

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
January 25, 2016 at 8:30 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 January 25, 2016, the following members were present: Vince Lang, Chair, William Summers, Mary Hook, Proxy on behalf of Thomas Stephens & Secretary Thomas Stephens.

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

It was moved by Ms. Hook, seconded by Mr. Summers, and carried to approve the Minutes of the November 30, 2015 Disability Appeals Committee Meeting.

Mr. Lang noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 14-D-96, 13-D-87, 15-D-21, 15-D-24, 13-D-103, 15-D-17, 14-D-01, 15-D-11 and 14-D-64.

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

It was moved by Mr. Summers, 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: 14-D-96, to reject the Hearing Officer's Report to deny disability retirement benefits and to instead, issue a Board of Trustees Order, approving claimant's application for disability retirement benefits, with review in two years.

It was moved by Ms. Hook, seconded by Mr. Summers, 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: 13-D-87, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits, with review in five years. Furthermore, the Board overrules Claimant's Motion to Strike Exceptions of Kentucky Retirement Systems.

It was moved by Mr. Summers, 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: 15-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. Hook, seconded by Mr. Summers, 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-24, 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. Summers, 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: 13-D-103, to accept the Hearing Officer's Report, as modified in the Board of Trustees Final Order, and to deny claimant's application for disability retirement benefits.

It was moved by Ms. Hook, seconded by Mr. Summers, 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-17, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in three years.

It was moved by Mr. Summers, 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: 14-D-01, to remand this case in order for the hearing officer to issue a new recommendation on remand whether the claimant is entitled to disability retirement benefits under KRS 61.600, upon review of all the tendered objective medical evidence, including the submissions, which were erroneously not marked as exhibits, admitted as evidence, or considered by the hearing officer when issuing the initial recommendation. Furthermore, DAC finds that Claimant's Exceptions were not filed within the prescribed statutory time period in KRS Chapter 13B, and thus untimely and shall not be considered. Claimant's Motion to Consider her Exceptions is hereby overruled.

It was moved by Ms. Hook, seconded by Mr. Summers, 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-11, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to approve claimant's application for disability retirement benefits, with review in two years.

It was moved by Mr. Summers, 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: 14-D-64, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny claimant's application for disability retirement benefits.

There being no further business, the meeting was adjourned at 9:28 A.M., E.T. to meet on March 28, 2016 at 9:00 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
Tracy Chambers
Recording Secretary

3.28.16
Date

I, Vince Lang, do certify that the Minutes of the meeting held on January 25, 2016 were approved by the Disability Appeals Committee on March 28, 2016.




Vince Lang, Chair
Disability Appeals Committee




Date

I, Joseph P. Bowman, was present at the January 25, 2016 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.



Joseph P. Bowman
KRS Staff Attorney



Date