

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
March 9, 2020 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 March 9, 2020, the following members were present: 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, Mary Nichols, KRS, and Tracy Chambers, Recording Secretary.

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It was moved by Ms. Shelton, seconded by Mr. Powell, and carried to approve the Minutes of the December 4, 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: 19-D-14, 19-D-17, 18-D-40, 19-D-16, 19-D-20, and 19-D-35.

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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 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-14, 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 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-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. Furthermore, the Board, having reviewed Kentucky Retirement Systems' Motion to Strike, hereby denies 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-40, 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. 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-16, 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 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-20, 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. Powell, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Appeal Without Prejudice and any exceptions duly filed, in the case of Administrative Action Number: 19-D-35, to accept the Hearing Officer's Recommended Order Dismissing Appeal Without Prejudice, as modified in the Board Final Order, 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 10:12 A.M., E.T. to meet on April 28, 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* 4.29.20  
Tracy Chambers Date  
Recording Secretary

I, Betty Pendergrass, do certify that the Minutes of the meeting held on March 9, 2020 were approved by the Disability Appeals Committee on April 28, 2020.

*Betty A Pendergrass* 04/28/2020  
Betty Pendergrass, Chair Date  
Disability Appeals Committee

I, Victoria Hale, was present at the March 9, 2020 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

*Victoria A. Hale* 04/29/2020  
Victoria Hale Date  
KRS Staff Attorney