



Ohio Administrative Code

Rule 123:1-33-11 Notice of disqualification from receipt of disability leave benefits.

Effective: July 30, 2020

(A) An employee's benefits will be terminated if the employee:

- (1) Is removed from state service or certified against except as provided under rule 123:1-41-21 of the Administrative Code;
- (2) Engages in any occupation for wage or profit that is the same or similar to their current state of Ohio position, or has the same or similar physical requirements, except as provided in rule 123:1-33-07 of the Administrative Code;
- (3) Engages in any act of fraud or misrepresentation involving the disability claim including the alteration of attending physician statements;
- (4) Does not consult a state licensed practitioner for necessary medical or mental health care pursuant to paragraph (D) of rule 123:1-33-01 of the Administrative Code or fails to comply with the prescribed treatment plan;
- (5) Does not notify the appointing authority of a change of address pursuant to paragraph (F) of rule 123:1-33-02 of the Administrative Code;
- (6) Is convicted of the commission of a felony; or
- (7) Does not comply in a timely manner with state employees' retirement system pursuant to paragraph (D) of rule 123:1-33-02 of the Administrative Code.

(B) If any employee engages in any of the acts listed in paragraph (A) of this rule, the director or designee will notify the employee of the intention to disqualify the employee from receiving disability leave benefits as of the date the employee first engaged in any of the prohibited acts. Such notice will contain the reason for the proposed termination of benefits. If the employee disagrees



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with the proposed termination, he or she may file an appeal in accordance with rule 123:1-33-04 of the Administrative Code.