

125 O.L.

H. B. 1

Sec. 145.35 (486-62). Medical examination for disability retirement.

Medical examination of a member for disability retirement, presumed to be permanent, shall be made upon the application of the head of *the* department or upon the application of the member or of a person acting in his behalf stating that said member is physically or mentally incapacitated for the performance of duty and ought to be retired, provided that the said member was a public *** *employee* for not less than ten years preceding his retirement and was a member in each of such ten years which were subsequent to the year 1935, provided *** that a member who has not been an active contributor to the *public employees retirement* system for a period of two or more years shall not be entitled to disability benefits unless such member can prove to the satisfaction of the *public employees retirement* board that such disability existed prior to the termination of his public service. If such medical examination, conducted by a competent disinterested physician, or physicians, selected by the *** board, shows that *** said member is physically or mentally incapacitated for the performance of duty and ought to be retired, the examining physician, or physicians, shall so report to the *** board and it shall retire *** said member on a disability allowance forthwith if he is under the superannuation retirement age, or on a superannuation allowance if he has attained or passed such age.

Effective October 1, 1953