

on deposit is the amount the member would be entitled to receive as a refund from the prior plan if the member ceased to be a public employee.

~~(3)~~ If a member ~~described in division (C)(2) of this section~~ makes the election described in ~~that~~ this division and service credit is transferred, the board's actuary shall determine the additional liability to the system, if any. ~~If~~ The additional liability is the amount that, when added to the amount on deposit, will provide the remaining portion of the pension reserve for the period of the member's service as a public employee in the prior plan.

If the actuary determines that there is an additional liability, the member shall elect one of the following:

~~(a)(1)~~ (1) To receive the total amount of service credit that the member would have received had the member been participating in the new plan, pay to the system an amount equal to the additional liability;

~~(b) Receive (2)~~ (2) To receive an amount of service credit in the new plan that corresponds to the amount on deposit for the prior plan.

For each member who makes the election described in this division (C)(2) of this section, the system shall deposit and credit to the new plan the amount on deposit for the prior plan and, if applicable, the amount paid by the member. The board may specify in rules adopted under sections 145.09 and 145.80 of the Revised Code how service credit in the defined benefit plan may be converted to amounts on deposit in the defined contribution plan.

Sec. 145.82. (A) Except as provided in divisions (B) and (C) of this section, sections 145.201 to 145.70 of the Revised Code do not apply to a PERS defined contribution plan, except that a PERS defined contribution plan may incorporate provisions of those sections as specified in the plan document.

(B) The following sections of Chapter 145. of the Revised Code apply to a PERS defined contribution plan: 145.195, 145.22, 145.221, 145.23, 145.25, 145.26, 145.27, 145.296, 145.38, ~~145.382, 145.383~~, 145.384, 145.391, 145.43, 145.431, 145.47, 145.48, 145.483, 145.51, 145.52, 145.53, 145.54, 145.55, 145.56, 145.563, 145.57, 145.571, 145.572, 145.573, 145.574, 145.69, and 145.70 of the Revised Code.

(C) A PERS defined contribution plan that includes definitely determinable benefits may incorporate by reference all or part of sections 145.201 to 145.79 of the Revised Code to allow a member participating in the plan to purchase service credit or to be eligible for any of the following:

(1) Retirement, disability, survivor, or death benefits;

(2) Health or long-term care insurance or any other type of health care benefit;

- (3) Additional increases under section 145.323 of the Revised Code;
- (4) A refund of contributions made by or on behalf of a member.

With respect to the benefits described in division (C)(1) of this section, the public employees retirement board may establish eligibility requirements and benefit formulas or amounts that differ from those of members participating in the PERS defined benefit plan. With respect to the purchase of service credit by a member participating in a PERS defined contribution plan, the board may reduce the cost of the service credit to reflect the different benefit formula established for the member.

Sec. 145.83. A PERS defined contribution plan may include a program described in section 145.583 of the Revised Code under which a ~~participating~~ member participating in the plan is required to accumulate a portion of the amount contributed under section 145.86 of the Revised Code for the purpose of providing funds to the member for the payment of health, medical, hospital, surgical, dental, or vision care expenses, including insurance premiums, deductible amounts, or copayments as described in that section. ~~The program may be a voluntary employees' beneficiary association, as described in section 501(e)(9) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(e)(9), as amended; a medical savings account; or a similar type of program under which an individual may accumulate funds for the purpose of paying such expenses. To implement the program, the public employees retirement board may enter into agreements with insurance companies or other entities authorized to conduct business in this state.~~

If a PERS defined contribution plan includes a program described in this section, the public employees retirement board shall adopt rules to ~~establish and administer the program. The rules shall~~ specify the length of time during which the member will vest in amounts accumulated on the member's behalf and may provide for a minimum annual distribution from the accumulated amount after the member terminates employment in positions subject to this chapter.

Sec. 145.87. For each member participating in a PERS defined contribution plan, the public employees retirement system ~~shall~~ may transfer to the employers' accumulation fund a portion of the employer contribution required under section 145.48 of the Revised Code. ~~The~~ If the public employees retirement board elects to make a transfer under this section, the portion transferred shall ~~equal~~ not exceed the percentage of earnable salary of members for whom the contributions are being made that is determined by an actuary appointed by the ~~public employees retirement~~ board to be necessary to mitigate any negative financial impact on the system of