

**MINUTES OF
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM MEETING
June 23, 2021 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 June 23, 2021, 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 Betty Pendergrass.

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

Chair Election – Betty Pendergrass nominated Keith Peery and the nomination passed.

Vice-Chair Election – Keith Peercy nominated Betty Pendergrass and the nomination passed.

It was moved by Mr. Peercy, seconded by Ms. Pendergrass, and carried to approve the Minutes of the March 29, 2021 Disability Appeals Committee Meeting.

It was moved by Mr. Peercy, seconded by Ms. Pendergrass, and carried to approve the Minutes of the March 29, 2021 Administrative Appeals Committee Meeting.

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

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications and administrative appeals of Administrative Action Numbers: 19-D-52, 20-D-18, 20-D-14, 20-A-03, 20-T-04, and 20-T-08.

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

It was moved by Ms. Pendergrass, seconded by Mr. Peercy, 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-52, 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 Ms. Pendergrass, seconded by Mr. Peercy, 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-18, 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 two years.

It was moved by Ms. Pendergrass, seconded by Mr. Peercy, 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-D-14, to accept the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, and to dismiss Claimant's application for disability retirement benefits without prejudice.

It was moved by Ms. Pendergrass, seconded by Mr. Peercy, 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-A-03, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to uphold Kentucky Public Pensions Authority's ("KPPA") determination that Claimant was overpaid in the amount of \$958.50 and orders Claimant to repay this amount to KERS.

It was moved by Ms. Pendergrass, seconded by Mr. Peercy, 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-04, 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 Ms. Pendergrass, seconded by Mr. Peercy, 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-08, 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.

There being no further business, the meeting was adjourned at 9:58 A.M., E.T. to meet on August 30, 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 Committees on the various items considered by them at this meeting.

Tracy Chambers Date 8-31-21
Tracy Chambers
Recording Secretary

I, Keith Peercy, do certify that the Minutes of the meeting held on June 23, 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 August 30, 2021.

Keith Peercy Date 8/30/21
Keith Peercy, Chair
Joint Disability and Administrative Appeals Committees

I, Victoria Hale, was present at the June 23, 2021 Joint Disability and Administrative Appeals Committees meeting, and have reviewed the minutes for form and legality.

/s/ Victoria A. Hale Digitally signed by Victoria A. Hale, DN: cn=Victoria A. Hale, o=Kentucky Retirement Authority, ou=KRA, email=v.hale@kra.ky.gov Date 8-31-2021
Victoria Hale
KPPA Staff Attorney Supervisor