

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
May 28, 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 May 28, 2019, the following members were present: Keith Peercy, Chair, Campbell Connell, and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Joseph Bowman, KRS, Alan Hurst, KRS, Victoria Hale, KRS, Crystal Smith, KRS, and Tracy Chambers, Recording Secretary.

It was moved by Ms. Shelton, seconded by Mr. Connell, and carried to approve the Minutes of the March 28, 2019 Disability Appeals Committee Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 18-D-35, 18-D-15, 18-D-23, 17-D-31, 18-D-04, 18-D-12, and 19-D-09.

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

It was moved by Ms. Shelton, seconded by Mr. Connell, 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-35, 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. Shelton, seconded by Mr. Connell, 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-15, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits and duty-related disability retirement benefits.

It was moved by Ms. Shelton, 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-23, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve claimant's application for hazardous disability retirement benefits, with a review in two years, and denying claimant's application for in-line-of-duty disability retirement benefits. Mr. Connell abstained.

It was moved by Ms. Shelton, 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: 17-D-31, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve claimant's application for hazardous disability retirement benefits, with a review in two years, and denying claimant's application for in-line-of-duty disability retirement benefits. Mr. Connell dissented.

It was moved by Ms. Shelton, seconded by Mr. Connell, 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-04, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for hazardous disability retirement benefits.

It was moved by Ms. Shelton, seconded by Mr. Connell, 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-12, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits.

It was moved by Ms. Shelton, seconded by Mr. Connell, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order and any exceptions duly filed, in the case of Administrative Action Number: 19-D-09, to accept the Hearing Officer's Order, and to dismiss claimant's application for disability retirement benefits without prejudice.

There being no further business, the meeting was adjourned at 9:55 A.M., E.T. to meet on July 25, 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 7-25-19
Tracy Chambers Date
Recording Secretary

I, Keith Percy, do certify that the Minutes of the meeting held on May 28, 2019 were approved by the Disability Appeals Committee on July 25, 2019.

Keith Percy 7-25-19
Keith Percy, Chair Date
Disability Appeals Committee

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

Alan Hurst 7-25-19
Alan Hurst Date
KRS Staff Attorney