

Sec. 145.39 (486-64). Disability beneficiary considered on leave of absence; medical examination; restoration to position and salary.

A disability beneficiary, notwithstanding *** sections 145.01 to 145.57, inclusive, of the Revised Code, shall be considered on leave of absence during his first five years on the retired list and shall retain his membership in the *public employees* retirement system. *** In no case shall such leave of absence add to the total number of years of service credit of such disability beneficiary. Once each year, and at such other intervals as the *public employees* retirement board *** deems proper, the *** board may require any disability beneficiary under the minimum age for superannuation retirement to undergo medical examination, said examination to be made at the place designated by the *** board. Upon completion of such examination by an examining physician, or physicians, selected by the *** board, the examiner shall report and certify to the board whether said beneficiary is physically and mentally capable of resuming service similar to that from which he was retired. If the *** board *** concurs in a report by the examining physician, or physicians, that the said disability beneficiary is capable of resuming service similar to that from which he was retired, the board shall so certify to the civil service commission, in case he is employed in the classified service, and if not, to his last employer before retirement, and said civil service commission or employer, by the first day of the next succeeding year, shall restore said beneficiary to his previous position and salary or to a position and salary similar thereto. Should any disability beneficiary die during such leave of absence *** , his estate shall be paid the balance of his accumulated contribution *** which remains to his credit at his death. Should a disability beneficiary be restored to active service, his retirement allowance shall cease and the annuity and pension reserves on his allowance at that time in the annuity and pension reserve fund shall be transferred from the annuity and pension reserve fund to the *** employees' savings fund and the employers' accumulation fund respectively. Should any disability beneficiary, under *** sixty years of age, refuse to submit to a medical examination *** , his retirement allowance shall be discontinued until his withdrawal of such refusal, and should such refusal continue for one year, all his right in and to such retirement allowance shall be forfeited.