MINUTES

OF

JOINT ADMINISTRATIVE APPEALS COMMITTEE OF KENTUCKY RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM MEETING May 25, 2021 at 10:28 A.M., E.T.

Via Video Teleconference 1260 Louisville Road Frankfort, KY 40601

At the meeting of the Joint Administrative Appeals Committee, held on May 25, 2021, 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: Jerry Powell, Chair, Campbell Connell, and Dr. Patricia Carver.

In addition, those present were Erin Surratt, KPPA, Liza Welch, KPPA, Victoria Hale, KPPA, Justin McNeil, KPPA, Shaun Case, KPPA, Glenna Frasher, KPPA, and Tracy Chambers, Recording Secretary.

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

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Mr. Powell noted the necessity of closed session for the purpose of reviewing the administrative appeals of Administrative Action Numbers: 20-T-03, 20-T-06, 19-T-06, 20-A-06, 20-A-02, 20-T-10, and 20-PS-08.

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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 Mr. Connell, 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: 20-T-03, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to continue Claimant's disability retirement benefits, with a review in two years.

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It was moved by Dr. Carver, 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: 20-T-06, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to continue Claimant's disability retirement benefits, with a review in three years.

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It was moved by Mr. Connell, 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: 19-T-06, to accept the Hearing Officer's Report, Findings of Fact, Conclusions of Law, and to reinstate Claimant's disability retirement benefits, with a review in five years.

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It was moved by Dr. Carver, 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: 20-A-06, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to affirm Kentucky Public Pensions Authority's ("KPPA") determination that Claimant was not eligible to apply for disability retirement benefits.

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It was moved by Dr. Carver, 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: 20-A-02, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to uphold Kentucky Public Pensions Authority's ("KPPA") determination that Claimant was overpaid in the amount of \$1,765.36, and orders Claimant to repay this amount to CERS.

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It was moved by Dr. Carver, 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: 20-T-10, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to continue Claimant's disability retirement benefits, with a review in two years.

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It was moved by Dr. Carver, seconded by Mr. Connell, and carried unanimously, that the Committee members having considered the record, including the Hearing Officer's Recommended Order Dismissing Claimant's Appeal with Prejudice and any exceptions duly filed, in the case of Administrative Action Number: 20-PS-08, to accept the Hearing Officer's Recommended Order Dismissing Claimant's Appeal with Prejudice, and to dismiss Claimant's appeal with prejudice.

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There being no further business, the meeting was adjourned at 11:13 A.M., E.T. to meet on July 28, 2021 at 10:00 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 Committee on the various items considered by them at this meeting.
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Tracy Charabers Date
Recording Secretary
I, Jerry Powell, do certify that the Minutes of the meeting held on May 25, 2021 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 July 28, 2021.
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Jerry Powerl, Chair Date
Joint Disability and Administrative Appeals Committees
I, Victoria Hale, was present at the May 25, 2021 Joint Administrative Appeals Committee
meeting, and have reviewed the minutes for form and legality.
Luctoria A. Hall 7-28-21
Victoria Hale Date
KPPA Staff Attorney Supervisor

MINUTES OF

JOINT DISABILITY APPEALS COMMITTEE OF KENTUCKY RETIREMENT SYSTEMS AND COUNTY EMPLOYEES RETIREMENT SYSTEM MEETING

May 25, 2021 at 10:00 A.M. E.T. Via Video Teleconference 1260 Louisville Road Frankfort, Kentucky 40601

At the meeting of the Joint Disability Appeals Committee, held on May 25, 2021, 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: Jerry Powell, Chair, Campbell Connell, and Dr. Patricia Carver.

In addition, those present were Erin Surratt, KPPA, Liza Welch, KPPA, Victoria Hale, KPPA, Justin McNeil, KPPA, Shaun Case, KPPA, Glenna Frasher, KPPA, and Tracy Chambers, Recording Secretary.

It was moved by Mr. Connell, seconded by Dr. Carver, and carried to approve the Minutes of the February 24, 2021 Disability Appeals Committee Meeting.

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

Mr. Powell noted the necessity of closed session for the purpose of reviewing the disability applications of Administrative Action Numbers: 19-D-58, 19-D-33, and 19-D-11.

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

It was moved by Dr. Carver, 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-58, 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 Dr. Carver, 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-33, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny Claimant's application for disability retirement benefits.

It was moved by Mr. Connell, 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: 19-D-11, 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.

There being no further business, the meeting was adjourne 2021 at 10:00 A.M., E.T.	d at 10:28 A.M., E.T. to meet on July 28,	
CERTIFICATION		
I, Tracy Chambers, do certify that I was present at this m action of the Committee on the various items considered by		
Tracy Chambers Recording Secretary	7 / 8 / 2/ Date	
I, Jerry Powell, do certify that the Minutes of the meeting he the Joint Disability and Administrative Appeals Committees Employees Retirement System and the Board of Trustees July 28, 2021 Jerry Powell, Chair Joint Disability and Administrative Appeals Committees	s of the Board of Trustees of the County	

I, Victoria Hale, was present at the May 25, 2021 Joint Disability Appeals Committee meeting, and have reviewed the minutes for form and legality.

Victoria Hale

KPPA Staff Attorney Supervisor