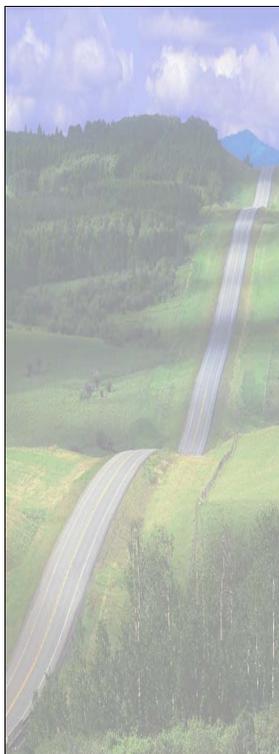


PERS Disability Benefits (for Tiers I, III, and III)



Division of Retirement and Benefits
PO Box 110203
Juneau, AK 99811-0203
(907) 465-4460
(800) 821-2251

Welcome to the Division of Retirement and Benefits presentation on Disability Benefits for Tier I, II and III members of the Public Employees' Retirement System, commonly referred to as the PERS. This presentation does not apply to Tier IV members of the new Defined Contribution Retirement Plan.



Introduction

- Understanding the application process for occupational and nonoccupational disability benefits.
- Tier I
 - Members who first entered the PERS before July 1, 1986.
- Tier II
 - Members who first entered the PERS after June 30, 1986, but before July 1, 1996.
- Tier III
 - Members who first entered the PERS after June 30, 1996, but before July 1, 2006.



In this presentation you will learn how to apply for PERS disability benefits. But first we will begin by defining Tiers I, II, and III in the PERS:

You are a member of Tier I if you first entered the PERS before July 1, 1986.

You are a member of Tier II if you first entered the PERS after June 30, 1986, but before July 1, 1996.

And you are a member of Tier III if you first entered the PERS after June 30, 1996, but before July 1, 2006.



Topics of Discussion

- Eligibility requirements
 - Occupational Disability
 - Nonoccupational Disability
- Application Process
- Review and Determination
- Approval and Denial
- Continuing Eligibility Requirements



We'll be talking about the eligibility requirements for these benefits, and the forms and records needed to apply. We'll also discuss the review and decision making process. There is additional information you need to know whether you are approved or denied benefits.



Eligibility for Occupational Disability

- Eligibility begins on your first day of PERS employment.
- You are eligible to apply if you suffer a work-related injury or illness.
- You must be presumably permanently disabled from performing your duties.
- You must terminate your employment because of your disability.



PERS Occupational Disability benefits are available to you immediately after you start working in a PERS position. You must show that you have experienced an illness or injury as a result of performing the normal duties of your position, and that this has resulted in you being permanently disabled (either physically or mentally) from performing those duties. Your employer may provide opportunities for you to continue to work in a different capacity, but if you are approved for occupational disability benefits you will need to terminate your position due to your disabling condition.



Eligibility for Nonoccupational Disability

- Eligibility begins once you are vested in PERS.
- You are eligible to apply if you suffer an injury or illness not related to employment.
- You must be presumably permanently disabled from performing your duties.
- You must terminate your employment because of your disability.



To be eligible to apply for PERS **non**occupational Disability benefits you must be vested (which means have at least five years of paid up PERS service). This benefit is for those who become permanently disabled (either physically or mentally) from performing the duties of their position due to an injury or illness that is not work-related. Again, your employer may provide alternative duties for you, but if you are approved you must terminate employment because of the disabling condition.



Application for Benefits

- Do not need to terminate employment in order to apply.
- Contact the division for disability benefit counseling and to request an application.
- Review the application booklet and complete the application.
- Return the completed application to the division.



First, you should know that you do not have to terminate employment in order to apply for disability benefits.

Specialists at the Division of Retirement and Benefits are available to provide counseling on these benefits, and to assist you through the application process. The first step you should take is to call the division and ask to speak to a PERS Disability Counselor. You will then be sent an application packet.



Application Deadline

- Your application must be received in the division no later than 90 days after you terminate employment due to your disability.
- This deadline may be waived only by the Commissioner of the Department of Administration if there were extraordinary circumstances that resulted in the missed deadline.



Once you receive the packet, make sure you return the application to the division as soon as possible, especially if you have already terminated your PERS/TRS employment.

You must submit your application to the division within 90 days after your last day of employment if you have terminated employment. If your application is not received within 90 days of your termination date, it will not be accepted. If there are extraordinary circumstances that caused the delay in filing, you may be granted a waiver of this deadline. Extraordinary circumstances include being confined to a hospital or judged incompetent, but do not include lack of information or mere neglect.

