



Ohio Administrative Code Rule 3309-1-34 Combined disability benefits.

Effective: May 3, 2019

(A) This rule amplifies section 3309.35 of the Revised Code.

(B) As used in this rule:

"Last date of service" means last day of compensated service, either for a day worked or used paid leave, under the school employees retirement system, public employees retirement system, or state teachers retirement system, whichever is latest.

(C) If this system is the paying system and a member of school employees retirement system files an application for a disability benefit pursuant to section 3309.39 of the Revised Code and also chooses to apply for a combined disability benefit with the public employees retirement system or the state teachers retirement system, the following shall apply:

(1) This system shall request and pay for the examining physician(s) report(s).

(2) Disability shall be determined on the basis of the member's ability to perform the duties for the position held on the member's last date of service. If the member's last date of service is concurrent under two or more systems, disability for 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 the application.

(3) If a disability benefit is granted, this system shall notify the other retirement system(s) of the decision and the member's intent to combine.

(D) If this system is the paying system of a combined disability, this system's rules and statutes shall govern the disability benefits, and this system will be responsible for subsequent medical examinations.



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