

ATTACHMENT A

THE PROPOSED DECISION

**BEFORE THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
STATE OF CALIFORNIA**

**In the Matter of the Appeal for an Earlier Effective Date of
Disability Retirement of:**

REGINA T. SCHUENEMAN, Respondent

and

DEPARTMENT OF MOTOR VEHICLES, Respondent

Agency Case No. 2019-1094

OAH No. 2020030181

PROPOSED DECISION

Debra D. Nye-Perkins, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter telephonically on June 29, 2020, pursuant to the June 8, 2020, order converting this hearing to a telephonic hearing due to the COVID-19 pandemic.

Charles H. Glauberman, Senior Attorney, represented complainant, Kevin Riddle, Chief, Disability and Survival Benefits Division, California Public Employees' Retirement System (CalPERS), State of California.

CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM
FILED July 27, 2020
CMS

Regina T. Schueneman, respondent, represented herself.

There was no appearance on behalf of respondent Department of Motor Vehicles (DMV).

Oral and documentary evidence was received. The record was closed and the matter was submitted for decision on June 29, 2020.

ISSUE

Is respondent¹ entitled to an earlier effective retirement date of September 8, 2015, for her disability retirement?

FACTUAL FINDINGS

Jurisdictional Matters

1. Respondent worked for DMV as a Field Office Representative. By virtue of her employment, respondent is a state miscellaneous member of CalPERS.

2. On June 3, 2019, respondent submitted an application for disability retirement on the basis of "exposure to mold, chronic sinusitis, fractured vertebrae and ribs" and listing her proposed retirement date as "September 8, 2015." On the application form respondent wrote that her disability occurred because of "exposure to mold in the Escondido DMV (It was closed down)." On September 24, 2019, CalPERS

¹ Respondent refers solely to Regina T. Shueneman throughout this decision, and respondent Department of Motor Vehicles will be referred to as DMV.

notified respondent that CalPERS approved respondent's application for disability retirement based on her "pulmonological (lung) condition" and her retirement was "effective immediately." The September 24, 2019, letter further stated as follows:

Subject to the regular requirements of the law and/or local rules or ordinances governing the use of sick leave, the effective date of your retirement cannot be earlier than the day following the last day of sick leave with compensation or earlier than the first day of the month in which the application is received. The retirement effective date would be either the day after the expiration of your sick leave credit or if the application is filed within nine months of the discontinuance of service, the application shall be deemed filed on the last day for which salary was payable.

Respondent's effective date of disability retirement is June 1, 2019.

3. On September 24, 2019, CalPERS sent a certified letter to respondent informing her that CalPERS has reviewed her file and request for an earlier retirement date of September 8, 2015, and denied that request. The letter provided a summary of communications between CalPERS and respondent dating back to January 31, 2014, as well as reference to Government Code section 20160, which may be used as authority to correct a mistake "due to excusable inadvertence, oversight, or mistake of fact or law on the part of claimant." The letter further stated as follows:

After careful review of the information in your file, the evidence did not establish that you made a correctable mistake at the time you separated from employment. . . .

Based upon review of your case, the evidence suggests that you had knowledge of the application process and, therefore, we were unable to establish that a correctable mistake was made.

4. By undated letter, respondent appealed the denial and wrote, in part, as follows:

I got sick from Exposure to Mold at the DMV in Escondido in 2011. (I [*sic*] was not aware of this until 2013 when the building was tested in 2013 [*sic*] I was hospitalized seven times beginning in March at Scripps Green in LaJolla [*sic*] Sinus surgery and battled a super bug pseudomas for over a year. 2013 DMV building was shutdown permanently.

DMV did not appeal CalPERS's determination that respondent was not entitled to an earlier effective disability retirement date of September 8, 2015.

5. On February 27, 2020, complainant filed the Accusation in his official capacity, seeking to affirm the denial of respondent's requested effective disability retirement date of September 8, 2015.

Communications between Respondent and CalPERS, and CalPERS and DMV

6. Timothy Grigsby has been employed at CalPERS since September 2016 as an Associate Governmental Program Analyst (AGPA). His duties include review of industrial disability retirement applications and disability retirement applications to determine eligibility for disability retirement. He is also responsible for reviewing the

files kept by CalPERS of members who appeal a denial by CalPERS to gather all relevant information in preparation for hearing. Mr. Grigsby reviewed and compiled all relevant information from respondent's file at CalPERS for this hearing. Mr. Grigsby testified at the hearing regarding his review of respondent's file, including documents evidencing correspondence between CalPERS and respondent, which were also received in evidence in this matter.