Again, remember that you do not have to terminate employment in order to apply.



Medical Documentation

- Contact your physicians and health care providers to request a complete copy of your records.
- Contact your treating physicians and health care providers to request completion of the *Physician's Statement of Disability*.
- Provide this documentation to the division.



You as the applicant bear the burden of proof to show you are permanently disabled. You should be prepared to provide to the division your complete medical history, including records from your current providers and those you have seen in the past. Your treating providers must also complete a special form (the Physician's Statement of Disability) that must be returned to the division.



Employer Information

- Contact your supervisor or employer to request completion of the *Employer's Statement of Disability*.
- Ask them to provide a copy of your position description.
- Have all information sent to the division.



Your supervisor will also need to provide information to the division regarding your position and how your condition impacts your ability to perform the duties of your job. Your employer will need to complete the Employer's Statement of Disability and return it to the division along with a copy of your current job description.



Workers' Compensation

- If you are applying for occupational disability benefits, you should have already applied for workers' compensation.
- Contact your workers' compensation carrier and ask them to send a complete copy of your file to the division.



If you are filing for occupational disability, the division will also need a complete copy of your file from your workers' compensation carrier. Because occupational disability benefits are tied to a work-related injury or illness, you have the right to apply for workers' compensation benefits.



Authorization to Release Information

- You must sign the *Authorization to Release Information*.
- The division will use this release to obtain additional documentation if necessary.
- All information obtained will be kept confidential.



In the event you are unable to obtain records, or if the division determines there is a need for additional records, the Authorization to Release Information will allow the division to request these records on your behalf. However, the cost of these records is your responsibility.



Review

- Once your file is complete, it is reviewed by a physician or psychiatrist.
- The reviewing expert will make a written recommendation to the PERS Administrator or may ask for additional information.



After your file has been determined to be complete, it will be reviewed by a medical or psychiatric expert familiar with the statutory requirements for these benefits. The expert will either request additional documentation, or make a written recommendation to the PERS Administrator to approve or deny your application.



Determination

- The PERS Administrator will review your complete file, including the expert recommendation.
- A formal determination will be made to approve or deny your application.
- You will be notified of the determination by telephone and in writing.



Only the PERS Administrator may make a final decision on your application. Once the formal determination is made, you will immediately be notified by telephone and in writing.



Approval

- If you are approved, your appointment to disability is effective the first of the month following the date you terminated employment.
- Provided you continue to be eligible, you will remain on disability until the date you are eligible for normal retirement.



If you are approved, you will need to terminate employment within 30 days of notification. Your disability benefit, including health insurance, is effective the first of the month following your date of termination. You will remain on disability until you reach normal retirement eligibility by age or service, provided you meet continuing eligibility requirements.



Denial

- If your application is denied, you will have an opportunity to file an appeal of the determination of the PERS Administrator.
- Your appeal would be heard by an Administrative Law Judge with the State of Alaska's Office of Administrative Hearings.
- You have further appeal rights through the Alaska courts.



If you are denied benefits, you will be given formal appeal rights to the decision. Your appeal of a denial of benefits must be received in the division no later than 30 days after you receive written notification of the denial.



Continuing Eligibility Requirements

- If you were hired on or after July 1, 1986, you must apply to the Division of Vocational Rehabilitation within 30 days of your appointment to disability benefits.
- If you were hired on or after July 1, 1976, and are appointed to nonoccupational disability benefits, you must provide a Social Security Award of Disability within one year of your appointment date.



If you are approved for benefits, there are ongoing eligibility requirements. You must apply to the Division of Vocational Rehabilitation within 30 days of your appointment date. If you are approved for **non**occupational disability benefits, you must also provide a Social Security Award of Disability within one year of your appointment date. If you are not eligible for Social Security Disability benefits, you will need to provide medical documentation annually that shows you would meet the medical qualifications for that benefit.



More Information

For more information on PERS Disability Benefits, please refer to your *Public Employees' Retirement System Information Handbook* or visit our website at www.state.ak.us/drb.

Division of Retirement and Benefits
PO Box 110203
Juneau, AK 99811-0203
(907) 465-4460
(800) 821-2251



For more information on PERS Disability Benefits, please refer to your Public Employee's Retirement System Information Handbook, or visit our website at [www dot state dot ak dot us forward slash drb](http://www.state.ak.us/drb)