

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
June 19, 2013 at 9:30 A.M. E.T.
Hearing Room
Perimeter Park West, 1270 Louisville Road
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on June 19, 2013, the following members were present: Susan Smith, Chair, Ed Davis and Mary Hook, Proxy on behalf of Timothy Longmeyer.

In addition, those present were Charlene Haydon, KRS, Deborah Crocker, KRS, and Leigh Taylor, Recording Secretary.

It was moved by Ms. Hook, seconded by Mr. Davis, and carried to approve the Minutes of the May 17, 2013 Disability Appeals Committee Meeting.

Ms. Smith noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 11-D-161, 11-D-98, 12-D-31, 12-D-42, 12-D-26, 10-D-61, 12-D-48, 10-D-88, 06-D-147, 11-D-134, 11-D-126, 11-D-11, 12-D-18, 11-D-77, 11-D-129, 12-D-71, 12-D-66 and 11-D-154.

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

It was moved by Ms. Hook, seconded by Mr. Davis, 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: 11-D-161, to reject the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to issue its own Order to deny the Claimant's application for disability retirement benefits.

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 on remand and any exceptions duly filed, in the case of Administrative Action Number: 11-D-

98, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny the Claimant's application for duty-related disability retirement benefits.

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 and any exceptions duly filed, in the case of Administrative Action Number: 12-D-31, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny the Claimant's application for disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Davis, 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-42, to reject the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to issue its own order to deny the Claimant's application for disability retirement benefits.

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 and any exceptions duly filed, in the case of Administrative Action Number: 12-D-26, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to deny the Claimant's application for disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Davis, 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: 10-D-61, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny the Claimant's application for disability retirement benefits.

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 and any exceptions duly filed, in the case of Administrative Action Number: 12-D-48, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny the Claimant's application for disability retirement benefits.

It was moved by Ms. Hook, 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: 10-D-88, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to approve the Claimant's application for disability retirement benefits with review in five years. Approval is based on the cumulative effect of the Claimant's bowel incontinence, abdominal pain and medication side effects.

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 and any exceptions duly filed, in the case of Administrative Action Number: 06-D-147, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to deny the Claimant's application for disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Davis, 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: 11-D-134, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to deny the Claimant's application for disability retirement benefits.

It was moved by Mr. Davis, seconded by Ms. Hook, 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: 11-D-126, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to approve the Claimant's application for disability retirement benefits with review in three years. Approval is based on the Claimant's pancreatitis. Ms. Smith abstained.

It was moved by Ms. Hook, seconded by Mr. Davis, 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: 11-D-11 to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to deny both the Claimant's application for disability

retirement benefits and his application for duty-related disability retirement benefits.

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 and any exceptions duly filed, in the case of Administrative Action Number: 12-D-18 to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, as modified in the Board of Trustees Final Order and to deny the Claimant's application for duty-related disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Davis, and carried unanimously, that the Committee members having considered the record, including the recommended order on remand and any exceptions duly filed, in the case of Administrative Action Number: 11-D-77 to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny the Claimant's application for disability retirement benefits.

It was moved by Mr. Davis, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 11-D-129, to accept the Order of Dismissal and to dismiss Claimant's application for disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Davis, and carried unanimously, that the Committee members having considered the record, including the order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 12-D-71, to accept the Order of Dismissal and to dismiss Claimant's application for disability retirement benefits.

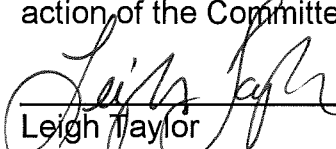
It was moved by Mr. Davis, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 12-D-66, to accept the Order of Dismissal and to dismiss Claimant's application for duty related disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Davis, and carried unanimously, that the Committee members having considered the record, including the order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 11-D-154, to reject the Order of Dismissal and to issue its own Order to allow the Claimant to continue with her appeal for disability retirement benefits.

There being no further business, the meeting was adjourned at 10:48 A.M., E.T. to meet on July 23, 2013 at 9:00 A.M., E.T.


CERTIFICATION

I, Leigh Taylor, 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.


Leigh Taylor
Recording Secretary

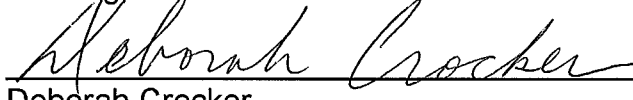
07.23.13
Date

I, Susan Smith, do certify that the Minutes of the meeting held on June 19, 2013 were approved by the Disability Appeals Committee on July 23, 2013.


Susan Smith, Chair
Disability Appeals Committee

7-23-13
Date

I, Deborah Crocker, was present at the June 19, 2013 Disability Appeals Committee meeting, and have reviewed the minutes for form, content and legality.


Deborah Crocker
KRS Staff Attorney

7/23/13
Date