



Ohio Administrative Code Rule 145-2-25 Combined disability benefits.

Effective: January 1, 2022

- (A) This rule amplifies section 145.37 of the Revised Code.
- (B) "Paying system" shall have the same meaning as defined in section 145.37 of the Revised Code.
- (C) As used in this rule, "last date of service" means the last day of compensated service, either for a day worked or used paid leave, under the public employees retirement system, state teachers retirement system, or school employees retirement system.
- (D) If a member of the public employees retirement system files an application for a disability benefit pursuant to section 145.35 of the Revised Code, and also chooses to apply for a combined disability benefit with the state teachers retirement system or school employees retirement system, the following shall apply.
- (1) If this system receives the application for combined disability, it shall notify the other retirement system(s).
 - (2) If this system is the paying system, it shall request and pay for the examining physician(s) report(s).
 - (3) Disability shall be determined on the basis of the duties for the position held on the member's last date of service under school employees retirement system, public employees retirement system, or state teachers retirement system. If the member's last date of service is concurrent under two or more systems, disability for the performance of duty shall be determined on the basis of the duties for the position with the greater annual compensation or earnable salary at the time of application.
- (E) If this system is the paying system of a combined disability benefit, this system's rules and statutes shall govern the disability benefits. A finding of disability shall be based on the member's ability to perform the member's last date of service under school employees retirement system,



public employees retirement system, or state teachers retirement system. If a combined disability benefit is terminated and the member applies for a refund of accumulated contributions, the refund shall include any unused employee contributions received from the school employees retirement system or the state teachers retirement system.

(F) For purposes of division (B)(9) of section 145.37 of the Revised Code, "employment amenable to coverage in any state retirement system" means employment that would impact a retirement or disability benefit under any state retirement system that participated in the former member's combined retirement or disability benefit.