

3307:2-6-01

Combined plan disability benefits.

- (A) A participant in the combined plan may apply for disability benefits specified by the plan document if the participant meets either of the following criteria and applies on a form provided by the retirement system, who has established at least five years of service credit, has not taken a distribution from either the defined contribution or defined benefit portion of the account and who becomes incapacitated from the performance of regular duties in covered employment may apply for the disability benefit specified by the plan document. Application shall be in writing on a form provided by the retirement system.
- (1) The participant had service credit on account on June 30, 2013 with the state teachers retirement system and did not withdraw the account on or after July 1, 2013, has established at least five years of service credit excluding leaves of absences, has not taken a distribution from either the defined contribution or defined benefit portion of the account and has become incapacitated from the performance of regular duties in covered employment; or
- (2) The participant had no service credit on account on June 30, 2013, with the state teachers retirement system or had service credit on account with the state teachers retirement system on June 30, 2013, but withdrew the account on or after July 1, 2013, has established at least ten years of service credit excluding leaves of absences, has not taken a distribution from either the defined contribution or defined benefit portion of the account and has become incapacitated from the performance of regular duties in covered employment.
- (B) An application for a disability benefit under the combined plan and continuing eligibility for such a benefit shall be evaluated and reevaluated as specified by sections 3307.48, 3307.62, and 3307.631 of the Revised Code and Chapter 3307:1-7 of the Administrative Code. Submission of an application, eligibility and continuing eligibility shall be submitted, reviewed, determined, and reevaluated in accordance with the same procedures, standards, and conditions therein specified. A combined plan participant granted disability benefits ~~on the basis of medical incapacitation~~ shall be subject to all of the requirements and provisions therein specified including, without limitation, requirements to submit submission of medical information, earnings, and other reports, and the duty requirements to obtain any treatment or examinations, and requirements to refrain from teaching service required by the retirement board.
- (C) In the event the participant is determined to be incapacitated from the performance of his or her regular duties in covered employment, a disability benefit calculated in the same manner specified by section 3307.631 of the Revised Code shall be granted, notwithstanding the date membership was established in the retirement system or any previous election of disability programs.

- (D) Both the defined benefit and defined contribution portions of the participant's combined plan account shall be applied to fund a disability benefit. The defined contribution portion of the participant's account shall be closed upon the grant of a disability benefit. The participant shall thereafter be ineligible to participate in the defined contribution portion of the combined plan. However, in the event such a participant returns to covered employment, future contributions will be credited and allocated as though sections 3307.56, 3307.631, 3307.58 and 3307.66 of the Revised Code were applicable, with eligibility for subsequent payments of benefits as therein specified.
- (E) Neither service credit established under nor contributions to the public employees retirement system created by Chapter 145. of the Revised Code or the school employees retirement system created by Chapter 3309. of the Revised Code may be combined with credit or contributions to this retirement system for either determination of eligibility for disability benefits or calculation of any such benefits.
- (F) Disability benefits under the combined plan shall terminate as specified by division (C) of section 3307.631 of the Revised Code upon the attainment of age sixty-five or the later date therein specified, with subsequent retirement benefits calculated as provided by section 3307.59 of the Revised Code.
- (G) If a former recipient of disability benefits whose benefits were terminated returns to teaching service and subsequently completes two years of service credit, credit shall be granted under section 3307.48 of the Revised Code for the period as a disability benefit recipient.

Effective:

R.C. 119.032 review dates: 06/18/2014

Certification

Date

Promulgated Under: 111.15
Statutory Authority: 3307.80
Rule Amplifies: 3307.81
Prior Effective Dates: 7/1/01 (Emer.), 9/17/01, 7/16/04, 6/18/09, 1/7/13 (Emer.), 3/24/13, 7/1/13 (Emer)