

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
May 17, 2013 at 10:30 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 May 17, 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 Angela Stevens, Recording Secretary.

It was moved by Ms. Hook, seconded by Mr. Davis, and carried to approve the Minutes of the April 22, 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-63, 12-D-20, 11-D-89, 11-D-145, 12-D-09, 11-D-153, 07-D-55, 11-D-111, 11-D-104, 11-D-157, 11-D-155, 11-D-118, 11-D-100, 12-D-12, 12-D-15 and 12-D-73.

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-63, 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-20, 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 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-89, 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: 11-D-145, 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 four years. Approval is based upon the cumulative effect of the Claimant's canal stenosis, degenerative disc disease, facet arthropathy, arthritis, osteoporosis, diabetes, poor circulation and sleep apnea.

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-09, 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 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-153, 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 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: 07-D-55, 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 two years. Approval is based upon the cumulative effect of the Claimant's multiple conditions.

It was moved by Mr. Davis, seconded by Ms. Smith, 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-111, 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 solely on the Claimant's cardiac condition. Ms. Hook abstained.

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: 11-D-104, 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-157, 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: 11-D-155, 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-118 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-100 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 hazardous duty 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-12, 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-15, 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-73, to accept the Order of Dismissal and to dismiss Claimant's application for duty related disability retirement benefits.

There being no further business, the meeting was adjourned at 12:02 P.M., E.T. to meet on June 19, 2013 at 10:30 A.M., E.T.

