

**MINUTES
OF
DISABILITY APPEALS COMMITTEE
June 22, 2015 at 9:00 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 June 22, 2015, the following members were present: Ed Davis, Chair, Mary Helen Peter and Mary Hook, Proxy on behalf of Timothy Longmeyer.

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

It was moved by Ms. Hook, seconded by Ms. Peter, and carried to approve the Minutes of the April 24, 2015 Disability Appeals Committee Meeting.

Mr. Davis noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 11-D-161, 14-D-07, 14-D-38, 12-D-137, 13-D-97, 15-D-20 and 15-D-03.

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

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the remand from the Franklin Circuit Court, 13-CI-00817, Opinion and Order issued April 2, 2015 Reversing and Remanding this matter to the Agency, hereby remands this case to the hearing officer for further proceedings consistent with the order of the Court (Administrative Action Number: 11-D-161).

It was moved by Ms. Peter, 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-07, 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 Ms. Peter, 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-38, to reject the Hearing Officer's Report to approve hazardous in-line-of-duty disability retirement benefits and to instead, issue a Board of Trustees Order, approving claimant's application for hazardous disability retirement benefits but denying claimant's application for in-line-of-duty retirement benefits, with review in three years.

* * * * *

It was moved by Ms. Peter, 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: 12-D-137, to accept the Hearing Officer's Report on Remand, as modified in the Board of Trustees Final Order, and to approve claimant's application for disability retirement benefits, with review in three years.

* * * * *

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 13-D-97, to accept the Recommended Order of Dismissal and to dismiss claimant's appeal of her denial for disability retirement benefits with prejudice, at the claimant's own request.

* * * * *

It was moved by Ms. Peter, seconded by Ms. Hook, and carried unanimously, that the Committee members having considered the record, including the recommended order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 15-D-20, to accept the Recommended Order of Dismissal and to dismiss claimant's appeal of his denial for duty-related disability retirement benefits, at the claimant's own request.

It was moved by Ms. Hook, seconded by Ms. Peter, and carried unanimously, that the Committee members having considered the record, including the recommended order of dismissal and any exceptions duly filed, in the case of Administrative Action Number: 15-D-03, to accept the Recommended Order of Dismissal and to dismiss claimant's appeal of her denial for disability retirement benefits, at the claimant's own request.

There being no further business, the meeting was adjourned at 9:53 A.M., E.T. to meet on August 27, 2015 at 1:00 P.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 8-27-15
Tracy Chambers Date
Recording Secretary

I, Ed Davis, do certify that the Minutes of the meeting held on June 22, 2015 were approved by the Disability Appeals Committee on August 27, 2015.

Ed Davis 8/27/15
Ed Davis, Chair Date
Disability Appeals Committee

I, Jennifer A. Jones, was present at the June 22, 2015 Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Jennifer A. Jones 8/27/15
Jennifer A. Jones Date
KRS Assistant General Counsel