

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
November 30, 2020 at 9:30 A.M. E.T.
Via Video Teleconference
1260 Louisville Road
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on November 30, 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: Keith Peercy, Chair, and Gordon Rowe, 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, and Tracy Chambers, Recording Secretary.

The approval of the Minutes of the July 20, 2020 Disability Appeals Committee Meeting were deferred to the January 20, 2021 Disability Appeals Committee Meeting.

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

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 19-D-03, 18-D-52, 19-D-54, and 20-D-23.

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

It was moved by Mr. Peercy, seconded by Mr. Rowe, 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-03, 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 Mr. Peercy, seconded by Mr. Rowe, 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-52, 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 Mr. Peercy, seconded by Mr. Rowe, 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-54, 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 and in-line-of-duty disability retirement benefits, with a review in one year.

It was moved by Mr. Peercy, seconded by Mr. Rowe, 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: 20-D-23, 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.

There being no further business, the meeting was adjourned at 10:04 A.M., E.T. to meet on January 20, 2021 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 1-24-21
Tracy Chambers Date
Recording Secretary

I, Keith Peercy, do certify that the Minutes of the meeting held on November 30, 2020 were approved by the Disability Appeals Committee on January 20, 2021.

Keith Peercy 1-22-21
Keith Peercy, Chair Date
Disability Appeals Committee

I, Victoria Hale, was present at the November 30, 2020 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

/s/ Victoria A. Hale 1-23-2021
Victoria Hale Date
KRS Staff Attorney