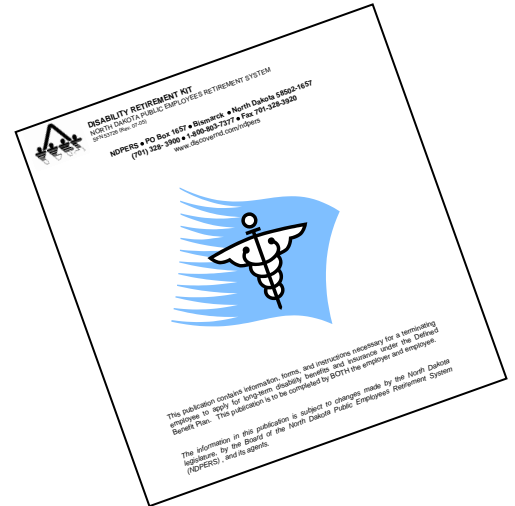


# DISABILITY RETIREMENT BENEFITS

## Disability Benefit Eligibility

After you have accumulated 6 (six) months of service credit in NDPERS, you are covered under the Plan's Disability Retirement program. To be eligible for NDPERS disability retirement benefits the following must apply:

- Your disability must have occurred during a period of eligible employment.
- You must be unable to engage in any substantial gainful activity due to a medically determinable physical or mental impairment expected to result in death or which will or has lasted for a continuous period of not less than 12 (twelve) months.
- You must submit the “**Disability Retirement Forms**” to the NDPERS office within 12 (twelve) months of termination of employment due to disability.
- You must be determined to be disabled by the NDPERS' medical advisor who is responsible for making disability eligibility determinations for the Board. In lieu of a review by the NDPERS' medical advisor, a member who qualifies for Social Security Disability benefits and submits the “Disability Retirement Forms” with a copy of the Social Security Notice of Award may be deemed eligible for NDPERS disability benefits without requiring a determination from the medical advisor. The Social Security Notice of Award must provide proof that the member's disability was determined during his/her period of eligible employment. Eligibility for disability benefits will be subject to ongoing recertification requirements as specified by the NDPERS' medical advisor.



## Disability Benefit Payments

If you are deemed eligible for NDPERS disability benefits, you will receive 25 percent of your final average salary each month for as long as you are disabled under the Single Life payment option. This payment will not be reduced by any other benefits you may be receiving as a result of your disability. Payment will be retroactive to the first of the month following the later of your termination date or last pay date

**Example: For an employee with a final average monthly salary of \$3,000  
25% of \$3,000 = \$750 Monthly Single Life Disability Payment**

Your disability benefit is funded by your employer's contributions. Payment of a disability benefit does not reduce your member account balance until you are age 65.

## **Disability Application Procedure**

You must submit the “**Disability Retirement Forms**” to the NDPERS office **within 12 (twelve) months of termination due to disability.**

When applying for disability, individuals who are at least 55 years old and have a minimum of thirty-six (36) months of service credit should also apply for early retirement benefits. This will allow NDPERS to begin paying you under Early Retirement provisions of the plan while your disability application is being processed.

Applications for disability or early retirement benefits may be submitted to the NDPERS office up to four (4) months prior to your termination of employment.

If the medical advisor determines you are permanently and totally disabled according to this program, NDPERS may pay you the greater of either the Early Retirement benefit or the Disability benefit. Your disability status may also impact your retiree health credit.

## **Recertification of Disability Eligibility**

A disabled annuitant’s eligibility must be recertified within eighteen (18) months after the first check is issued and thereafter as specified by the medical consultant. NDPERS will send an “**Application for Recertification of Disability Benefits SFN 50149**” and a “**Statement of Annual Earnings for Disability Annuitants SFN 53157**” to the disabled annuitant to be completed and returned to NDPERS prior to the recertification date.

## **Disability Payment Options**

### **Single Life**

This amount is payable to you for as long as you are disabled. Under this option, there is no monthly income provision for your beneficiary. However, if you should die while receiving disability benefits, your beneficiary will get a lump sum payment of the amount in your member account balance, if any.

### **50% Joint and Survivor**

This amount is payable to you for as long as you are disabled, but is actuarially reduced based upon your age and the age of your spouse. In the event of your death, your spouse will receive 50 percent of your monthly disability benefit amount for the rest of his/her life. In the event your spouse predeceases you, or in the event of a divorce, your benefit will be adjusted back to the Single Life disability option amount upon receipt of your spouse’s Certificate of Death or a photocopy of the divorce decree.

### **100% Joint and Survivor**

This amount is payable to you for as long as you are disabled, but is actuarially reduced based upon your age and the age of your spouse. In the event of your death, your spouse will receive 100 percent (the same amount as you were receiving prior to death) of your monthly disability benefit amount for the rest of his/her life. In the event your

spouse predeceases you, or in the event of a divorce, your benefit will be adjusted back to the Single Life disability option amount upon receipt of your spouse's Certificate of Death or a photocopy of the divorce decree.

#### Twenty (20) Year Term Certain

This amount is reduced based upon actuarial factors and is payable to you for as long as you are disabled. If you die within the first twenty years of your disability retirement, your beneficiary will continue to receive monthly payments of the same amount until the end of the twenty-year period. If you die after receiving benefits for twenty years, there will be no payments made to your beneficiary.

#### Ten (10) Year Term Certain

This amount is reduced based upon actuarial factors and is payable to you for as long as you are disabled. If you die within the first ten years of your disability retirement, your beneficiary will continue to receive monthly payments of the same amount until the end of the ten-year period. If you die after receiving benefits for ten years, there will be no payments made to your beneficiary.

#### **Review Procedure**

A member receiving a notice that his or her application for disability benefits or recertification of benefits is denied may request a review of the decision. A written request for review must be received in the NDPERS office within 60 days of the member receiving a denial notice.

#### **Pre-Retirement Death Benefits**

Death benefits for members who die prior to retiring are covered in the "Death Benefits" section. In the event a member who is applying for disability benefits passes away prior to receiving benefits, the provisions covered in the "Death Benefits" section will apply.