

**MINUTES OF MEETING  
KENTUCKY PUBLIC PENSIONS  
AUTHORITY  
AD HOC REGULATION COMMITTEE  
SPECIAL CALLED MEETING  
NOVEMBER 15, 2023, AT 10:00 AM  
VIA LIVE VIDEO TELECONFERENCE**

At the Special Called Meeting of the Kentucky Public Pensions Authority Ad Hoc Regulation Committee held on November 15, 2023, the following members were present: Keith Peercy (Chair), Betty Pendergrass, and Jerry Powell. Staff members present were CERS CEO Ed Owens, III, KRS CEO John Chilton, David Eager, Rebecca Adkins, Erin Surratt, Mike Lamb, Michael Board, Victoria Hale, Carrie Bass, Jessica Beaubien, Jillian Hall, Dominique McKinley, Liza Welch, Amy Fields, Wendi Pierce, Ashley Gabbard, Shaun Case, and Sherry Rankin.

Mr. Peercy called the meeting to order.

Mr. Board read the Opening Statement.

Ms. Rankin called roll.

There being no *Public Comment* submitted, Mr. Peercy introduced agenda item *Approval of Minutes – August 15, 2023 (Video 00:06:35 to 00:06:50)*. Mr. Powell made a motion to approve the minutes as presented. Ms. Pendergrass seconded the motion and the motion passed unanimously.

Mr. Peercy introduced agenda item *Administrative Regulation 105 KAR 1:215 (Video 00:06:51 to 00:16:22)*. Ms. Jessica Beaubien stated that the KPPA approved an amendment to 105 KAR 1:215 for filing at the September 28, 2023, KPPA meeting. Therefore, 105 KAR 1:215 was filed with the Regulations Compiler on September 29, 2023. However, upon further internal review and consideration, KPPA staff determined that a new section for Informal Settlements was needed, reported Ms. Beaubien. She advised that the Regulations Compiler allows for a regulation to be amended after it is filed but prior to going before the Administrative Regulations Review Subcommittee pursuant to KRS Chapter 13A. Ms. Beaubien presented details of the process via

PowerPoint presentation and highlighted the three (3) additional changes to the amended regulation.

Ms. Pendergrass requested that the language, '*1. The issues regarding which the administrative hearing was requested are moot*', be amended to '*1. The issues that prompted an administrative hearing were resolved*' in Section 6. Informal Settlements (1)(a) of the regulation (p. 8). The Committee was agreed with the suggestion made by Ms. Pendergrass.

Mr. Powell made a motion to accept administrative regulation 105 KAR 1:215 as amended, and to forward it to the KPPA for approval to file the regulation with the Office of the Regulations Compiler at LRC. Ms. Pendergrass seconded the motion and the motion passed unanimously.

Mr. Percy introduced agenda item ***Administrative Regulation 105 KAR 1:390*** (Video 00: 16:23 to 00:19:37). Ms. Beaubien presented amendments to the existing Administrative Regulation 105 KAR 1:390, Employment After Retirement. The amendments included changes reflected from HB 506 regarding the one (1) month break in service for effective retirement dates beginning Jan 1, 2024. Additionally, other technical changes were made, and the forms incorporated by reference were updated, reported Ms. Beaubien.

Mr. Powell made a motion to approve regulation 105 KAR 1:390 as presented, and to forward it to the KPPA for approval to file the regulation with the Office of the Regulations Compiler at LRC. Ms. Pendergrass seconded the motion and the motion passed unanimously.

Mr. Percy introduced agenda item ***Administrative Regulation 105 KAR 1:470*** (Video 00:19:38 to 00:22:22). 105 KAR 1:470, Agency Communication, establishes how the Kentucky Public Pensions Authority will communicate with members, retired members, beneficiaries, and other recipients of a retirement allowance, and the procedures to change communication preferences as needed, said Ms. Beaubien.

Mr. Powell made a motion to approve regulation 105 KAR 1:470 as presented, and to forward it to the KPPA for approval to file the regulation with the Office of the Regulations Compiler at LRC. Ms. Pendergrass seconded the motion and the motion passed unanimously.

Mr. Percy introduced agenda item *Administrative Regulation 105 KAR 1:455* (Video 00:22:23 to 00:24:40). Ms. Beaubien presented Administrative Regulation 105 KAR 1:455, In Line of Duty Hazardous Retirement Disability Benefits. The administrative regulation establishes the procedures for filing an application or reapplication for in line of duty hazardous disability retirement benefits and total and permanent in line of duty hazardous disability retirement benefits, and the appeal procedures if denied, said Ms. Beaubien.

Mr. Powell made a motion to approve regulation 105 KAR 1:455 as presented, and to forward it to the KPPA for approval to file the regulation with the Office of the Regulations Compiler at LRC. Ms. Pendergrass seconded the motion and the motion passed unanimously.

There being no further business, Mr. Percy *adjourned* the meeting.

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## CERTIFICATION

I do certify that I was present at this meeting, and I have recorded the above actions of the Kentucky Public Pensions Authority Ad Hoc Regulation Committee on the various items considered by it at this meeting. Further, I certify that all requirements of KRS 61.805-61.850 were met in conjunction with this meeting.

  
Recording Secretary

We, the Chair of the Kentucky Public Pensions Authority Ad Hoc Regulation Committee and Executive Director, do certify that the Minutes of Meeting held on November 15, 2023, were approved on March 7, 2024.

  
KPPA Ad Hoc Regulation Committee Chair

  
Executive Director

I have reviewed the Minutes of the November 15, 2023, Kentucky Public Pensions Authority Ad Hoc Regulation Committee Meeting for content, form, and legality.

  
Executive Director, Office of Legal Services