

Ms. Pendergrass noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 16-D-40, 16-D-17, 16-D-31, 16-D-19, 16-D-30, 16-D-56, and 16-D-38.

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

It was moved by Ms. Shelton, seconded by Mr. Rich, 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 remand this case in order for the hearing officer to make the required Findings of Fact and Conclusions of Law regarding permanent incapacity and to issue a new recommended order regarding whether the claimant is entitled to disability retirement benefits.

It was moved by Mr. Rich, seconded by Ms. Pendergrass, 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-17, 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 Mr. Rich, 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-31, to remand this case in order for the hearing officer to make a detailed finding regarding substantial aggravation and issue a new recommended order regarding whether the claimant is entitled to disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Rich, 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-19, 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 Mr. Rich, 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-30, 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 claimant's application for in-line-of-duty disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Rich, 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-56, 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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