

**MINUTES OF  
JOINT DISABILITY AND ADMINISTRATIVE APPEALS COMMITTEES OF KENTUCKY  
RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM  
MEETING**

**July 30, 2024 at 2:00 P.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 July 30, 2024, the following members were present via live video teleconference: Jerry Powell, Chair, Dr. Patricia Carver, and Mary Eaves.

In addition, those present from KPPA were Erin Surratt, Liza Welch, Ed Owens, Victoria Hale, Andrea Freadreacea, Shaun Case, Stephanie Hold, Lisa Perry, Addison Burns, and Ashley McIntosh, Recording Secretary.

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It was moved by Ms. Eaves, seconded by Dr. Carver, and carried unanimously to approve the Minutes of the May 30, 2024, Joint Disability and Administrative Appeals Committees Meeting.

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

20-D-19, 21-D-53, 21-D-54, 22-D-11, 22-T-03, 22-T-29, 22-T-48, 22-T-57, 22-PS-07, 21-T-18, 22-T-70, 21-PS-27, 22-PS-15.

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

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

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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-19, to accept the Hearing Officer's Recommended Order on Remand, as modified in the Board Final Order, to Deny the Claimant's application for non-hazardous disability retirement benefits.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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-53, to accept in part and reject in part the Hearing Officer's Recommended Order, as modified in the Board Final Order, to Deny the Claimant's application for non-hazardous disability retirement benefits and to strike portions of the Hearing Officer's Recommendation as set forth in the Boards' Final Order.

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It was moved by Ms. Eaves, seconded by Dr. Carver, 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-54, to accept the Hearing Officer's Recommended Order on Remand, as modified in the Board Final Order, to Deny the Claimant's application for non-hazardous disability retirement benefits.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-D-11 to Strike portions from the Hearing Officer's Recommended Order and accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, to Deny the Claimant's application for non-hazardous disability retirement benefits.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-T-03, to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, to Continue the Claimant's non-hazardous disability retirement benefits, with a review in three (3) years.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-T-29, to accept the Hearing Officer's Recommended Order on Remand, as modified in the Board Final Order, to Continue the Claimant's non-hazardous disability retirement benefits for the specific conditions listed, with a review in three (3) years, and to discontinue Claimant's non-hazardous disability retirement benefits on the remaining conditions as listed in the Boards' Final Order.

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It was moved by Ms. Eaves, seconded by Dr. Carver, 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: 22-T-48, to Remand this case to the Hearing Officer to make a determination regarding whether the Claimant has met his burden of proof after making corrections to the Findings of Fact and Conclusions of Law as set forth in the Boards' Final Order.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-T-57, to Reject the Hearing Officer's Recommendation and instruct staff to rewrite the final order continuing Claimant's non-hazardous disability retirement benefits with a review in five (5) years.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-PS-07, to accept the Hearing Officer's Recommended Order, as modified in the Board Final Order, to UPHOLD the final determination of Kentucky Public Pensions Authority in reducing Claimant's monthly benefit.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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-18, to adopt the Hearing Officer's Recommendation, and to Dismiss the appeal With Prejudice.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-T-70, to adopt the Hearing Officer's Recommendation, and to Dismiss the appeal Without Prejudice.

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It was moved by Ms. Eaves, seconded by Dr. Carver, 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-PS-27, to adopt the Hearing Officer's Recommendation, as modified in the Board Final Order, to Dismiss the appeal With Prejudice.

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It was moved by Dr. Carver, seconded by Ms. Eaves, 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: 22-PS-15, to adopt the Hearing Officer's Recommendation, as modified in the Board Final Order, to Dismiss the appeal With Prejudice.

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The Committee scheduled the next meeting for October 3, 2024 at 10:00 A.M. E.T.

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There being no further business, the meeting was adjourned at 3:38 P.M., E.T. to meet on October 3, 2024 at 10:00 A.M., E.T.

**CERTIFICATION**

I, Ashley McIntosh, do certify that I was present at this meeting, and the recorded above actions

of the Joint Committees on the various items considered by them at this meeting is true and correct.

*/s/ Ashley McIntosh*

*10/4/2024*

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Ashley McIntosh  
Recording Secretary

I, Jerry Powell, do certify that the Minutes of the meeting held on July 30, 2024, 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 3, 2024.

*Jerry Powell*

10/04/2024

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Jerry Powell, Chair  
Joint Disability and Administrative Appeals Committees

Date

I, Victoria Hale, was present at the July 30, 2024, Joint Disability and Administrative Appeals Committees meetings, and have reviewed the minutes for form and legality.

*/s/ Victoria A. Hale*

10-04-2024

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Victoria Hale  
General Counsel

Date