

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
April 24, 2015 at 9:00 A.M. E.T.  
Board Room  
Perimeter Park West, 1270 Louisville Road  
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on April 24, 2015, the following members were present: Ed Davis, Chair, Mary Helen Peter and Mary Hook, Proxy on behalf of Timothy Longmeyer.

In addition, those present were Liza Welch, KRS, Deborah Crocker, KRS and Tracy Chambers, Recording Secretary.

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It was moved by Ms. Peter, seconded by Ms. Hook, and carried to approve the Minutes of the February 27, 2015 Disability Appeals Committee Meeting.

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Mr. Davis noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 13-D-56, 14-D-31, 12-D-96, 14-D-20, 14-D-22, 14-D-36, 12-D-06, 14-D-48, 13-D-128, 12-D-137, 14-D-67, 14-D-82 and 14-D-69.

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

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It was moved by Ms. Hook, seconded by Ms. Peter, 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: 13-D-56, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits, with review in one year. Approval is based on the claimant's orthopedic disease which includes: degenerative disc disease of the cervical and lumbar spines and chronic back pain status post cervical and lumbar fusion surgeries with placement of a spinal cord stimulator.

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It was moved by Ms. Peter, seconded by Ms. Hook, 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: 14-D-31, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits and denying his application for duty-related disability retirement benefits. Approval is based upon the cumulative effect of the claimant's back and right knee conditions; first review shall occur in five years.

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It was moved by Ms. Hook, seconded by Ms. Peter, 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: 12-D-96, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Peter, seconded by Ms. Hook, 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: 14-D-20, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Hook, seconded by Ms. Peter, 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: 14-D-22, to reject the Hearing Officer's Report to approve disability retirement benefits and to instead, issue a Board of Trustees Order, denying claimant's application for disability retirement benefits.

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It was moved by Ms. Peter, seconded by Ms. Hook, 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: 14-D-36, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in five years. Approval is based upon the claimant's diabetes and its resulting side effects.

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It was moved by Ms. Hook, seconded by Ms. Peter, 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: 12-D-06, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny both the claimant's application for disability retirement benefits and her application for duty-related disability retirement benefits.

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It was moved by Ms. Peter, seconded by Mr. Davis, and carried by a majority, that the Committee members having considered the record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 14-D-48, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny both the claimant's application for disability retirement benefits and her application for duty-related disability retirement benefits. Ms. Hook abstained.

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It was moved by Ms. Hook, seconded by Ms. Peter, 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: 13-D-128, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

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It was moved by Ms. Peter, seconded by Ms. Hook, 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: 12-D-137, to defer this case to the June 25, 2015 meeting.

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It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 14-D-67, to accept the Recommended Order of Dismissal and to dismiss claimant's appeal of her denial for disability retirement benefits, at the claimant's written request.

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It was moved by Mr. Davis, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 14-D-82, to accept the Recommended Order of Dismissal and to dismiss claimant's appeal of her denial for disability retirement benefits, at the claimant's written request.

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It was moved by Mr. Davis, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 14-D-69, to accept the Recommended Order of Dismissal and to dismiss claimant's appeal of her denial for disability retirement benefits, at the claimant's written request.

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There being no further business, the meeting was adjourned at 10:37 A.M., E.T. to meet on June 22, 2015 at 9:00 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 Committee on the various items considered by it at this meeting.

Tracy Chambers Date 6-22-15  
Tracy Chambers  
Recording Secretary

I, Ed Davis, do certify that the Minutes of the meeting held on April 24, 2015 were approved by the Disability Appeals Committee on June 22, 2015.

Ed Davis Date 6/22/15  
Ed Davis, Chair  
Disability Appeals Committee

I, Jennifer A. Jones, was not present at the April 24, 2015 Disability Appeals Committee meeting, but have reviewed the minutes for form and legality.

Jennifer A. Jones Date 6/22/15  
Jennifer A. Jones  
KRS Assistant General Counsel