

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
March 27, 2013 at 9:30 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 March 27, 2013, the following members were present: Vince Lang, Chair, Susan Smith and Mary Hook, Proxy on behalf of Timothy Longmeyer.

In addition, those present were Charlene Haydon, KRS, Deborah Crocker, KRS, and Angela Stevens, Recording Secretary.

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It was moved by Ms. Hook, seconded by Ms. Smith, and carried to approve the Minutes of the March 13, 2013 Disability Appeals Committee Meeting.

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Mr. Lang noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 11-D-114, 11-D-146, 11-D-132, 11-D-140, 11-D-130, 11-D-121, 11-D-74, 12-D-08, 11-D-76, 11-D-124, 11-D-108, 11-D-117, 11-D-112, 11-D-93, 11-D-33 and 10-D-127.

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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. Smith, 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-114, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve the Claimant's application for disability retirement benefits with review in two years. Approval is based solely on the Claimant's wrist condition.

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It was moved by Ms. Smith, 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: 11-D-146, to reject the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to issue its own Order to approve the Claimant's application for disability retirement benefits with review in one year. Approval is based upon the Claimant's congestive heart failure.

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It was moved by Ms. Hook, seconded by Ms. Smith, 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-132,~~ to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, 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 knee osteoarthritis and chronic lower back and thoracic pain.

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It was moved by Ms. Smith, 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: 11-D-140, 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.

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It was moved by Ms. Smith, 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: 11-D-130, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve the Claimant's application for disability retirement benefits with review in two years. Approval is based on the cumulative effect of chronic major depression, anxiety disorder, and borderline intellectual functioning.

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It was moved by Ms. Hook, seconded by Ms. Smith, 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-121, 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.

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It was moved by Ms. Smith, 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: 11-D-74, 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.

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~~It was moved by Ms. Hook, seconded by Ms. Smith, 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-08, to reject the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to issue its own Order to approve the Claimant's application for disability retirement benefits with review in four years. Approval is based on the cumulative effect of the Claimant's prostate cancer and back condition.~~

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It was moved by Ms. Smith, 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: 11-D-76, 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.

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It was moved by Ms. Hook, seconded by Ms. Smith, 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-124, 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.

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It was moved by Ms. Smith, 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: 11-D-108, to reject the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to issue its own Order to approve the Claimant's application for disability retirement benefits with review in two years and deny Claimant's application for duty related disability retirement benefits. Approval is based solely upon the Claimant's PTSD.

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It was moved by Ms. Hook, seconded by Ms. Smith, 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-117, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve the Claimant's application for disability retirement benefits with review in two years. Approval is based solely on the Reflex Sympathetic Dystrophy (RSD) that affects Claimant's left foot.

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It was moved by Ms. Smith, 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: 11-D-112, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve the Claimant's application for disability retirement benefits with review in three years. Approval is based upon the cumulative effect of the Claimant's orthopedic issues, including chronic back and knee pain.

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It was moved by Ms. Hook, seconded by Ms. Smith, 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-93, 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 hazardous disability retirement benefits with review in one year. Approval is based solely on the Claimant's cervical spine condition.

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It was moved by Ms. Smith, 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-33, to accept the Order of Dismissal and to dismiss Claimant's application for disability retirement benefits.

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It was moved by Ms. Hook, seconded by Ms. Smith, 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: 10-D-127, to accept the Order of Dismissal and to dismiss Claimant's application for disability retirement benefits.

