

**MINUTES OF
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES' RETIREMENT SYSTEM MEETING
August 31, 2023 at 9:30 A.M. E.T.
Via Video Teleconference
1260 Louisville Road
Frankfort, Kentucky 40601**

At the meeting of the Joint Disability and Administrative Appeals Committees, held on August 31, 2023, the following members were present via live video teleconference: Keith Peercy, Chair, Betty Pendergrass, and Dr. Crystal Miller.

In addition, those present from KPPA were Erin Surratt, Liza Welch, Victoria Hale, JJ Alleman, Andrea Freadreacea, Crystal Smith-Harrod, KPPA Recording Secretary, Jennifer Korth, and Glenna Frasher, KPPA. Ed Owens, CEO of CERS was also present.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried to approve the Minutes of the June 22, 2023, Joint Disability and Administrative Appeals Committees Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications and administrative appeals of Administrative Action Numbers: 21-D-57, 20-D-08, 21-T-26, 21-T-13, 21-T-24, 21-A-13, 20-PS-03, 22-PS-05, 22-PS-08, 21-PS-12, and 22-PS-09. It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously to enter closed session.

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

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-D-57, to adopt the Hearing Officer's Recommendation and to deny Claimant's application for non-hazardous disability retirement benefits as modified in the Board Final Order.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 20-D-08, to adopt the Hearing Officer's Recommendation, and to deny Claimant's application for non-hazardous disability benefits as modified in the Board Final Order.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-T-26, to adopt the Hearing Officer's Recommendation, and to continue Claimant's non-hazardous disability retirement benefits with a three-year review as modified in the Board Final Order.

It was moved by Dr. Miller, seconded by Chairman Percy, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-T-13, to adopt the Hearing Officer's Recommendation and to continue Claimant's non-hazardous disability retirement benefits with a five-year review as modified in the Board Final Order. Additionally, as modified in the Board Final Order, the Board voted to strike the last paragraph of Finding of Fact No. 12 in the Hearing Officer's Recommended Order.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-T-24, to adopt the Hearing Officer's recommended order and to continue Claimant's non-hazardous disability retirement benefits with a three-year review as modified in the Board Final Order.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-A-13, to adopt the Hearing Officer's Recommendation, and to deny the Claimant's appeal for non-hazardous disability retirement benefits because it was untimely filed, as modified in the Board Final Order.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 20-PS-03, to accept the Hearing Officer's order to Dismiss Claimant's Appeal With Prejudice as modified in the Board Final Order.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 22-PS-05, to accept the Hearing Officer's order to Dismiss Claimant's Appeal With Prejudice as modified in the Board Final Order.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 22-PS-08 to accept the Hearing Officer's order to Dismiss Claimant's Appeal With Prejudice as modified in the Board Final Order.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-PS-12, to accept the Hearing Officer's order to Dismiss Claimant's Appeal With Prejudice.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, 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: 22-PS-09, to accept the Hearing Officer's order to Dismiss Claimant's Appeal With Prejudice as modified in the Board Final Order.

There being no further business, the meeting was adjourned at 9:51 a.m., E.T. to meet on October 24, 2023, at 9:30 A.M., E.T.

CERTIFICATION

I, Crystal Smith-Harrod, do certify that I was present at this meeting, and I have recorded the above action of the Committees on the various items considered by them at this meeting.

<u>/s/ Crystal Smith-Harrod</u>	<u>10/25/2023</u>
Crystal Smith-Harrod	Date
Recording Secretary	

I, Keith Percy, do certify that the Minutes of the meeting held on August 31, 2023, were approved by the Joint Disability and Administrative Appeals Committees of the Board of Trustees of the County Employees Retirement System and the Board of Trustees of the Kentucky Retirement Systems on October 24, 2023.

<u>/s/ Keith Percy</u>	<u>10/24/2023</u>
Keith Percy, Chair	Date
Joint Disability and Administrative Appeals Committees	

I, Victoria Hale, was present at the August 31, 2023, Joint Disability and Administrative Appeals Committees meeting and have reviewed the minutes for form and legality.

<u>/s/ Victoria A. Hale</u>	<u>10-24-23</u>
-----------------------------	-----------------

Victoria Hale
General Counsel

Date