7. On January 31, 2014, CalPERS sent a cover letter to respondent which stated that per respondent's request, CalPERS was enclosing a "Guide to Completing Disability Retirement," with the document ID of PUB-35. Mr. Grigsby testified that the PUB-35 document was enclosed with the January 31, 2014, letter and the publication date for that particular PUB-35 document is December 2012, which is shown on the document. Mr. Grigsby testified that the PUB-35 guide is a booklet that provides information to respondent regarding how to complete a disability retirement application, as well as the required deadlines. The PUB-35 guide that was included with the January 31, 2014, letter to respondent states as follows:

You should apply for disability or industrial disability retirement as soon as you believe you are unable to perform your usual job duties because of an illness or injury that is expected to be permanent or last longer than six months. . . . If you have a workers' compensation claim, you should not wait until your condition is "permanent and stationary" under workers' compensation requirements to submit your application.

8. On September 9, 2015, CalPERS sent a cover letter to respondent which stated that per respondent's request, CalPERS was enclosing the same Guide to

completing Disability Retirement with the document ID of PUB-35, as well as the Service Retirement Election Application with document ID of PUB-43. Both those documents were enclosed with the letter for respondent. These documents both included information regarding the effective retirement date.

9. On January 8, 2016, CalPERS sent another cover letter to respondent which stated that per respondent's request, CalPERS was enclosing a Guide to completing Disability Retirement, with the document ID of PUB-35. The publication date for that particular PUB-35 document enclosed with this letter is March 2015. This is an updated version of the PUB-35 that provides the same information to respondent regarding how to complete a disability retirement application, as well as the required deadlines.

10. On August 1, 2016, CalPERS sent another cover letter to respondent which stated that per respondent's request, CalPERS was enclosing the same Guide to completing Disability Retirement, with the document ID of PUB-35 and publication date of March 2015.

11. Again on November 14, 2016, CalPERS sent another cover letter to respondent which stated that per respondent's request, CalPERS was enclosing the same "Guide to Completing Disability Retirement," with the document ID of PUB-35 and publication date of March 2015.

12. On April 4, 2017, CalPERS sent a letter to respondent that Mr. Grigsby explained is a letter automatically generated by CalPERS when CalPERS has not received updated payroll information from a member within a certain amount of time. The April 4, 2017, letter provides information to respondent regarding actions she should take upon separation of employment and also provides in part as follows:

If you are disabled, regardless of age, you may be eligible for disability retirement. Contact your employer or CalPERS for the disability retirement election/application package.

If you have at least 5 years of service credit and are age 50 or older: You are a vested CalPERS member who qualifies for service retirement. You should use the retirement estimate calculator on our Web site at www.calpers.ca.gov to get an estimate of your retirement allowance before deciding if you want to withdraw your contributions, thus forfeiting your right to a monthly allowance. You may obtain a service retirement election/application package from your employer or CalPERS. [Bold (or emphasis) in original]

13. On October 4, 2017, CalPERS mailed respondent a blank disability retirement application form to be completed by respondent. Mr. Grigsby testified that after CalPERS mailed this blank application to respondent, CalPERS did not hear back from respondent and she did not send back the completed application. The first time that CalPERS received a completed disability retirement application from respondent was on June 3, 2019. The completed disability retirement application submitted by respondent on June 3, 2019, stated that her requested retirement date was September 8, 2015.

14. On June 5, 2019, CalPERS sent respondent a letter stating that CalPERS received her application for service retirement pending disability retirement effective June 1, 2019. The letter stated in part:

If you are eligible for a disability retirement, we will contact you and your employer for any additional information required to process the application. If for any reason you are found not eligible for a disability retirement, you will be formally notified. . . .

Mr. Grigsby explained that CalPERS can grant a service retirement while waiting to find out if the member qualifies for disability retirement, which is what happened in this case.

15. On June 6, 2019, CalPERS sent respondent a letter informing her that her service retirement application had been processed and listing her effective service retirement date of June 1, 2019.

