ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CALIFORNIA 92701

DISABILITY COMMITTEE MEETING
MONDAY, NOVEMBER 16, 2026
8:30 A.M.

Members of the Committee
Chuck Packard, Chair
Jeremy Vallone, Vice Chair
Roger Hilton, Board Member
Richard Oates, Board Member

Members of the public who wish to observe and/or participate in the meeting may do so (1) from the OCERS Boardroom or (2) via the Zoom app or telephone (information below) from any location.

OCERS Zoom Video/Teleconference information	
Join Zoom Meeting https://ocers.zoom.us/j/89506168634 **Meeting ID: 895 0616 8634** **Passcode: 231023** Go to https://www.zoom.us/download to download Zoom app before meeting Go to https://zoom.us to connect online using any browser.	**Join by Telephone (Audio Only)** Dial by your location +1 669 900 6833 US (San Jose) +1 346 248 7799 US (Houston) +1 253 215 8782 US +1 301 715 8592 US +1 312 626 6799 US (Chicago) +1 929 436 2866 US (New York) **Meeting ID: 895 0616 8634** **Passcode: 231023**
A Zoom Meeting Participant Guide is available on OCERS website Board & Committee meetings page	

AGENDA

This agenda contains a brief general description of each item to be considered. The Committee may take action on any item listed on this Agenda; however, except as otherwise provided by law, no action shall be taken on any item not appearing on the Agenda. The Committee may consider matters included on the agenda in any order, and not necessarily in the order listed.

OPEN SESSION

1. CALL MEETING TO ORDER AND ROLL CALL

2. BOARD MEMBER STATEMENT REGARDING PARTICIPATION VIA ZOOM (IF NECESSARY) (Government Code section 54953(f))

3. PUBLIC COMMENTS

Members of the public who wish to provide comment during the meeting may do so by "raising your hand" in the Zoom app, or if joining by telephone, by pressing * 9 on your telephone keypad. Members of the public who participate in the meeting from the OCERS Boardroom and who wish to provide comment during the meeting may do so from the podium located in the OCERS Boardroom. When addressing the Committee, please state your name for the record prior to providing your comments. Speakers will be limited to three (3) minutes.

At this time, members of the public may comment on (1) matters not included on the agenda, provided that the matter is within the subject matter jurisdiction of the Committee; and (2) any matter appearing on the Consent Agenda.

In addition, public comment on matters listed on this agenda will be taken at the time the item is addressed.

CLOSED SESSION
Government Code section 54957

Adjourn to Closed Session under Government Code section 54957 to consider disability applications and to discuss member medical records submitted in connection therewith. The member may waive confidentiality and request his or her disability application to be considered in Open Session. As per the OCERS Bylaws, for disability matters before the Board, the applicant or their attorney is allowed to present for a maximum of ten (10) minutes. The opposing counsel is allowed a time limit of seven (7) minutes for argument, followed by a three (3) minute rebuttal from the applicant or their attorney.

DA-1: BICKKIE SOLOMON
Senior Medical Services Manager, Orange Health Care Agency (General)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Deny service-connected and non-service connected disability retirement due to insufficient evidence of permanent incapacity.

OPEN SESSION

REPORT OF ACTIONS TAKEN IN CLOSED SESSION

CONSENT ITEMS

All matters on the Consent Agenda are to be approved by one action unless a Committee Member requests separate action on a specific item.

C-1 MINUTES FROM OCTOBER 19, 2026, DISABILITY COMMITTEE MEETING

Recommendation: Approve the minutes.

ACTION ITEMS

NOTE: Public comment on matters listed in this agenda will be taken at the time the item is addressed, prior to the Committee's discussion of the item. **Members of the public who wish to provide comment in connection with any matter listed in this agenda may do so by "raising your hand" in the Zoom app, or if joining by telephone, by pressing * 9, at the time the item is called. Persons attending the meeting in person and wishing to provide comment on a matter listed on the agenda should fill out a speaker card located at the back of the Boardroom and deposit it in the Recording Secretary's box located near the back counter.**

A-1 INDIVIDUAL ACTION ON ANY ITEM TRAILED FROM THE CONSENT AGENDA

A-2 REVIEW DISABILITY COMMITTEE CHARTER AND OPTIONS FOR COMMITTEE REVIEW OF DISABILITY RETIREMENT APPLICATIONS

Recommendation: Discuss the options for the Disability Committee's role in reviewing disability retirement applications and provide direction to staff. Based on that direction, either recommend that the Board approve the Disability Committee Charter as presented, or direct staff to return with a revised Charter.

A-3 REVIEW DISABILITY APPLICATION REVIEW PROCESS OCERS ADMINISTRATIVE PROCEDURE

Recommendation: Review the Disability Application Review Process OCERS Administrative Procedure (OAP). If the Committee directs staff to retain the current disability application review process, recommend that the Board approve the attached OAP. If the Committee directs staff to revise the Disability Committee Charter, staff will make corresponding changes to the OAP and return both documents for approval.

