

Disability Process

Department of Retirement Systems

Overview

- ▶ Legislation
 - ▶ Application Process
 - ▶ Review
 - ▶ Disability Determination
 - ▶ Disability Benefits
 - ▶ Disability Disqualification
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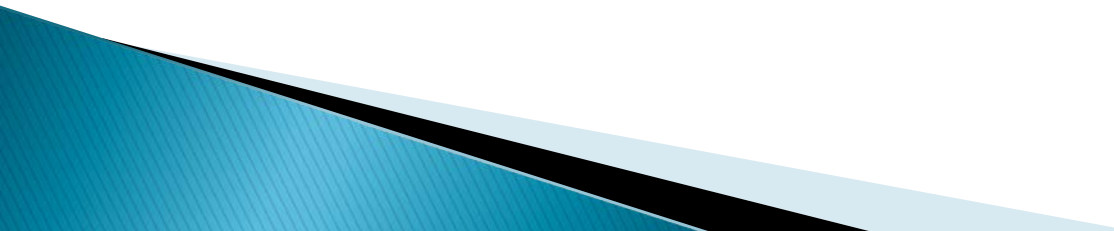
Legislation

- ▶ RCW 41.26.470
Earned Disability Allowance
- ▶ WAC 415-104-480
LEOFF Plan 2 duty disability benefits

Application Process

- ▶ Three-part disability application – DRS Form
 - Part 1: Disability retirement application
 - Part 2: Employer's statement and report
 - Part 3: Medical report
- ▶ Additional information requested by DRS
- ▶ Any other material to be considered

Review

- ▶ Occupational Nurse Consultant
 - ▶ L&I or self-insurer information/determinations
 - ▶ Medical, vocational and other information regarding the disability
 - ▶ Employer/job description
 - ▶ Membership records
 - ▶ Any other relevant evidence
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Disability Determination

- ▶ WAC 415-104-480 (7)
 - LEOFF Plan Administration
 - Non-duty
 - Duty
 - Catastrophic
- ▶ WAC 415-04
 - Petition Rights

Disability Benefits Duty

- ▶ One-time lump sum payment
 - Equal to 150% of your retirement contributions
 - Payments made to restore service credit after the five-year deadline will be paid at 100%
 - Payment is nontaxable

OR

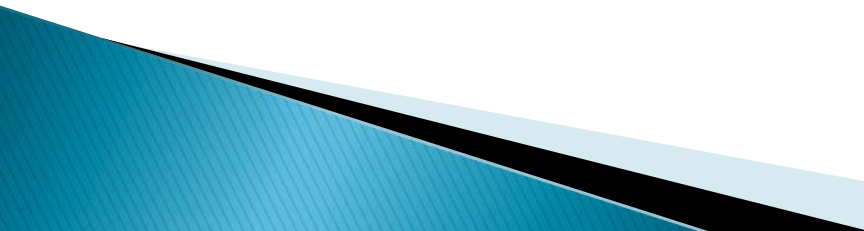
- ▶ Monthly allowance
 - Equal to 10% of your final average salary (FAS)
 - Additional 2% of FAS for each year of service beyond 5 years
- ▶ 10% of the FAS is nontaxable

Disability Benefits Catastrophic

- ▶ Base catastrophic benefit
 - Equal to 70% of FAS
 - Payments may be nontaxable
- ▶ Catastrophic benefit limits
 - DRS benefit combined with Title 51 or Social Security disability benefits may not exceed 100% of FAS
 - Benefit will not be reduced below accrued retirement allowance

▶ Medical Premiums

Disability Disqualification Duty

- ▶ Still able to perform a LEOFF–eligible position
 - ▶ Disability did not occur in the line of duty
 - ▶ Intentional misconduct
 - Gross negligence
 - Voluntary intoxication – alcohol or drugs
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Disability Disqualification Catastrophic

- ▶ Medical/vocational examination reveals the disability no longer prevents performing substantial gainful activity

OR

- ▶ Earnings exceed the threshold for substantial gainful activity
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