

**MINUTES OF
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM
MEETING**

**July 27, 2023 at 10:00 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 July 27, 2023, the following members were present via live video teleconference: Jerry Powell, Chair, Dr. Patricia Carver, and Lynn Hampton.

In addition, those present from KPPA were Erin Surratt, Liza Welch, Victoria Hale, Andrea Freadreacea, JJ Alleman, Phillip Cook, Crystal Smith-Harrod, Recording Secretary, Robin Goodlett, Jennifer Korth, Stephanie Hold. Ed Owens was present from CERS.

It was moved by Ms. Hampton, seconded by Dr. Carver, and carried unanimously to approve the Minutes of the May 23, 2023, Joint Disability and Administrative Appeals Committees Meeting.

It was moved by Ms. Hampton, seconded by Dr. Carver, and carried unanimously to approve the Minutes of the March 29, 2023, Joint Disability and Administrative Appeals Committees Meeting.

Mr. Powell noted the necessity of closed session for the purpose of reviewing the disability applications and administrative appeals of Administrative Action Numbers: 21-PS-28, 21-T-14, 21-T-30, 21-A-12, 22-T-16, 21-PS-18, 21-PS-13, 21-D-17, 21-T-29, 21-D-48, 22-T-18, 21-D-22, 21-T-15. It was moved by Dr. Carver, seconded by Lynn Hampton, and carried unanimously to enter closed session.

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

It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-PS-28, to accept the Hearing Officer's Recommended Order denying the appeal, as modified in the Board Final Order, with additional findings of fact added to the Board Final Order regarding credibility.

It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-T-14, to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, to continue Claimant's non-hazardous disability retirement benefits with a review in five (5) years.

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It was moved by Ms. Hampton, seconded by Dr. Carver, 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: 21-T-30, to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, and to continue Claimant's non-hazardous disability retirement benefits with a review in two (2) years.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-A-12 to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, and to Dismiss the matter With Prejudice.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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-T-16, to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, to Dismiss the matter With Prejudice.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-PS-18, to accept the Hearing Officer's Recommended Order to Dismiss the matter.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-PS-13, to accept the Hearing Officer's Recommended Order, and to Dismiss the matter With Prejudice.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-D-17, to accept the Hearing Officer's Recommended Order, and to deny Claimant's appeal for non-hazardous disability retirement benefits as modified in the Board Final Order.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-T-29, to accept the Hearing Officer's Recommended Order as modified in the Board Final Order, and to continue Claimant's non-hazardous disability retirement benefits with a review in one (1) year.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-D-48, to accept the Hearing Officer's Recommended Order, and to Dismiss Claimant's appeal with prejudice.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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-T-18, to accept the Hearing Officer's Recommended Order, and to Dismiss Claimant's appeal with prejudice.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-D-22, to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, and to approve Claimant's application for non-hazardous disability retirement benefits with a review in two (2) years.

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It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 21-T-15, to accept the Hearing Officer's Recommended Order as modified in the Board Final Order, and to Dismiss Claimant's appeal with prejudice.

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The Committee scheduled the next meeting for September 18, 2023, at 11:00 A.M., E.T.

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Ms. Hampton had Other Business she wished to discuss. Ms. Hampton notified everyone she would be leaving the committee and she has assigned Mary Eaves, a new KRS Board member, who is also an attorney with the Dentons, Bingham Greenebaum law firm to replace her. Ms. Hampton expressed her gratitude to the other Committee members, and Chairman Powell and Dr. Carver

thanked Ms. Hampton for her service to the Committees.

There being no further business, the meeting was adjourned at 10:59 A.M., E.T. to meet on September 18, 2023, at 11:00 A.M., E.T.

CERTIFICATION

I, Crystal Smith-Harrod, do certify that I was present at this meeting, and the recorded above actions of the Joint Committees on the various items considered by them at this meeting is true and correct.

/s/ Crystal A. Smith-Harrod September 20, 2023
Crystal Smith-Harrod
Recording Secretary

I, Jerry Powell, do certify that the Minutes of the meeting held on July 27, 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 September 18, 2023.

 20 September 2023
Jerry Powell, Chair Date
Joint Disability and Administrative Appeals Committees

I, Victoria Hale, was present at the July 27, 2023, Joint Disability and Administrative Appeals Committees meetings, and have reviewed the minutes for form and legality.

/s/ Victoria A. Hale September 20, 2023
Victoria Hale Date
General Counsel