

**MINUTES OF
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM MEETING
April 23, 2024 at 9:30 A.M. E.T.
Via Video Teleconference
1260 Louisville Road
Frankfort, Kentucky 40601**

The meeting of the Joint Disability and Administrative Appeals Committees, held on April 23, 2024, was called to order by Mr. Peercy at 9:30 a.m. E.T. The following members were present via live video teleconference: Betty Pendergrass, and Dr. Crystal Miller.

In addition, those present from KPPA were Liza Welch, Erin Surratt, Victoria Hale, JJ Alleman, Ashley McIntosh, KPPA Recording Secretary, Shelley Dalton and Phillip Cook. Ed Owens, CEO of CERS was also present.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously to approve the Minutes of the February 29, 2024, Joint Disability and Administrative Appeals Committees Meeting.

Mr. Peercy noted the necessity of closed session for the purpose of reviewing the disability applications and administrative appeals of Administrative Action Numbers:

20-D-30, 22-D-15, 21-T-19, 22-T-25, 22-T-33, 22-T-41, 21-PS-04, 22-PS-18, 22-A-06.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously to enter closed session.

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

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 20-D-30, to adopt the Hearing Officer's Recommendation to Deny Claimant's application for disability retirement benefits as modified in the Board Final Order and noting that "panic attacks" was specifically considered as a disabling condition in reaching the decision.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order

and any exceptions duly filed, in the case of Administrative Action Number: 22-D-15, to adopt the Hearing Officer's Recommendation to Deny Claimant's application for duty related disability retirement benefits as modified in the Board Final Order.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-T-19, to strike from the Administrative Record certain references contained in the Claimant's Reply Brief titled "Claimant Reply to Position Statement of Kentucky Public Pensions Authority" which discussed a different case of Claimant's counsel, and to adopt the Hearing Officer's Recommendation to Continue Claimant's application for disability retirement benefits as modified in the Board Final Order with a review in five (5) years.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 22-T-25, to reject the Hearing Officer's Recommendation and to Remand to the Hearing Officer for corrective action as set forth in the Remand Order.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 22-T-33, to adopt the Hearing Officer's Recommendation to Continue Claimant's application for disability retirement benefits as modified in the Board Final Order with no review period being set due to Claimant's age.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 22-T-41, to adopt the Hearing Officer's Recommendation to Continue the Claimant's disability retirement benefits as modified in the Board Final Order with a review in five (5) years.

It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any exceptions duly filed, in the case of Administrative Action Number: 21-PS-04, to adopt the Hearing Officer's Recommendation, and to Dismiss the appeal With Prejudice.

It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the Administrative Record, including the recommended order and any

