

Disability Retirement Process

A Guide To The
Administrative Process
For Disability Retirement
Applications



2223 E. Wellington Avenue, Suite 100
Santa Ana, CA 92701-3161
Tel: (714) 558-6200
Web site: www.ocers.org

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OVERVIEW

The disability retirement process has two stages: the application phase and the administrative hearing, if requested. In the application phase, the member files a disability retirement application and supporting documentation with OCERS, he or she has a medical evaluation and the application is processed by our Disability staff to be presented to the Board of Retirement for an initial decision. If the member disagrees with the result, the member may request an administrative hearing. Also, the Board of Retirement may refer a matter to an administrative hearing on its own motion.

THE APPLICATION PROCESS

A disability retirement application packet contains the Application for Disability Retirement, an Employee's Statement of Disability, an Authorization for Disclosure, and a Physician's Statement of Disability. The entire packet must be submitted at the time of filing to have a valid application; the application may be filed by the member, the member's employer or by someone acting on behalf of the member. Prior to the initial Board determination, the member must submit medical reports and other documentation in support of the disability retirement application. Also, the member will be scheduled for a medical evaluation. The Disability staff will investigate the disability application and will present the application to the Board of Retirement at its next regular Board Meeting with a recommendation to grant or deny

the application. This process on average takes nine to twelve months.

BOARD MEETINGS AND SUPPORTING DOCUMENTS

All medical evidence and other supporting documents must be submitted to the Disability staff *prior* to a member's matter being presented to the Board. The member will be advised of the date and time that the Board will consider the application as well as staff's recommendations. The member or his/her attorney may appear at the Board Meeting to speak briefly in support of the application. In general, speakers have three minutes to address the Board.

When addressing the Board, comments should be directed towards the pending Board action. Oral testimony is not taken at the Board Meeting.

ADMINISTRATIVE HEARINGS

If the member disagrees with the Board's initial determination on an application, then an administrative hearing may be requested. Also, the Board may refer a matter directly to a hearing. This administrative hearing is held before a hearing officer. The hearing officer is not bound by the Board's prior decision and after the hearing is held, the hearing officer will make a recommendation on the disability retirement application to the Board. (See *Policy For Disability Retirement Hearings*.)

THE DISABILITY PROCESS

This pamphlet gives general information about the disability retirement process with the Orange County Employees Retirement System.

While the information in this pamphlet is not a substitute for legal advice, it has been designed to guide members and attorneys appearing before the Board of Retirement as to the steps involved with a disability retirement application.

The length of time to process a member's application and, if necessary, to have an administrative hearing will depend on the circumstances of the member's particular matter.

If you have any questions about the disability application process, please contact the OCERS Disability staff at (714)558-6200.

Questions about benefit calculations should be addressed to a Retirement Specialist in OCERS' Member Services; they can be reached at (714) 558-6200.