16. On July 18, 2019, CalPERS sent respondent a letter requesting additional information from respondent to determine if she is eligible for an earlier effective date for her disability retirement of September 8, 2015, as she requested in her application. The letter asked respondent to provide information to the following four questions:

(1) Did any physician instruct you to stop working as a Motor Vehicle Representative because of permanent disability? If no, when did your doctor determine that you were incapacitated for your former job duties?

(2) Did you advise the Department of Motor Vehicles you had to retire because of a disability? If no, why not? Did you believe that you were unable to perform your duties at that time because of incapacity?

- (3) Did you contact CalPERS for information regarding disability retirement before you ceased working? If not, why not? If yes, what assistance did you receive?
- (4) On what date did you become aware that you could submit an application for disability retirement? Why did you not apply at that time?

17. Respondent sent an undated letter to CalPERS responding to the July 18, 2019, letter from CalPERS wherein she provided the following answers to the four questions above:

- (1) I didn't have any doctor tell me to stop working because of permanent disability. It wasn't a matter of a doctor telling me to stop working, I was to [sic] sick to work. . . . I saw Dr. Goodman (workers comp Doctor) this year in March & he determined a percentage of disability. Dr. Parash Jay I believe may have [sic] permanent disability in 2018. There hasn't been any form of disability payment since 2015. That was 1500 a month. My brothers have been supporting me since 2015.
- (2) I never told the DMV I had to retire. I was 57 when I got sick. I didn't think I could retire until the workers' Comp was settled or until I was 65. I made many phone calls to DMV headquarters trying to get help in regards to disability retirement in 2017. I learned this through another employee. State Fund didn't help me at all & I

wasn't permanent disabled. In 2016 I was physically disabled. Confined to a wheelchair & then a scooter [sic]. I began walking in November 2018.

(3) No, I didn't contact CalPERS before I ceased working. I wasn't ready to retire. I didn't even plan too [sic] until age 65-67. The DMV stole my future. They didn't even help me! Our building was shut down in May 2013 from the mold. I was fortunate enough to have two brothers to support myself and my children since 2013.

(4) I believe it was 2016-2017. Another girl that was very ill told me. I was in a skilled nursing facility for six months with seven vertebrae compression fractures, three rib fractures due to high doses of prednisone. . . . I couldn't take care of myself. I was to [sic] sick. My brothers put me in an assisted living facility in April 2017. . . . I just couldn't do it. My focus was always on getting better. I resent the DMV and State Fund for not helping me; a state employee that was so devoted to her job. To this day Six years later they still haven't settled. They drag it on according to the police & firemen that I've met in doctor's office. They'll drag it out until your [sic] dead! I do believe this because this is exactly what there [sic] doing to me.

18. On July 18, 2019, CalPERS sent a letter to the DMV requesting information regarding respondent in order to determine if her requested earlier

effective disability retirement date of September 8, 2015, can be provided. In the letter, CalPERS asked the following five questions:

- (1) Did the member indicate that she was retiring because she was too disabled to continue working? If so when?
- (2) What did the member state as the reason for stopping work?
- (3) At the time the member stopped working was an industrial injury/illness claim pending or filed within the preceding three years? If so, what is the complete name and address of the workers' compensation insurer and what is the claim number?
- (4) Was the member given information or counseling regarding disability retirement? If so, when and what information was provided to the member?
- (5) Would Department of Motor Vehicles be in agreement if we grant the earlier effective date of retirement? If no, why not?

19. On August 22, 2019, the DMV responded to the July 18, 2019, letter from CalPERS and provided the following answers to those five questions:

- (1) Effective September 8, 2015, Ms. Schueneman resigned from her position due to illness (San Marcos DLPC Manager)

- (2) Ms. Shueneman stopped working (resigned) from her position due to illness (San Marcos DLPC Manager)**
- (3) No Ms. Shueneman did not submit or file a claim in the three (3) years preceding her resignation separation (Workers' Compensation Payroll Specialist)**
- (4) The San Marcos DLPC Office does not recall providing Ms. Schueneman with any information regarding disability retirement prior to her resignation separation effective, September 8, 2015. During her LOA Ms. Schueneman received Temporary Disability (TD) payments for a 2011 claim.**
- (5) The DMV is in agreement with the earlier requested effective date of retirement of September 8, 2015.**

20. On September 24, 2019, CalPERS sent a letter to respondent notifying her of the approval of her disability retirement application based upon her pulmonological (lung) condition. In a separate letter dated September 24, 2019, CalPERS notified respondent that while her disability retirement has been approved, CalPERS denies her requested earlier effective disability retirement date of September 8, 2015, because the analysis of information she provided did not show that respondent made a correctable mistake under Government Code section 20160 to be entitled to the earlier effective date.