COMMITTEE MEMBER COMMENTS

CHIEF EXECUTIVE OFFICER/STAFF/COUNSEL COMMENTS

ADJOURNMENT

NOTICE OF NEXT MEETINGS

REGULAR BOARD MEETING
MONDAY, NOVEMBER 16, 2026
9:30 A.M.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CA 92701

AVAILABILITY OF AGENDA MATERIALS - Documents and other materials that are non-exempt public records distributed to all or a majority of the members of the OCERS Board or Committee of the Board in

connection with a matter subject to discussion or consideration at an open meeting of the Board or Committee of the Board are available at the OCERS' website: https://www.ocers.org/board-committee-meetings. If such materials are distributed to members of the Board or Committee of the Board less than 72 hours prior to the meeting, they will be made available on the OCERS' website at the same time as they are distributed to the Board or Committee members. Non-exempt materials distributed during an open meeting of the Board or Committee of the Board will be made available on the OCERS' website as soon as practicable and will be available promptly upon request.

It is OCERS' intention to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or participant at this meeting, you will need any special assistance beyond that normally provided, OCERS will attempt to accommodate your needs in a reasonable manner. Please contact OCERS via email at adminsupport@ocers.org or call 714-558-6200 as soon as possible prior to the meeting to tell us about your needs and to determine if accommodation is feasible. We would appreciate at least 48 hours' notice, if possible.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM
2223 E. WELLINGTON AVENUE, SUITE 100
SANTA ANA, CALIFORNIA 92701

DISABILITY COMMITTEE MEETING
MONDAY, OCTOBER 19, 2026
8:30 A.M.
MINUTES

OPEN SESSION

Chair Packard called the meeting to order at 8:33 a.m.

Recording Secretary administered roll call.

Attendance was as follows:	Charles Packard, Chair; Roger Hilton, Committee Member; Richard Oates, Committee Member
Also in Attendance:	Steve Delaney, CEO; Brenda Shott, Deputy CEO; Will Tsao, Assistant CEO, External Operations; Nicole McIntosh, Director of Disability; Manuel Serpa, General Counsel; Joon Kim, Staff Attorney; Adrianne Gordon, Disability Retirement Investigator; Brittany Brayboy, Disability Retirement Investigator; Anthony Beltran, Audio Visual Technician; Marielle Horst, Recording Secretary
Absent:	Jeremy Vallone, Vice Chair

PUBLIC COMMENT
None.

CLOSED SESSION

The Committee adjourned to closed session at 8:34 a.m.

DA-1: NATALIA TRESSLER
Deputy Sheriff I, Orange County Sheriff's Department (Safety)

Recommendation: Staff recommends that the Disability Committee forward to the Board of Retirement a recommendation to:

- Grant service-connected disability retirement.
- Set the effective date as July 11, 2025.

OPEN SESSION

The Committee reconvened to open session at 8:42 a.m.

Mr. Serpa reported that during closed session, the Committee voted unanimously to approve staff's recommendation.

CONSENT ITEMS

C-1 MINUTES FROM AUGUST 17, 2026, DISABILITY COMMITTEE MEETING

Recommendation: Approve the Minutes.

A **MOTION** was made by Mr. Hilton, **seconded** by Mr. Oates, to approve the Disability Committee meeting minutes. The motion passed **unanimously**.

COMMITTEE MEMBER COMMENTS
None.

CHIEF EXECUTIVE OFFICER/COUNSEL/STAFF COMMENTS
None.

ADJOURNMENT

The meeting adjourned at 8:43 a.m.

Submitted by:	Submitted by:	Approved by:
_____	_____	_____
Will Tsao, Staff Liaison	Steve Delaney, Secretary to the Board	Charles Packard, Chair

Memorandum

DATE: November 16, 2026

TO: Members of the Disability Committee

FROM: Will Tsao, Assistant CEO, External Operations; Nicole McIntosh, Director of Disability

SUBJECT: **REVIEW DISABILITY COMMITTEE CHARTER AND OPTIONS FOR COMMITTEE REVIEW OF DISABILITY RETIREMENT APPLICATIONS**

Recommendation

Discuss the options for the Disability Committee's role in reviewing disability retirement applications and provide direction to staff. Based on that direction, either recommend that the Board approve the Disability Committee Charter as presented, or direct staff to return with a revised Charter.

Background

The Disability Committee was established in December 2017. Under the original process, the Committee took action on every disability retirement application, including grants, denials, and denials without prejudice, before the matter was placed on the Board's consent agenda.

On February 21, 2023, the Board approved delegating to the CEO the responsibility to fully develop disability retirement grant recommendations for the Board's consideration and approval. In April 2023, the Committee reviewed, and recommended that the Board approve, updates to the Disability Committee Charter, the Administrative Review and Hearing Policy, and the Disability Application Review Process OCERS Administrative Procedure to reflect the new process. The updated process has been in place since May 2023.

