

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
June 29, 2020 at 10:00 A.M. E.T.
Via Video Teleconference
1260 Louisville Road
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on June 29, 2020, the following members were present via live video teleconference due to SB 150, signed into law by the Governor on March 30, 2020, and Executive Order 2020-215 declaring a State of Emergency effective March 6, 2020 due to COVID-19: Betty Pendergrass, Chair, Jerry Powell, and Donna Shelton, Proxy on behalf of Gerina D. Whethers.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Victoria Hale, KRS, Justin McNeil, KRS, Shaun Case, KRS, Mary Nichols, KRS, and Tracy Chambers, Recording Secretary.

It was moved by Mr. Powell, seconded by Ms. Shelton, and carried to approve the Minutes of the April 28, 2020 Disability Appeals Committee Meeting.

Mr. Case departed the meeting prior to entering closed session.

Ms. Pendergrass noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 19-D-29, 19-D-27, 19-D-40, and 19-D-47.

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

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: 19-D-29, to reject the Hearing Officer's Report to approve disability retirement benefits and to instead issue a Board Final Order denying Claimant's application for disability retirement benefits.

* * * * *

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: 19-D-27, 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. 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: 19-D-40, 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 two years.

* * * * *

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 Recommended Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 19-D-47, to accept the Hearing Officer's Recommended Order of Dismissal, and to dismiss claimant's application for disability retirement benefits.

* * * * *

There being no further business, the meeting was adjourned at 10:30 A.M., E.T. to meet on August 26, 2020 at 10:00 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 8/24/20
Tracy Chambers Date
Recording Secretary

I, Betty Pendergrass, do certify that the Minutes of the meeting held on June 29, 2020 were approved by the Disability Appeals Committee on August 26, 2020.

/s/ Betty A Pendergrass 08/26/2020
Betty Pendergrass, Chair Date
Disability Appeals Committee

I, Victoria Hale, was present at the June 29, 2020 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

/s/ Victoria A. Hale 08/26/2020
Victoria Hale Date
KRS Staff Attorney