

**Medical examination for disability retirement.**

Sec. 145.35. \*\*\* *Medical examination of a member for disability 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, because the disability is considered permanent provided the said member has service credit for not less than five years and provided such application is made within one year following his last contributing employment as a public employee, unless proof is established to the satisfaction of the public employees retirement board that the alleged disability existed prior to the termination of such one 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 on the first day of the month following receipt of the application or removal of the member from the payroll, whichever occurs last. The action of the board shall be final.*

SECTION 2. That existing sections 145.01, 145.02, 145.03, 145.12, 145.20, 145.23, 145.29, 145.34, 145.35, 145.36, 145.37, 145.381, 145.41, 145.44, 145.45, 145.46, 145.47, 145.48, 145.51, 145.53, 3307.01, 3307.22, 3307.27, 3307.28, 3307.31, 3307.41, 3307.42, 3307.43, 3307.44, 3307.48, 3307.49, 3307.50, 3307.51, 3307.52, 3307.53, 3307.54, 3307.55, 3307.56, 3307.57, 3307.65, 3309.01, 3309.26, 3309.28, 3309.33, 3309.35, 3309.39, 3309.45, 3309.46, 3309.47, 3309.48, 3309.49, 3309.50, 3309.51, 3309.52, 3309.58, and 3309.60 of the Revised Code are hereby repealed.

Effective September 16, 1957