Under the current process, every application is investigated, the investigator's recommendation is audited by the Director of Disability, and the case is reviewed at the Black Book meeting with the disability investigators, disability counsel, the CEO, and the Assistant CEO, External Operations. Following that review:

- **Full grants** are approved by the CEO and placed on the next Board consent agenda.
- **Denials without prejudice** are approved by the CEO. The member has 90 days to request a hearing; if no request is filed, the matter is placed on the Board consent agenda.
- **Denials and partial grants**, and any case in which the CEO disagrees with the staff recommendation, are presented to the Disability Committee for action.

In addition, as a matter of practice, staff presents certain grant recommendations to the Committee for action rather than to the CEO: psychiatric claims, COVID-related claims, and cases involving conflicting medical evidence. This practice is not currently written into the Charter or procedures.

The Committee continues to receive the materials for every case, the Board gives final approval on every application, and any trustee may request that an item be removed from the consent agenda for discussion.

Memorandum

Discussion

The Disability Committee Charter is due for re-approval. Approval has been held so that the Committee may first consider whether it should resume taking action on every disability retirement application, consistent with the process in place before 2023. The attached presentation provides additional detail on each of the points below.

2026 Case Activity (January 1 – October 28, 2026)

- 73 disability retirement decisions: 64 grants and 9 denials.
- 6 cases were presented to the Committee for action (merit denials and complex cases).
- 67 were approved by the CEO: 60 grants and 7 denials without prejudice.
- Under the original process, the Committee would have acted on all 73 cases, approximately 7 per month, compared with fewer than 1 per month under the current process.

Member Timing

Under the current process, a grant approved by the CEO is placed on the next Board consent agenda, approximately one month sooner than under the original process, when the grant first went to the Committee. In 2026, 60 members' grants followed this path.

Peer System Survey

In 2025, staff surveyed 16 public retirement systems on how they deliberate disability retirement applications:

- 8 systems place undisputed grants on the Board's consent agenda; disputed applications are deliberated by the Board.
- 6 systems have the Board deliberate all grants and denials.
- 1 system has a disability committee deliberate all grants and denials, with the committee's recommendation placed on the Board consent agenda, similar to OCERS' prior process.
- 1 system relies on a medical consultant's recommendation, which is placed directly on the consent agenda.

Only three of the surveyed systems maintain a disability committee, and it is unclear whether those committees deliberate individual applications. LACERA places grants on its consent agenda and sends denials directly to hearing; its former disability committee addressed policy matters only and has since been disbanded.

Leadership Continuity

The current process relies on the CEO to approve full grant recommendations. The Committee may wish to consider whether this delegation should depend on the experience of the individual serving as CEO, and whether the process should be revisited in the event of a leadership transition.

Memorandum

Options for Committee Consideration

1. **Option A – Retain the current process.** Routine grants and denials without prejudice continue to be approved by the CEO, and the Committee continues to act on denials, partial grants, and complex cases. The Committee would recommend Board approval of the Charter as presented.
2. **Option B – Return to Committee action on every application.** The Committee would resume acting on every grant and denial before Board consideration. This would add approximately one month for granted members and increase the Committee's workload to approximately 7 cases per month. A variant would have the Committee act on all grants and merit denials, while denials without prejudice remain with the CEO. Either version would require revisions to the Charter, and conforming updates to related policies and procedures may also be needed.
3. **Option C – Retain the current process with enhanced oversight.** The current process would continue, with oversight measures selected by the Committee, which could include:
    - Written referral criteria for cases presented to the Committee (for example, psychiatric claims, COVID-related claims, and conflicting medical evidence), with the Committee able to add categories.
    - A monthly informational report to the Committee listing CEO-approved grants, with any member able to request a case for discussion.
    - Periodic Committee review of a sample of closed CEO-approved grants.
    - Committee re-evaluation of the process after 12 months.

    Selected measures would be incorporated into a revised Charter.

Attachments

1. Disability Committee Charter
2. Presentation: Disability Retirement Case Review Process – Options for Disability Committee Consideration

Submitted by:

WS - Approved

_____

Will Tsao
Assistant CEO, External Operations

ORANGE COUNTY OCERS EMPLOYEES RETIREMENT SYSTEM

OCERS Board Charter

Disability Committee Charter

Introduction

1. The Board of Retirement (Board) has established the Disability Committee to assist the Board in overseeing the review of disability retirement applications. The Disability Committee is an advisory committee to the Board, and its recommendations are subject to final approval by the Board.

Purpose

2. Under applicable law, the Board must act upon all applications for disability retirement filed by OCERS members. The purpose of the Disability Committee is to ensure diligent analysis of specialized medical records, careful evaluation of applications for disability retirement, and an efficient process for applicants for disability retirement. The Disability Committee will review the administrative record relating to applications for disability retirement, the recommendations of OCERS staff, and the findings and conclusions of the administrative hearing officer, where applicable and will thereafter make recommendations to the Board on approval or denial of applications. In most circumstances, recommendations from the Disability Committee will be placed on the Board's consent agenda for final action in accordance with the Board Policy on Disability and Non-Disability Adjudication.