21. Mr. Grigsby testified that CalPERS does not dispute the fact that respondent was disabled from the time she left her employment on September 8, 2015, until the time she filed for disability retirement. However, because she failed to

file her disability retirement application until almost four years after she left her employment, and she provided no information to show that her failure to do so was based on a correctable mistake under Government Code section 20160, she is not entitled to the September 8, 2015, effective date for disability retirement.

Respondent's Testimony

22. Respondent testified at the hearing and the following factual findings are based on her testimony and supporting documents she provided. Respondent is 65 years of age, not currently employed, and has lived at an assisted living facility since April 2017.

23. Respondent stated that she resigned from the DMV thinking "I would get my retirement to follow right after and it did not work out that way." She testified that she "did not understand the process" of applying for disability retirement "no matter how many times they [CalPERS] told me." Respondent stated that she was having a very difficult time obtaining health insurance after she became ill in 2012 and thereafter hospitalized. Respondent believed that after she resigned that CalPERS "would come to her for retirement." Respondent testified that her last day of work at the DMV was July 25, 2013, and she was hospitalized for respiratory issues thereafter. She explained that on March 21, 2017, she wrote a letter to the San Marcos DMV, which was received in evidence. In the letter respondent wrote that she has been "separated per notice of action and taken off the payroll effective 09/08/2015," and that she is "resigning effective as of 09/08/2015 . . ." Respondent testified that she sent this letter because she was confused and understood that if she wrote this letter formally resigning from her position that she would thereafter be able to get her health insurance "from 2015."

24. Respondent also testified that her primary care physician, Adam Christopher Rhodes, M.D., has treated her for serious medical problems resulting from her exposure to mold at the DMV office where she worked and wrote a letter regarding her difficulty obtaining health insurance, which was received in evidence. In the letter Dr. Rhodes wrote that he has cared for respondent for her occupational exposure to mold that has resulted in a severe medical condition including diminished lung function. He further wrote that respondent has been in the ICU and hospital multiple times since July 2013 making it "exceptionally challenging for her to deal with these decisions." He further wrote about her state benefits and retirement that "[s]he would have benefited from having someone give her good advice and based on her description of what happened it does not appear that this was done."

25. On March 16, 2017, respondent also sent an email to her workers' compensation attorney explaining that she was having difficulty with her health and receiving benefits from the state, and that she would write a letter to resign from her position at the DMV so that she could get health insurance. A copy of the email was received into evidence. In the email respondent wrote in part:

I've been overwhelmed with a lot. I have to move to an assisted living. . . . I can't take care of myself and I now need 24hr care. I'm really having a difficult time with this. I'm going to send a letter of resignation to the DMV. Hopefully, Calpers can come to me to retire from the state. . . . I've really deteriorated in the past year. . . . Doing anything Robert is difficult for me. . . . I know State Fund won't help! They are so corrupt.

26. Respondent testified that since 2013 she has been hospitalized many times and has been diagnosed with cancer twice. She is still very ill. Respondent stated that mentally she is not well and her thought process is hampered by her illness making decision-making difficult for her. She stated that her attorney did not help her and she wished she had someone who could have assisted her with these issues. Respondent genuinely believed that when she left her employment because of her illness that CalPERS would approach her to start the disability retirement process.

LEGAL CONCLUSIONS

Burden and Standard of Proof

1. Respondent has the burden of proving by a preponderance of the evidence that she is entitled to an earlier effective date of disability retirement. (Government Code section 20160, subdivision (d); Evid. Code, §§ 115, 500.)

Applicable Statutes

2. Government Code section 20026 provides in part:

“Disability” and “incapacity for performance of duty” as a basis of retirement, mean disability of permanent or extended and uncertain duration, as determined by the board . . . on the basis of competent medical opinion.

