

**MINUTES OF  
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY  
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM MEETING  
August 23, 2022 at 9:30 A.M. E.T.  
Via Video Teleconference  
1260 Louisville Road  
Frankfort, Kentucky 40601**

At the meeting of the Joint Disability and Administrative Appeals Committees, held on August 23, 2022, the following members were present via live video teleconference: Keith Percy, Chair, Betty Pendergrass, and Dr. Crystal Miller.

In addition, those present were Erin Surratt, KPPA, Liza Welch, KPPA, Ed Owens, KPPA, John Chilton, KPPA, Victoria Hale, KPPA, Andrea Freadreacea, KPPA, Phillip Cook, KPPA, Chase O'Dell, KPPA, and Tracy Chambers, Recording Secretary.

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It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried to approve the Minutes of the June 30, 2022 Joint Disability and Administrative Appeals Committee Meeting.

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

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Mr. Percy noted the necessity of closed session for the purpose of reviewing the disability applications and administrative appeals of Administrative Action Numbers: 21-D-28, 19-D-41, 21-D-18, 20-D-17, 21-T-01, 19-A-04, 21-D-42, 21-D-49, and 21-PS-24.

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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. Pendergrass, seconded by Dr. Miller, 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: 21-D-28, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to deny Claimant's application for disability retirement benefits.

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It was moved by Dr. Miller, seconded by Ms. Pendergrass, 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-41, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve Claimant's application for hazardous in-line-of-duty death benefits.

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It was moved by Ms. Pendergrass, seconded by Dr. Miller, 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: 21-D-18, 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.

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It was moved by Ms. Pendergrass, seconded by Dr. Miller, 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: 20-D-17, 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 Dr. Miller, seconded by Ms. Pendergrass, 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: 21-T-01, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to discontinue Claimant's disability retirement benefits.

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It was moved by Ms. Pendergrass, seconded by Dr. Miller, 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-A-04, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to affirm Kentucky Public Pensions Authority's determination that Claimant failed to timely file Form 6481 and, order Claimant to pay CERS the sum of \$35,322.31, which is the additional actuarial cost attributable to annual increases in creditable compensation greater than ten (10) percent over the member's last five (5) fiscal years of employment.

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It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, and any exceptions duly filed, in the case of Administrative Action Number: 21-D-42, to accept the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, as modified in the Board Final Order, and to dismiss Claimant's appeal.

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It was moved by Dr. Miller, seconded by Ms. Pendergrass, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, and any exceptions duly filed, in the case of Administrative Action Number: 21-D-49, to accept the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, and to dismiss Claimant's appeal.

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It was moved by Ms. Pendergrass, seconded by Dr. Miller, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, and any exceptions duly filed, in the case of Administrative Action Number: 21-PS-24, to accept the Hearing Officer's Recommended Order Dismissing Claimant's Appeal, and to dismiss Claimant's appeal.

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Staff informed the Board that the program they currently use to review meeting materials would be switching from Polycom/Media Suite to Box.com and discussed training the members on the new program during the December meeting.

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There being no further business, the meeting was adjourned at 9:57 A.M., E.T. to meet on October 31, 2022 at 9:30 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 Committees on the various items considered by them at this meeting.

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Tracy Chambers Date  
Recording Secretary

I, Keith Percy, do certify that the Minutes of the meeting held on August 23, 2022 were approved by the Joint Disability and Administrative Appeals Committees of the Board of Trustees of the County Employees Retirement System and the Board of Trustees of the Kentucky Retirement Systems on October 31, 2022.

Keith Percy 10/31/22  
Keith Percy, Chair Date  
Joint Disability and Administrative Appeals Committees

I, Victoria Hale, was present at the August 23, 2022 Joint Disability and Administrative Appeals Committees meeting, and have reviewed the minutes for form and legality.

/s/ Victoria A. Hale 10-31-2022  
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Victoria Hale Date  
General Counsel