Duties and Responsibilities

3. The Disability Committee shall:
    a. Review applications for disability retirement when the Staff recommendation is to deny all or part of the Application, and make recommendations to the Board to grant or deny said applications;
    b. Periodically review the disability application and review process with OCERS staff and recommend any changes as necessary or advisable;
    c. Provide oversight for searches for outside consultants and advisors including hearing officers and medical experts, and recommend the appointment of such parties to the Board;
    d. With OCERS staff, coordinate continuing education for the members of the Board on disability-related topics as required; and
    e. Perform any other duties that may be assigned to it by the Board or that are necessary to discharge the Committee's responsibilities with respect to the disability application process.

Membership

4. The Disability Committee shall be composed of three members. The Board Chair shall appoint members of the Disability Committee as provided in the OCERS By-Laws and designate one member to serve as the Committee Chair.

5. The Board Chair shall appoint an alternate member of the Disability Committee, who may be any member of the Board, including the alternate seventh member. The alternate member of the Disability Committee shall attend meetings of the Disability Committee only in the event that a regular member of the Disability Committee is unable to attend.

Meetings

6. The Disability Committee shall meet at least monthly and otherwise on an as needed basis as determined by the Committee Chair in consultation with the Board Chair.
7. All regular Disability Committee members are expected to attend all meetings of the committee, but the alternate member is expected to attend only when a regular member of the Disability Committee cannot attend a meeting.
8. A quorum to conduct business shall consist of two members of the Disability Committee, including the alternate member.
9. The Assistant CEO for External Operations (or their designee), the General Counsel (or their designee), and whatever staff deemed necessary shall attend all Disability Committee meetings. Meeting notices will be provided to interested parties in conformance with applicable laws, regulations, customs, and practices.
10. All meetings shall be conducted in accordance with the Brown Act. Meeting agendas will be prepared and provided in advance to members of the committee, along with appropriate briefing materials. Minutes of meetings will be prepared and will contain a record of persons present, decisions taken, and a high-level summary of the discussion. Disability Committee members shall not discuss disability applications with other Board members outside of the Disability Committee or Board meetings.
11. The Disability Committee shall adjourn to a closed session, Cal. Gov't Code § 54957(b), to discuss the application of any member for disability benefit.
    a. Closed Session With the Parties Present. The Disability Committee shall conduct any discussion of an application as a closed session. Attendance at the closed session will be limited to 1) the parties; 2) counsel for the parties; 3) any OCERS disability staff members and/or attorneys acting as advocates for the staff initial determination; 4) any witnesses called to present testimony before the Disability Committee; 5) OCERS staff necessary to facilitate the hearing (including the clerk of the Board and IT Staff); 6) the CEO or Assistant CEO or their designee; and 7) the OCERS General Counsel (or his/her designee) to provide legal advice to the Disability Committee.
    b. Closed Session Without Parties. Following the Disability Committee's hearing of a matter in a closed session with the parties present, the Disability Committee may adjourn to a closed session including only the CEO or the Assistant CEO or their designee and the OCERS General Counsel (or his/her designee) to provide legal advice to the Board in order to consider the merits of the case and the Board's legal obligations.

ORANGE COUNTY OCERS EMPLOYEES RETIREMENT SYSTEM

OCERS Board Charter

Disability Committee Charter

Monitoring and Reporting

12. The Disability Committee shall:
    a. Make its minutes available to all Members of the Board;
    b. Periodically report to the Board on its activities;
    c. Monitor compliance with and the effectiveness of the disability application process, and report to the Board on the committee's findings, as appropriate; and
    d. Periodically review and, when necessary, amend standardized materials used in the disability application process, as recommended by OCERS staff.

Charter Review

13. The Disability Committee shall review this charter at least once every three (3) years and recommend any amendments to the Board for approval as necessary to ensure that the charter remains relevant and appropriate.

Charter History

14. This charter was adopted by the Board of Retirement on January 16, 2018 and amended on April 17, 2023.

Secretary's Certificate

I, the undersigned, the duly appointed Secretary of the Orange County Employees Retirement System, hereby certify the adoption of this policy.

Steve Delaney, Secretary of the Board — 04/17/23 (Date)

ORANGE COUNTY OCERS EMPLOYEES RETIREMENT SYSTEM

OCERS Board Charter

Disability Committee Charter

CHANGE LOG EDITOR	CHANGES FROM PREVIOUS VERSION	DATE

REVIEWED BY	SIGNATURE	DATE

Disability Retirement Case Review Process

Options for Disability Committee Consideration

Nicole McIntosh, Esq.

Director of Disability- OCERS | Disability Committee, November 16, 2026

Issue for Committee Consideration

Should the Disability Committee resume taking action on every disability retirement application before it goes to the Board?

