

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
August 29, 2019 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 August 29, 2019, the following members were present: Betty Pendergrass, Chair, Jerry Powell, and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Erin Surratt, KRS, Liza Welch, KRS, Alan Hurst, KRS, Victoria Hale, KRS, and Crystal Lawson, Recording Secretary.

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It was moved by Ms. Shelton, seconded by Mr. Powell, and carried to approve the Minutes of the June 28, 2019 Disability Appeals Committee Meeting.

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Ms. Pendergrass noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 17-D-56, 18-D-25, 18-D-32, 17-D-61, 19-D-19, 19-D-12, and 19-D-02.

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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. Pendergrass, 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: 17-D-56, to accept the Hearing Officer's Report on Remand, as modified in the Board Final Order, and to approve claimant's application for hazardous disability retirement benefits, with a review in one year. Ms. Shelton abstained.

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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: 18-D-25, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits and duty-related disability retirement benefits.

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: 18-D-32, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits.

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: 17-D-61, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for hazardous in-line-of-duty disability retirement benefits. Furthermore, the Board, having reviewed Kentucky Retirement Systems' Motion to Strike, hereby grants the Motion.

It was moved by Mr. Powell, seconded by Ms. Pendergrass, and carried by a majority, that the Committee members having considered the record, including the Hearing Officer's Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 19-D-19, to accept the Hearing Officer's Order of Dismissal, and to dismiss claimant's application for hazardous in-line-of-duty disability retirement benefits without prejudice. Ms. Shelton abstained.

It was moved by Mr. Powell, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order of Dismissal and any exceptions duly filed, in the case of Administrative Action Number: 19-D-12, to accept the Hearing Officer's Order of Dismissal, and to dismiss claimant's application for disability retirement benefits without prejudice.

It was moved by Mr. Powell, seconded by Ms. Shelton, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Order Dismissing Appeal Without Prejudice and any exceptions duly filed, in the case of Administrative Action Number: 19-D-02, to accept the Hearing Officer's Order Dismissing Appeal Without Prejudice, and to dismiss claimant's application for disability retirement benefits without prejudice.

There being no further business, the meeting was adjourned at 11:23 A.M., E.T. to meet on October 22, 2019 at 10:00 A.M., E.T.

CERTIFICATION

I, Crystal Lawson, 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.

f.p. Alan Hurst *10/22/2019*
Crystal Lawson Date
Recording Secretary

I, Betty Pendergrass, do certify that the Minutes of the meeting held on August 29, 2019 were approved by the Disability Appeals Committee on October 22, 2019.

Betty A Pendergrass *10/22/2019*
Betty Pendergrass, Chair Date
Disability Appeals Committee

I, Alan Hurst, was present at the August 29, 2019 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Alan Hurst *10/22/2019*
Alan Hurst Date
KRS Staff Attorney