

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
February 21, 2017 at 10:00 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 February 21, 2017, the following members were present: Ed Davis, Chair, David Rich and Donna Shelton, Proxy on behalf of Thomas Stephens.

In addition, those present were Becky Stephens, KRS, Liza Welch, KRS, Joseph Bowman, KRS, Alan Hurst, KRS and Tracy Chambers, Recording Secretary.

\*\*\*\*\*

It was moved by Ms. Shelton, seconded by Mr. Rich, and carried to approve the Minutes of the December 21, 2016 Disability Appeals Committee Meeting.

\*\*\*\*\*

Mr. Davis noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 14-D-27, 15-D-83, 16-D-04, 15-D-91, 16-D-21, 16-D-25, 16-D-63 and 16-D-69.

\*\*\*\*\*

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

\*\*\*\*\*

It was moved by Ms. Shelton, seconded by Mr. Rich, 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: 14-D-27, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny claimant's application for disability retirement benefits. Mr. Bowman recused from participation because of prior involvement in this matter.

\*\*\*\*\*

It was moved by Ms. Shelton, seconded by Mr. Rich, 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: 15-D-83, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve claimant's application for disability retirement benefits based upon her GERD, stomach polyps, hiatal hernia and Irritable Bowel Syndrome, with a review in one year.

\*\*\*\*\*

It was moved by Mr. Rich, 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: 16-D-04, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

\*\*\*\*\*

It was moved by Ms. Shelton, seconded by Mr. Rich, 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: 15-D-91, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

\*\*\*\*\*

It was moved by Mr. Rich, 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: 16-D-21, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

\*\*\*\*\*

It was moved by Ms. Shelton, seconded by Mr. Rich, 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: 16-D-25, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits. Mrs. Stephens recused from participation in this matter.

\*\*\*\*\*

It was moved by Mr. Rich, 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: 16-D-63, 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 Ms. Shelton, seconded by Mr. Rich, 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: 16-D-69, to accept the Hearing Officer's Order of Dismissal and to dismiss claimant's application for disability retirement benefits.

\* \* \* \* \*

There being no further business, the meeting was adjourned at 10:37 A.M., E.T. to meet on April 27, 2017 at 10:00 A.M., E.T.

**CERTIFICATION**

I, Tracy Chambers, 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.

Tracy Chambers 4-27-17  
Tracy Chambers Date  
Recording Secretary

I, Betty Pendergrass, although not in attendance at the meeting, as Committee Chair I do certify that the Minutes of the meeting held on February 21, 2017 were approved by the Disability Appeals Committee on April 27, 2017.

Betty A Pendergrass 4/27/2017  
Betty Pendergrass, Chair Date  
Disability Appeals Committee

I, Joseph P. Bowman, was present at the February 21, 2017 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

[Signature] 4/27/17  
Joseph P. Bowman Date  
KRS Staff Attorney