How cases move today

The prior and current process, side by side

2026 by the numbers

Case volume, Committee actions, member timing

Peer system practices

How 16 other systems handle disability cases

Options

Three paths for the Committee to consider

Background

December 2017

Disability Committee created

Committee acts on every grant and denial before Board consent

February 2023

Board approves delegation

Board delegates development of grant recommendations to the CEO

May 2023

Charter and procedures updated

CEO may approve routine grants and non-joinder denials at Black Book

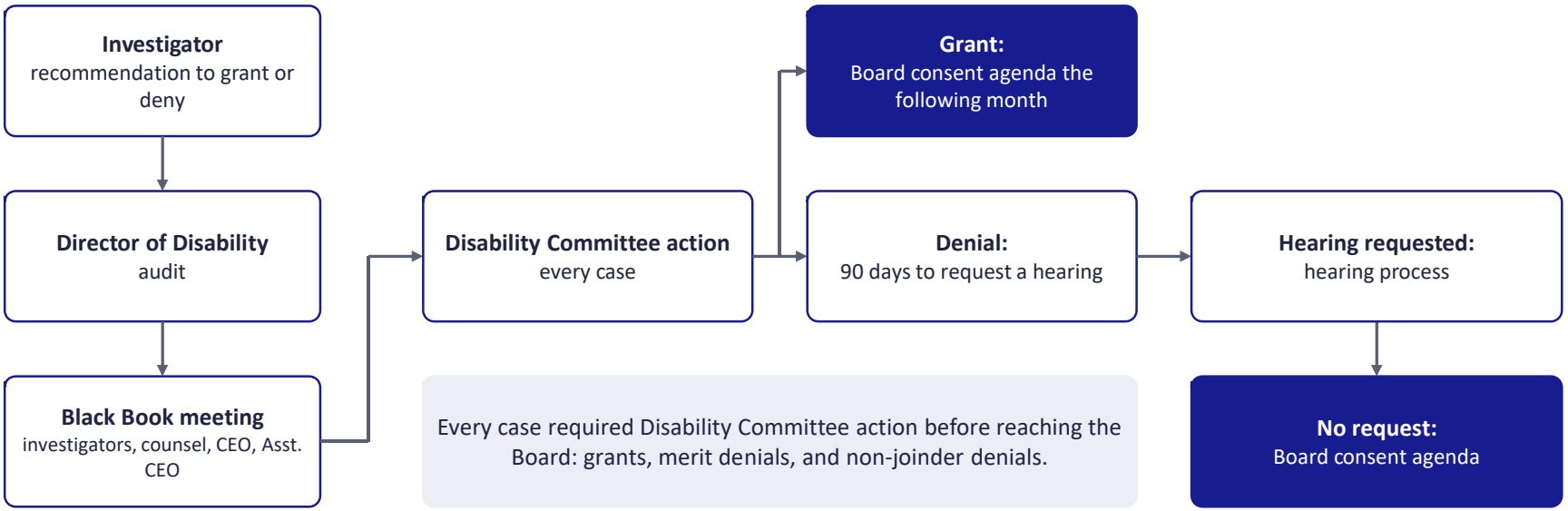
2026

Charter due for re-approval

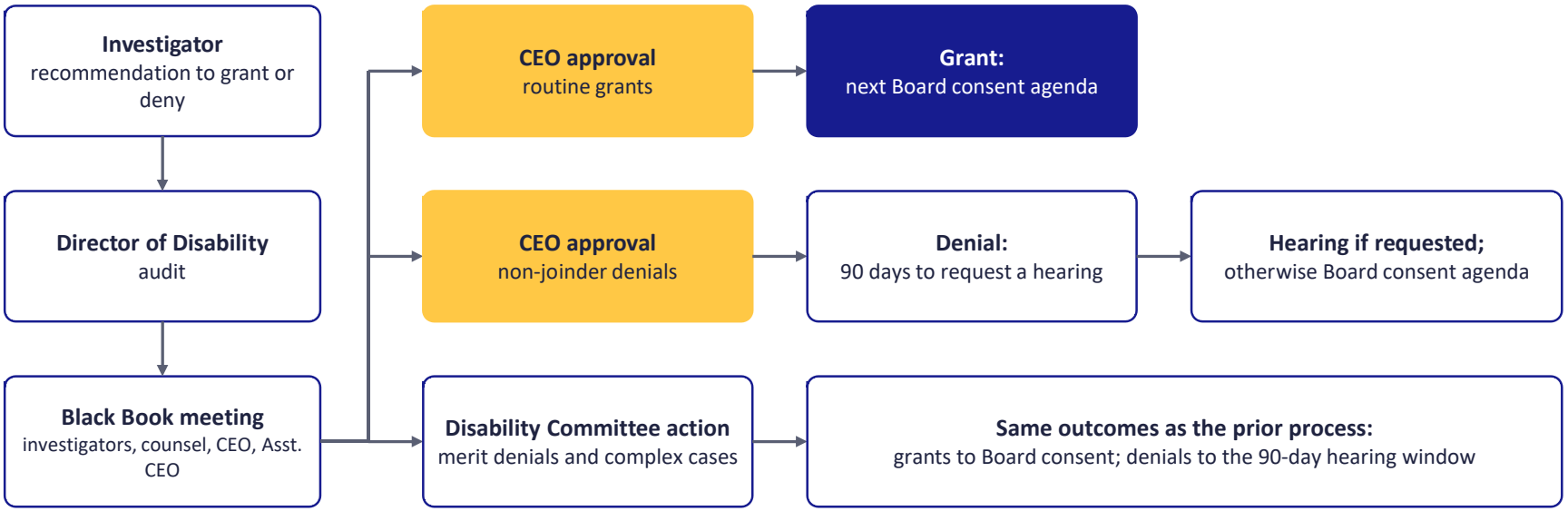
Re-approval held pending this discussion

