

**MINUTES OF
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM MEETING
July 28, 2021 at 10:00 A.M. E.T.
Via In-Person & Video Teleconference
1270 Louisville Road
Frankfort, Kentucky 40601**

At the meeting of the Joint Disability and Administrative Appeals Committees, held on July 28, 2021, the following members were present via in-person and live video teleconference: Jerry Powell, Chair, Dr. Patricia Carver, and Larry Totten.

In addition, those present were Erin Surratt, KPPA, Liza Welch, KPPA, Michael Board, KPPA, Victoria Hale, KPPA, Justin McNeil, KPPA, Shaun Case, KPPA, Glenna Frasher, KPPA, and Tracy Chambers, Recording Secretary.

Administration of Oath of Office to Larry Totten, KRS Trustee.

It was moved by Dr. Carver, seconded by Mr. Powell, and carried to approve the Minutes of the May 25, 2021 Disability Appeals Committee Meeting.

It was moved by Dr. Carver, seconded by Mr. Powell, and carried to approve the Minutes of the May 25, 2021 Administrative Appeals Committee Meeting.

Mr. Case and Ms. Frasher departed the meeting prior to entering closed session.

Mr. Powell noted the necessity of closed session for the purpose of reviewing the disability applications and administrative appeals of Administrative Action Numbers: 19-D-31, 19-D-24, 20-D-24, 19-D-57, 20-D-29, 20-T-09, 19-T-02, 20-PS-04, and 20-D-26.

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

It was moved by Mr. Totten, 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: 19-D-31, 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 one year.

It was moved by Mr. Totten, 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: 19-D-24, to remand this case in order for the Hearing Officer to issue a new Recommended Order regarding whether the Claimant is entitled to disability retirement benefits.

It was moved by Dr. Carver, seconded by Mr. Totten, 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: 20-D-24, to remand this case in order for the Hearing Officer to issue a new Recommended Order regarding whether the Claimant is entitled to disability retirement benefits.

It was moved by Mr. Totten, 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: 19-D-57, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny Claimant's application for duty-related disability retirement benefits.

It was moved by Dr. Carver, seconded by Mr. Totten, 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: 20-D-29, 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 Mr. Totten, 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: 20-T-09, to remand this case in order for the Hearing Officer to issue a new Recommended Order regarding whether the Claimant is entitled to have her disability retirement benefits reinstated.

It was moved by Dr. Carver, seconded by Mr. Totten, 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-T-02, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to continue Claimant's disability retirement benefits, with a review in two years.

It was moved by Mr. Totten, seconded by Dr. Carver, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Claimant's Appeal and any exceptions duly filed, in the case of Administrative Action Number: 20-PS-04, to accept the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, as modified in the Board Final Order, and to dismiss Claimant's appeal with prejudice.

It was moved by Dr. Carver, seconded by Mr. Totten, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 20-D-26, to accept the Hearing Officer's Order of Dismissal, and to dismiss Claimant's application for disability retirement benefits with prejudice.

There being no further business, the meeting was adjourned at 10:59 A.M., E.T. to meet on September 22, 2021 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 Committees on the various items considered by them at this meeting.

Tracy Chambers 9-23-21
Tracy Chambers Date
Recording Secretary

I, Jerry Powell, do certify that the Minutes of the meeting held on July 28, 2021 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 22, 2021.

Jerry Powell 09/22/2021
Jerry Powell, Chair Date
Joint Disability and Administrative Appeals Committees

I, Victoria Hale, was present at the July 28, 2021 Joint Disability and Administrative Appeals Committees meeting, and have reviewed the minutes for form and legality.

Victoria Hale 9-23-21
Victoria Hale Date
KPPA Staff Attorney Supervisor