

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
August 26, 2020 at 10:00 A.M. E.T.  
Via Video Teleconference  
1260 Louisville Road  
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on August 26, 2020, the following members were present via live video teleconference due to SB 150, signed into law by the Governor on March 30, 2020, and Executive Order 2020-215 declaring a State of Emergency effective March 6, 2020 due to COVID-19: Betty Pendergrass, Chair, Jerry Powell, and Donna Shelton, Proxy on behalf of Gerina D. Whethers.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Victoria Hale, KRS, Justin McNeil, KRS, Shaun Case, KRS, Mary Nichols, KRS, and Tracy Chambers, Recording Secretary.

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It was moved by Mr. Powell, seconded by Ms. Shelton, and carried to approve the Minutes of the June 29, 2020 Disability Appeals Committee Meeting.

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Mr. Case departed the meeting prior to entering closed session.

Ms. Pendergrass noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 18-D-53, 19-D-08, 19-D-43, and 19-D-37.

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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 Mr. Powell, seconded by Ms. Shelton, 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: 18-D-53, to remand this case in order for the hearing officer to issue a new Recommended Order regarding whether the Claimant is entitled to hazardous disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Powell, 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: 19-D-08, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve Claimant's application for disability retirement benefits, with a review in two years.

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It was moved by Mr. Powell, seconded by Ms. Shelton, 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: 19-D-43, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve Claimant's application for disability retirement benefits, with a review in one year.

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It was moved by Ms. Shelton, seconded by Mr. Powell, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Appeal Without Prejudice and any exceptions duly filed, in the case of Administrative Action Number: 19-D-37, to accept the Hearing Officer's Recommended Order Dismissing Appeal Without Prejudice, and to dismiss Claimant's application for disability retirement benefits without prejudice.

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There being no further business, the meeting was adjourned at 10:20 A.M., E.T. to meet on October 29, 2020 at 10:00 A.M., E.T.

