

# PSPRS Local Board & Employer Seminar

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*Disability Retirements*

*Ivy Voss*



# PSPRS Ordinary Disability – DB members

## ✓ NON-JOB RELATED

Physical condition which **totally and permanently** prevents the employee from performing a reasonable **range of duties** within the **same department**.

Mental condition that **totally and permanently** prevents the employee from engaging in **any substantial gainful activity**.

- A member shall file an application for a disability pension after the disabling incident or within **one year** after the date the member ceases to be an employee and employment is **terminated by reason of disability**.
- The Local Board may require **periodic medical re-evaluations** and the ordinary disability may terminate if the Local Board finds that the member no longer meets the requirements for the disability benefit and **refuses an offer of employment by an employer in the system**.



# PSPRS Ordinary Disability

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- **Tier 3 DC Only Members** are not eligible to apply for an Ordinary Disability. For members participating in the Defined Contribution (DC) Plan, visit [Nationwide Retirement Solutions](#).



# PSPRS Accidental Disability – DB members

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## ✓ **MUST BE SERVICE RELATED**

Physical or mental condition which **totally and permanently** prevents employee from performing a reasonable range of duties within the **same position classification**.

A member shall file an application for a disability pension after the disabling incident or within **one year** after the date the member ceases to be an employee and employment is **terminated by reason of disability**.

**NOTE:** Tier 3 DB member benefits are subject to actuarial calculation.



# PSPRS Accidental Disability – DC Only

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Tier 3 DC Only Members will contribute to a separate disability fund administered by the system where an actuarially determined equivalent amount will be paid in conjunction with their Defined Contribution (DC) Plan administered by [Nationwide Retirement Solution.](#)



# PSPRS Temporary Disability – DB members

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## ✓ MUST BE SERVICE RELATED

Physical or mental condition that **totally** prevents the employee from performing a reasonable range of duties within the **same department**, but is **temporary** in nature and has a **foreseeable rehabilitation** period after which the employee may be able to **return to full duty**.

- Cannot be eligible for a normal retirement.
- Limited to 12 monthly payments.



# PSPRS Temporary Disability – DC only members

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- **Tier 3 DC Only Members** will contribute to a separate disability fund administered by the System where an actuarially determined equivalent amount will be paid in conjunction with their Defined Contribution (DC) Plan administered by [Nationwide Retirement Solutions](#).



# PSPRS Catastrophic Disability – DB members

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## ✓ MUST BE SERVICE RELATED

Physical condition that **totally and permanently** prevents the employee from engaging in **any gainful employment**.

Catastrophic disabilities are the most **severe physical conditions** incurred while **on duty** and whose injuries far exceed injuries that would otherwise qualify for an accidental disability.

- A member shall file an application for a disability pension after the disabling incident or within **one year** after the date the member ceases to be an employee and employment is **terminated by reason of disability**.





# PSPRS Catastrophic Disability – DC only members

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Tier 3 DC only members will contribute to a separate disability fund administered by the system where an actuarially determined equivalent amount will be paid in conjunction with their Defined Contribution (DC) Plan administered by [Nationwide Retirement Solutions](#).



# Correction Officer Ordinary Disability

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## ✓ Non-job related

- Physical condition **totally and permanently** prevents employee from performing a reasonable range of duties within the **same department**.
- Mental condition that **totally and permanently** prevents employee from engaging in **any substantial gainful activity**.
  - Cannot be eligible for a normal retirement
  - Dispatchers disabled on/after September 21, 2006 and non-dispatchers disabled on/after September 26, 2008 may qualify.



# Correction Officer Accidental Disability

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## ✓ Must be Service Related

Physical or mental condition which **totally and permanently** prevents employee from performing a reasonable range of duties within the same department and incurred in the performance of employee's duties and was the result of any of the following:

1. Physical contact with inmates, prisoners, parolees or persons on probation, or
2. Responding to a confrontational situation with inmates, prisoners, parolees or persons on probation, or
3. A job-related motor vehicle accident while on official business, except that if an employee is found guilty of violating a personnel rule or in violation of state or federal law.



# Correction Officer Total & Permanent Disability

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✓ Must be Service Related

Physical or mental condition which **totally and permanently** prevents the employee from engaging in any gainful employment and is the direct and proximate result of the performance of employee's duties.



# Elected Officials Disability

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- Eligibility for a disability pension for elected officials is a multistep process, which is handled by the administrative office of PSPRS and the PSPRS [Board of Trustees](#).
- The applicant should contact the administrative office of PSPRS to begin the process and submit an application.
- The PSPRS Board of Trustees renders a decision on the application for disability.
- If the applicant is granted a disability pension, he or she may be required to undergo follow-up medical evaluations periodically to continue receiving the disability pension until normal retirement criteria is met.



# Elected Officials Disability Calculation

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Benefits are based on **Tier levels** (Tier 1 and Tier 2), **years of service**, and whether the member is in EORP or EORPDC.

Please contact the PSPRS administrative office for assistance in calculating benefit levels.



# PSPRS Disability Process

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- 1: Member files **Application for Disability** with Local Board secretary.
- 2: Local Board meets to review the application and to determine whether **Independent Medical Evaluation (IME)** is warranted.
- 3: Member meets with Local Board appointed IME doctor (if Local Board approved the action).
- 4: Local Board reviews IME report to **render a decision** and **resolve any conflicts** in the medical record.
5. Local Board secretary sends **Meeting Minutes to PSPRS administrative office.**
- 6: **PSPRS administrative office reviews Local Board action** and initiates disability payments if approved by Local Board and all conflicts have been resolved.
7. Member may request **rehearing** for reconsideration of denial, or PSPRS administrative office may request rehearing to resolve conflicts in the record.



# Requesting Rehearing – PSPRS and CORP

## Rehearing of Local Board decision

- When the Local Board renders a decision on an application for disability and the applicant disagrees with the decision that was made, under statutes the employee does have the ability to request a rehearing on the matter. In order to make a request for rehearing, these conditions must be met:
  - The request must be **in writing** and sent **directly to the Local Board**, highlighting the reasoning for why the Local Board should reconsider their original decision.
  - The request must be made within **60 days** of either being in attendance at the meeting where the decision was made, receiving notification of the board's action via certified mail or by receiving benefits, whichever occurs first.
- NOTE: The PSPRS administrative office may also ask for a rehearing to resolve conflicts in the record.





# Assistance Available

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- Local Boards can reach out to Don Mineer, the PSPRS Local Board Relationship Manager when there are questions.
- Also, it is helpful if the PSPRS Local Board Relationship Manager is notified of changes to the local board members or secretary, including updates to email addresses and contact information.
- Assistance with completing disability forms and application materials can be obtained from the PSPRS administrative office, through Michelle Pechan, paralegal.