Goals of the 2023 change: get approved benefits to members sooner, and focus Committee action on cases that require judgment.

Prior Process (2017–2023)



Current Process (Since May 2023)



Board of Retirement consent agenda

Changed in May 2023: CEO approval at Black Book

Complex cases: psychiatric claims, COVID-related claims, and cases with conflicting medical evidence. Any case where the CEO disagrees with the staff recommendation also goes to the Committee.

What Changed and What Didn't

Unchanged

- ✔ Full investigation of every case
- ✔ Director of Disability audit of every recommendation
- ✔ Black Book review with disability counsel, the CEO, and the Asst. CEO
- ✔ Committee receives all case materials
- ✔ Committee acts on merit denials and complex cases
- ✔ Board gives final approval on every case; any trustee may pull a consent item

Changed in May 2023

- ⇄ Routine grants approved by the CEO at Black Book, instead of by Committee vote
- ⇄ Non-joinder denials approved by the CEO at Black Book

Referral of complex cases to the Committee is current practice but is not written into the procedures.

6

Review Points in the Current Process

1	**Investigator** Investigates and prepares the recommendation	**Every case**
2	**Director of Disability** Audits every recommendation	**Every case**
3	**Black Book meeting** Investigators, disability attorneys, CEO, Asst. CEO of External Operations	**Every case**
4	**Disability Committee** Acts on merit denials, complex cases, and any case where the CEO disagrees with staff; receives all materials	**Where applicable**
5	**Board of Retirement** Final approval; any trustee may pull a consent item	**Every case**

The Board retains final authority over every disability application.

Leadership Transition Consideration

Why CEO approval worked in 2023

The CEO approval step was designed around a CEO with direct prior experience reviewing disability claims.

A future leadership transition

A future CEO may not bring the same disability background or comfort making these approvals.

Unchanged regardless of who serves as CEO

- Investigator recommendation
- Director of Disability audit
- Black Book review with disability counsel
- Committee action on merit denials and complex cases
- Board final approval

For the Committee: Should the delegation depend on the CEO's experience? Should the process be revisited when leadership changes?

8

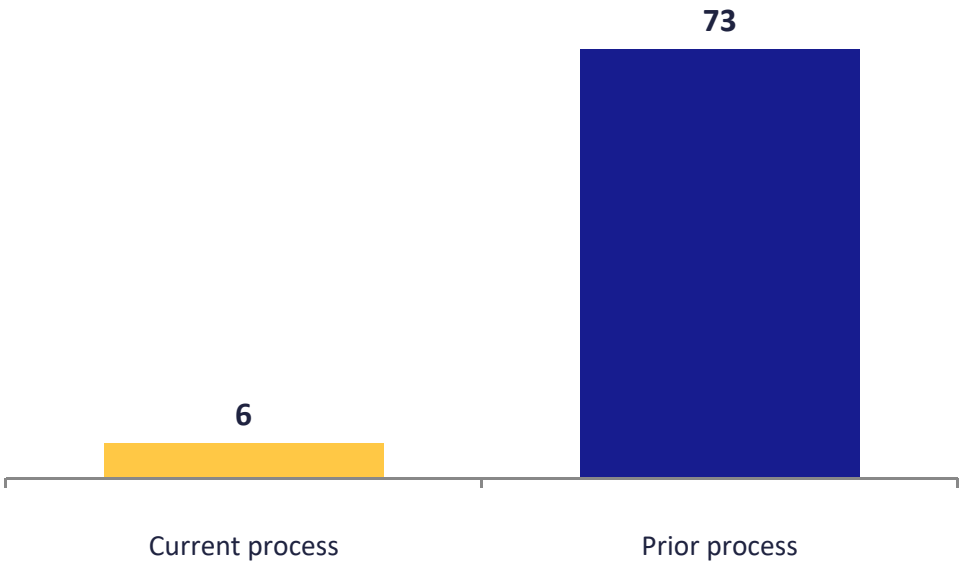
2026 by the Numbers

73 **decisions**
64 grants, 9 denials

6 **Committee actions**
merit denials and complex cases

67 **CEO-approved**
60 grants, 7 non-joinder denials

Committee actions on 2026 cases, by process



About 7 per month under the prior process, compared with fewer than 1 today.