3. Government Code section 21150, subdivision (a), provides in part:

A member incapacitated for the performance of duty shall be retired for disability pursuant to this chapter if he or she

is credited with five years of state service, regardless of age, unless the person has elected to become subject to Section 21076 or 21077.

4. Government Code section 21154 provides:

The application shall be made only (a) while the member is in state service, or (b) while the member for whom contributions will be made under Section 20997, is absent on military service, or (c) within four months after the discontinuance of the state service of the member, or while on an approved leave of absence, or (d) while the member is physically or mentally incapacitated to perform duties from the date of discontinuance of state service to the time of application or motion. On receipt of an application for disability retirement of a member, other than a local safety member with the exception of a school safety member, the board shall, or of its own motion it may, order a medical examination of a member who is otherwise eligible to retire for disability to determine whether the member is incapacitated for the performance of duty. On receipt of the application with respect to a local safety member other than a school safety member, the board shall request the governing body of the contracting agency employing the member to make the determination.

5. Government Code section 21156 provides:

(a) (1) If the medical examination and other available information show to the satisfaction of the board, or in case of a local safety member, other than a school safety member, the governing body of the contracting agency employing the member, that the member in the state service is incapacitated physically or mentally for the performance of his or her duties and is eligible to retire for disability, the board shall immediately retire him or her for disability, unless the member is qualified to be retired for service and applies therefor prior to the effective date of his or her retirement for disability or within 30 days after the member is notified of his or her eligibility for retirement on account of disability, in which event the board shall retire the member for service.

(2) In determining whether a member is eligible to retire for disability, the board or governing body of the contracting agency shall make a determination on the basis of competent medical opinion and shall not use disability retirement as a substitute for the disciplinary process.

(b) (1) The governing body of a contracting agency upon receipt of the request of the board pursuant to Section 21154 shall certify to the board its determination under this section that the member is or is not incapacitated.

(2) The local safety member may appeal the determination of the governing body. Appeal hearings shall be conducted by an administrative law judge of the Office of Administrative Hearings pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of this title.

6. Government Code section 21252 provides:

(a) A member's written application for retirement, if submitted to the board within nine months after the date the member discontinued his or her state service, and, in the case of retirement for disability, if the member was physically or mentally incapacitated to perform his or her duties from the date the member discontinued state service to the time the written application for retirement was submitted to the board, shall be deemed to have been submitted on the last day for which salary was payable. The effective date of a written application for retirement submitted to the board more than nine months after the member's discontinuance of state service shall be the first day of the month in which the member's application is received at an office of the board or by an employee of this system designated by the board.

(b) An application for retirement may only be submitted by or for a member who is living on the date the application is actually received by the system. If the member has been

deemed incompetent to act on his or her own behalf continuously from the last day for which salary was payable, the effective date of retirement may not be earlier than one year prior to the month in which an application submitted by the guardian of the member's estate is received by the system.

(c) Notwithstanding any other provision of law, a member who separates from a retirement system that has established reciprocity with this system with the intention of retiring concurrently under both systems and who submits his or her application for retirement for service to the board within nine months after that separation, may have his or her application received and acted upon by this system as if the application were submitted pursuant to this section.

7. Government Code section 20160 provides:

(a) Subject to subdivisions (c) and (d), the board may, in its discretion and upon any terms it deems just, correct the errors or omissions of any active or retired member, or any beneficiary of an active or retired member, provided that all of the following facts exist:

(1) The request, claim, or demand to correct the error or omission is made by the party seeking correction within a reasonable time after discovery of the right to make

the correction, which in no case shall exceed six months after discovery of this right.

(2) The error or omission was the result of mistake, inadvertence, surprise, or excusable neglect, as each of those terms is used in Section 473 of the Code of Civil Procedure.

(3) The correction will not provide the party seeking correction with a status, right, or obligation not otherwise available under this part.

Failure by a member or beneficiary to make the inquiry that would be made by a reasonable person in like or similar circumstances does not constitute an "error or omission" correctable under this section.

(b) Subject to subdivisions (c) and (d), the board shall correct all actions taken as a result of errors or omissions of the university, any contracting agency, any state agency or department, or this system.

(c) The duty and power of the board to correct mistakes, as provided in this section, shall terminate upon the expiration of obligations of this system to the party seeking correction of the error or omission, as those obligations are defined by Section 20164.

