

125 O.L.

H.B. 1

Sec. 3307.42 (7896-37). Medical examination for disability.

Medical examination *** of a member for disability, presumed to be permanent, shall be made upon the application of the member or a person acting in his behalf, or of the employer, stating that said member is physically or mentally incapacitated for the performance of duty and ought to be retired, provided *** the said member has service credit for not less than ten years and provided *** such application is made within two years following his last contributing employment as a teacher ***, unless proof is established to the satisfaction of the *state teachers* retirement board that the alleged disability existed prior to the termination of such two-year period. If such medical examination, *** conducted by a competent, disinterested physician, *** selected by the *** board shows that the said member is physically or mentally incapacitated for the performance of duty and ought to be retired, the examining physician *** shall so report and if the *** board concurs with such report the said member shall be retired for disability, and the action of the *** board shall be final.

Effective October 1, 1953