 Year to date, January 1 – October 28, 2026

Member Impact: Timing for Granted Cases

Prior process

Month 1
Black Book meeting

→

Month 2
Disability Committee action

→

Month 3
Board consent agenda

Current process

Month 1
Black Book meeting; CEO approval

→

Month 2
Board consent agenda

About 1 month sooner

60 members in 2026 reached Board approval about one month sooner under the current process.

Peer System Survey

8 of 16

Undisputed grants on consent; disputed cases deliberated

Similar to current OCERS process

6 of 16

Board deliberates every grant and denial

1 of 16

Committee deliberates every case, then Board consent

Similar to prior OCERS process

1 of 16

Medical consultant recommends; placed on consent

LACERA

Grants go to the consent agenda.

Denials go straight to hearing.

Its former disability committee reviewed policy only and has been disbanded.

Only 3 other surveyed systems have a disability committee; it is unclear whether they deliberate individual cases.

11 Survey of 16 public retirement systems conducted in 2025.

Option A: Retain the Current Process

A

What it means

No change. The Committee re-approves the charter as amended in 2023. Routine grants and non-joinder denials continue to be approved by the CEO at Black Book.

Considerations

- Fastest path to Board approval for granted members
- Committee continues to act on merit denials and complex cases
- Committee continues to receive all case materials
- Board final approval of every case is unchanged
- Complex-case referral remains a practice, not a written criterion

Option B: Return to Committee Action on Every Case

B

What it means

The Committee resumes acting on every grant and denial before it goes to the Board, as under the pre-2023 process.

Considerations

- Maximum direct Committee involvement in each case
- Adds about one month for every granted member
- Committee volume of about 7 cases per month, based on 2026
- More packets and agenda time for each meeting
- Cases already in progress would need a transition plan

Variant B2

The Committee acts on all grants and merit denials. Non-joinder denials, which are administrative, continue to be approved by the CEO. Based on 2026, the Committee would act on about 66 cases instead of 73.

Option C: Current Process with Enhanced Oversight

C

What it means

The current process continues, with oversight measures the Committee selects. Any combination of the components below may be adopted.

Written referral criteria

Codify the cases that come to the Committee: psychiatric, COVID-related, and conflicting medical evidence. The Committee may add categories.

Monthly informational report

List CEO-approved grants on the Committee agenda; any member may request a case for discussion.

Periodic sample review

The Committee reviews a sample of closed CEO-approved grants, for example quarterly.

Re-evaluation

The Committee revisits the process after 12 months.

Considerations: keeps current member timing; adds visible, documented Committee oversight.

Options at a Glance

	A: Retain current	B: Every case to Committee	C: Current + oversight
Timing for granted members	Next Board consent agenda after Black Book	About one month longer	Same as current
Committee actions (2026 basis)	6 cases; fewer than 1 per month	73 cases; about 7 per month (B2: about 66)	6 cases, plus any the Committee requests from reports or samples
Committee oversight	Acts on merit denials and complex cases; receives all materials	Acts on every case	Current oversight plus written criteria, monthly reporting, sample review
Charter	Re-approve as amended in 2023	Amend to restore Committee action on all cases	Amend to add selected oversight components

Memorandum

DATE: November 16, 2026

TO: Members of the Disability Committee

FROM: Will Tsao, Assistant CEO, External Operations; Nicole McIntosh, Director of Disability

SUBJECT: **REVIEW DISABILITY APPLICATION REVIEW PROCESS OCERS ADMINISTRATIVE PROCEDURE**

Recommendation

Review the Disability Application Review Process OCERS Administrative Procedure (OAP). If the Committee directs staff to retain the current disability application review process, recommend that the Board approve the attached OAP. If the Committee directs staff to revise the Disability Committee Charter, staff will make corresponding changes to the OAP and return both documents for approval.

Background

The Disability Application Review Process OAP was last updated in 2023 to reflect the Board's February 21, 2023 delegation to the CEO of the responsibility to fully develop disability retirement grant recommendations. The Committee reviewed those updates at its April 17, 2023 meeting and recommended that the Board approve them. The OAP is now due for renewal.

Discussion

The OAP sets out the staff procedures for the disability application review process described in the Disability Committee Charter, which is also before the Committee at this meeting. Because the two documents must remain consistent, the OAP's approval depends on the Committee's direction on the Charter:

- **If the Committee retains the current process,** the attached OAP reflects that process and may be recommended for Board approval.
- **If the Committee directs changes to the Charter,** staff will make corresponding changes to the OAP and bring both documents back to the Committee for approval at a future meeting.