(d) The party seeking correction of an error or omission pursuant to this section has the burden of presenting documentation or other evidence to the board establishing the right to correction pursuant to subdivisions (a) and (b).

(e) Corrections of errors or omissions pursuant to this section shall be such that the status, rights, and obligations of all parties described in subdivisions (a) and (b) are adjusted to be the same that they would have been if the act that would have been taken, but for the error or omission, was taken at the proper time. However, notwithstanding any of the other provisions of this section, corrections made pursuant to this section shall adjust the status, rights, and obligations of all parties described in subdivisions (a) and (b) as of the time that the correction actually takes place if the board finds any of the following:

(1) That the correction cannot be performed in a retroactive manner.

(2) That even if the correction can be performed in a retroactive manner, the status, rights, and obligations of all of the parties described in subdivisions (a) and (b) cannot be adjusted to be the same that they would have been if the error or omission had not occurred.

(3) That the purposes of this part will not be effectuated if the correction is performed in a retroactive manner.

Evaluation

8. A public employee has a fundamental vested right to a disability pension if he or she is, in fact, disabled. (*Beckley v. Bd. of Administration* (2013) 222 Cal.App.4th 691, 697, citing *Quintana v. Bd. of Administration* (1976) 54 Cal.App.3d 1018, 1023.) All parties agree that respondent is disabled as a result of a lung condition and has been continuously disabled since the discontinuance of her state service working at the DMV on September 8, 2015. Pursuant to Government Code section 21154, respondent is entitled to her disability retirement because she made her application for disability retirement “while the member is physically or mentally incapacitated to perform duties from the date of discontinuance of state service to the time of application or motion.” Despite her eligibility for disability retirement when she left her job in September 2015, there is no dispute of the parties that respondent did not submit her application for disability retirement to CalPERS until June 3, 2019. Respondent argued that she believed that CalPERS would reach out to her to put her on disability retirement without the need for her to file an application, an opinion that she admitted was influenced by her physical and mental incapacity over the past few years. Pursuant to Government Code section 21252 provides that:

The effective date of a written application for retirement submitted to the board more than nine months after the member’s discontinuance of state service shall be the first day of the month in which the member’s application is received at an office of the board . . .

Accordingly, because respondent filed her application almost four years after she discontinued state service, the effective date of her disability retirement is June 1, 2019. Pursuant to the terms of Government Code section 20160 CalPERS may correct

an "error or omission" of respondent's failure to file her disability retirement application within the required nine months from her separation of service to obtain the effective filing date of September 8, 2015, only if the terms of that code section are met. Government Code section 20160 specifically states in part:

The request, claim, or demand to correct the error or omission is made by the party seeking correction within a reasonable time after discovery of the right to make the correction, which in no case shall exceed six months after discovery of this right. . . .

Failure by a member or beneficiary to make the inquiry that would be made by a reasonable person in like or similar circumstances does not constitute an 'error or omission' correctable under this section.

In this case, respondent had the burden of proving she is entitled to an earlier effective disability retirement date. The evidence established that respondent was provided with the PUB-35 document on multiple occasions beginning in January of 2014 providing her with the necessary information and instructions regarding the filing of her disability retirement application. Despite having this information after she requested it from CalPERS, respondent still failed to file her disability application until June 3, 2019. The evidence demonstrates that a reasonable person in like or similar circumstances would have used this information to file her disability application in a timely manner. Respondent's circumstances are difficult and her health problems have resulted in extreme hardship. However, respondent did not provide any evidence to demonstrate that her neglect to file her application for disability retirement was the result of excusable neglect, mistake, inadvertency, or surprise as required by

Government Code 20160. Accordingly, respondent failed to meet her burden of proof to establish she is entitled to an earlier effective disability retirement date.

ORDER

Respondent Regina T. Schueneman's appeal of the determination by CalPERS that she is entitled to an earlier effective disability retirement date of September 8, 2015, is denied. Respondent Regina T. Schueneman shall continue to receive disability retirement benefits with the effective date of June 1, 2019.

DATE: July 27, 2020

DocuSigned by:
Debra D. Nye-Perkins
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DEBRA D. NYE-PERKINS

Administrative Law Judge

Office of Administrative Hearings