

**MINUTES  
OF  
DISABILITY APPEALS COMMITTEE  
May 28, 2020 at 9:30 A.M. E.T.  
Via Video Teleconference  
1260 Louisville Road  
Frankfort, Kentucky 40601**

At the meeting of the Disability Appeals Committee, held on May 28, 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: Keith Peercy, Chair, Campbell Connell, 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, Phillip Cook, KRS, Mary Nichols, KRS, and Tracy Chambers, Recording Secretary.

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It was moved by Mr. Connell, seconded by Ms. Shelton, and carried to approve the Minutes of the January 23, 2020 Disability Appeals Committee Meeting.

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

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 16-D-26, 19-D-45, 19-D-22, 19-D-30, 19-D-46, 18-D-58, and 19-D-05.

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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 Ms. Shelton, seconded by Mr. Connell, 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-26, to accept the Hearing Officer's Report on Remand, as modified in the Board Final Order, and to deny Claimant's application for disability retirement benefits. The Board, having reviewed KRS' Motion to Strike Claimant's Exceptions, hereby granted the Motion.

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It was moved by Ms. Shelton, seconded by Mr. Connell, 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-45, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny Claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Connell, 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-22, to reject the Hearing Officer's Report to approve disability retirement benefits and to instead issue a Board Final Order denying Claimant's application for disability retirement benefits.

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It was moved by Ms. Shelton, seconded by Mr. Connell, 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-30, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny Claimant's application for disability retirement benefits.

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It was moved by Mr. Connell, seconded by Mr. Percy, 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: 19-D-46, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny Claimant's application for duty-related disability retirement benefits. Ms. Shelton abstained.

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It was moved by Mr. Connell, seconded by Mr. Percy, 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: 18-D-58, 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. Ms. Shelton abstained.

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