Attachment

1. Disability Application Review Process OAP

Submitted by:

WS - Approved

_____

Will Tsao
Assistant CEO, External Operations

OCERS Administrative Procedure (OAP)

Disability Application Review Process

Disability Application Review Process

The following describes the disability application review process for service connected and non-service connected disabilities:

1. **Submission of Completed Application:** Either the Member or the employer, on behalf of the Member, can apply for a disability retirement. If the Member is applying, the following documents must be submitted to OCERS: (1) an Application for Disability Retirement form and (2) an authorization signed by the Member permitting OCERS Disability Staff (OCERS Staff) to obtain all medical information relating to the Member's physical or mental illness or injury and permitting access to records relating to the Member's current and prior employment and (3) an Employee's Statement of Disability and (4) a physician's statement indicating that the Member is permanently incapacitated from performing the usual and customary duties of their OCERS covered position. If the employer is filing on the member's behalf, the employer need only submit the Application for Disability Retirement form. A notification letter will then be sent by OCERS Staff to the member, inviting the member to join-in on the application by submitting the required forms listed above.
2. **Requesting of Records:** The Member's employer shall complete forms provided by OCERS including the Employer's Statement of Disability and Supervisor Statement forms and provide information as deemed necessary. This is to include any necessary personnel file documents. All information received by OCERS or its agents shall be treated as confidential and not released to anyone except insofar as may be necessary for the administration of the retirement system or upon an order of a court of competent jurisdiction, as provided by Government Code section 31532. OCERS Staff will send a request to Workers' Compensation and/or any treating physicians identified outside of the Workers' Compensation system to obtain the member's relevant medical records. Requests shall be made using standardized request letters or by utilizing copy services.
3. **Determination of the Disability:** The determination of the Member's disability shall be limited to the condition as set forth in the Application for Disability Retirement and supported by a Physician's Statement of Disability.
4. **Additional Information:** If at any point in the process OCERS Staff determines that additional information is necessary; OCERS Staff may require the Member or the employer to submit the additional information.
5. **Medical and Investigatory Services:** OCERS Staff is authorized and directed to secure such medical, investigatory and other services and advice in connection with applications for disability retirement as they may be required in order to make its decision.
6. **Preparation of Records ("Premed"):** OCERS Staff will secure necessary records regarding the employment, injury, medical care, and accommodation of the Member within 180 days of the date the application was filed with OCERS. OCERS staff will then compile all obtained employer, medical, and relevant personnel documents into a single file known as the "premed." The

premed is to also consist of: (1) Employee's Statement of Disability; (2) Employer's Statement of Disability; (3) Physician's Statement of Disability; (4) Supervisor's Statement; (5) Workers' Compensation Information Request form, and; (6) Authorization form.

7. **Examination by an Independent Medical Examiner:** OCERS Staff shall schedule an appointment for the Member with an Independent Medical Examiner (IME). All examinations will be expected to occur within 60 days of finalization of medical record. OCERS Staff will notify the Member in writing of the date, time and location of the appointment. If the Member is unable to attend the appointment, the Member shall notify OCERS immediately, who shall re-schedule the appointment within 30 days of the original appointment, or at a mutually agreed upon future date not to exceed 90 days. As an alternative to an examination by an IME, OCERS Staff may refer the record to an IME for a records-only review. Alternatively, OCERS Staff may make a recommendation based on the medical evidence presented in the application.
8. **Receipt of Independent Medical Examiner opinion:** OCERS Staff will require the IME to submit their report within 45 days of the appointment (or within 45 days of the referral for a records-only review). OCERS Staff will forward a copy of the report to the Member and their attorney (if applicable) upon receipt, certain exceptions may apply to psychiatric claims.
9. **Supplemental Reports, Investigations, or Evaluations**: Within 60 days of receiving the IME report, the OCERS Staff shall complete any additional investigations, evaluations of reasonable accommodations, or request any supplemental reports of an IME. Any additional records obtained shall be sent to the IME along with a request letter outlining any additional questions to be addressed.
10. **Submission of Application to the Disability Committee or CEO:** When the OCERS Staff recommendation is to grant the disability retirement Application in full, the recommendation will be reviewed by the CEO. When the Staff recommendation is to deny the Application or grant only part of the application, OCERS Staff will make a recommendation to the Disability Committee The recommendation shall be submitted to the Committee or CEO within 30 days of receipt of the IME report or the completion of any additional investigations, evaluations of reasonable accommodations, or any supplemental reports of an IME.
11. **Denial of an Application for Failure to Cooperate:** OCERS Staff may recommend that an application for disability retirement be denied and considered null and void for one or more of the reasons set forth below, and the Member does not correct that failure within 90 days:
    a. Failure of the Member to submit to a medical examination when directed by the OCERS Staff; or
    b. Failure of the Member to timely submit additional information as requested by OCERS Staff; or
    c. Any failure to cooperate by the Member or any other act or omission by the Member or Member's representative which prevents the Committee from hearing and making a recommendation to the Board of Retirement (the Board)

on the application for disability retirement within one year of the filing of the application.

Adjudication of Disability Application. The CEO, Committee and the Board shall adjudicate the application in accordance with the OCERS "Adjudication Policy and Administrative Hearing Rules (Disability and Non-Disability Benefits)."