

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

**September 26, 2022 at 10:00 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 September 26, 2022, the following members were present via live video teleconference: Jerry Powell, Chair, Dr. Patricia Carver, and Lynn Hampton.

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

* * * * *

It was moved by Dr. Carver, seconded by Ms. Hampton, and carried to approve the Minutes of the July 26, 2022 Joint Disability and Administrative Appeals Committee Meeting.

* * * * *

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-27, 20-D-04, 21-D-15, 18-PS-13, 21-A-06, 19-PS-04, 21-A-09, 21-D-51.

* * * * *

Mr. Powell declared conflict of interest regarding Case No. 20-D-27, and was moved to the waiting room while the case was discussed in closed session. Mr. Powell was moved back into the closed session after the discussion of Case No. 20-D-27 concluded and participated in the remainder of the closed session.

* * * * *

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

* * * * *

Mr. Powell recused himself from the vote on the matter of Administrative Action Number 20-D-27. Dr. Carver moved and Lynn Hampton seconded the motion to Adopt the Hearing Officer's Recommended Order as modified, Approving Claimant for both hazardous duty and in-line-of-duty disability retirement benefits, as modified, with a one-year review. The matter passed with Mr. Powell recusing.

* * * * *

It was moved by Dr. Carver, seconded by Ms. Hampton, 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-04, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve Claimant's application for non-hazardous disability retirement benefits, with a review in five years.

* * * * *

It was moved by Ms. Hampton, 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-15, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to approve Claimant's application for non-hazardous disability retirement benefits, with a review in two years.

* * * * *

It was moved by Dr. Carver, seconded by Ms. Hampton, 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: 18-PS-13, to vacate the Final Order issued on June 28, 2019 by the Administrative Appeals Committee, to reject the Hearing Officer's Report, and to issue a Remand Order Granting Claimant's Appeal wherein it was determined that Claimant is not required to pay for any additional actuarial costs resulting from increases in their employee's creditable compensation greater than ten percent (10%) over his last five (5) fiscal years of employment that are not the direct result of a bona fide promotion or career advancement.

* * * * *

It was moved by Dr. Carver, seconded by Ms. Hampton, 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-A-06, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to allow Claimant to proceed with her pension spiking appeal.

* * * * *

It was moved by Dr. Carver, seconded by Ms. Hampton, 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-PS-04, to accept the Hearing Officer's Report, as modified in the Board Final Order, and to deny Claimant's appeal and ordering KPPA to pay or credit Claimant a one-time retroactive payment and any other contributions Claimant made, plus interest, which are attributable to the pension spike if it had not already done so.

* * * * *

It was moved by Ms. Hampton, 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-A-09, to accept the Hearing Officer's Report, as modified in the Board Final Order, and Dismissing Claimant's appeal for her

