



Ohio Administrative Code

Rule 3307:1-7-04 Disability benefits - treatment.

Effective: June 7, 2019

(A) If the medical review board or its chair determines that through medical treatment or mechanical devices an applicant's condition might be improved, within the twelve month period following the filing of an application, consideration of the application may be delayed while the applicant obtains the treatment or mechanical devices specified by the medical review board or its chair provided that:

(1) The medical review board or its chair has determined that medical treatment or mechanical devices offer a reasonable expectation of correction or rehabilitation of the disabling condition to the extent that the applicant could be expected to be capable of performing teaching duties within a reasonable time, but not to exceed six months.

(2) The medical review board or its chair has determined that the medical treatment or mechanical devices specified are of wide acceptance and readily available.

(3) The medical treatment or mechanical devices specified under this paragraph shall not include invasive procedures or shock treatment.

(4) Within fifteen calendar days of the end of the treatment period, the applicant shall submit medical evidence from the applicant's medical specialist regarding the treatment provided and progress made during the treatment period.

(5) An applicant may request an extension or exception to the foregoing requirements. Any such request shall be in writing directed to the retirement system, and will be granted only if the request demonstrates good cause to the retirement system in its sole discretion.

(6) In the event an applicant fails to carry out the requirements outlined in paragraph (A) of this rule, the application for disability benefits will be cancelled.

(B) The retirement board may specify medical treatment or mechanical devices as described in



paragraph (A) of this rule as a condition of eligibility for granting or continuing disability benefits pursuant to division (G) of section 3307.62 of the Revised Code. Where such treatment is required:

(1) The applicant or recipient shall agree in writing before disability benefits are granted or continued to acquire the treatment or devices specified by the retirement board or its designee(s) upon the recommendation of the chair of the medical review board. An applicant or recipient shall further agree to timely submit periodic reports of the effect of such continuing treatment or devices.

(2) The retirement board will not assume the cost of medical treatment or mechanical devices for a recipient except to the extent such treatment or devices are covered under the retirement system health care program and such a recipient has enrolled in a medical plan provided by the retirement system that covers the treatment or devices.

(3) Disability benefits shall be suspended if the recipient fails to agree or obtain the specified medical treatment or devices or to submit timely reports of such treatment. Notice shall be given to the recipient at least thirty days in advance of suspension. If the required written agreement, treatment and/or reports are thereafter not received for a period of one year or the disability benefit is terminated for any reason during the one-year period, the recipient's right to the disability benefit shall terminate as of the effective date of the original suspension.

(C) Following receipt of notice that consideration of the application is being delayed due to paragraph (A) of this rule, the applicant may submit further medical evidence supporting why treatment or mechanical devices should not be pursued. The evidence will be reviewed by the chair of the medical review board and a determination by the chair that the application be delayed while the applicant obtains medical treatment or medical devices shall be final.