

Medical examination for disability.

Sec. 3307.42. Application for disability retirement may be made by a member, or by a person acting in his behalf, or by the member's employer, provided the member has at least five years of total service credit and has

not attained age sixty. The application for disability retirement shall be made on a form approved by the retirement board. Any member whose application is approved shall be placed on retirement as of the first of the month following the date the application is filed with the state teachers retirement board, or as of the first of the month following the last day for which compensation was paid, whichever is the later date.

Medical examination of the member shall be conducted by a competent, disinterested physician or physicians selected by the retirement board to determine whether the member is mentally or physically incapacitated for the performance of duty by a disabling condition, either permanent or presumed to be permanent. Such disability must have occurred since last becoming a member, or it must have increased since last becoming a member to such an extent as to make the disability permanent or presumably permanent. Such disability must have existed prior to the expiration of a one-year period following the last date of contributing service.

If such physician or physicians determine that the member qualifies for retirement by reason of disability, and if the retirement board concurs with such determination, the member shall be retired for disability and the action of the retirement board shall be final.

SECTION 2. That existing sections 145.01, 145.02, 145.03, 145.05, 145.11, 145.23, 145.28, 145.29, 145.291, 145.30, 145.32, 145.33, 145.34, 145.35, 145.36, 145.37, 145.381, 145.39, 145.40, 145.41, 145.43, 145.44, 145.45, 145.46, 145.47, 145.51, 145.54, 145.561, 3307.01, 3307.02, 3307.07, 3307.28, 3307.31, 3307.33, 3307.38, 3307.40, 3307.41, 3307.42, 3307.43, 3307.44, 3307.48, 3307.49, 3307.51, 3309.01, 3309.02, 3309.07, 3309.20, 3309.21, 3309.23, 3309.26, 3309.27, 3309.28, 3309.30, 3309.31, 3309.32, 3309.34, 3309.341, 3309.35, 3309.36, 3309.37, 3309.38, 3309.39, 3309.40, 3309.41, 3309.42, 3309.43, 3309.44, 3309.45, 3309.46, 3309.47, 3309.56, 3309.60, 3309.61, 3309.62, 3309.661, and 3309.67 of the Revised Code and section 3307.02 of the Revised Code as enacted by the Amended House Bill No. 203, passed May 7, 1959, approved May 15, 1959, and filed in the office of the secretary of state May 15, 1959, are hereby repealed.

Effective August 1, 1959

SECTION 3. Any member, eligible for any of the retirement allowances or other benefits provided in Chapters 145, 3307, and 3309, of the Revised Code as of June 30, 1959, or July 1, 1959, and who terminated his public service during the month of June, 1959, but did not file an application for retirement, may file, as provided by law, during the month of July, 1959, and shall be eligible for retirement as of June 30, 1959, or July 1, 1959, and such allowances or benefits shall be payable from and after July 1, 1959, and any such member or any member retiring on June 30, 1959, or July 1, 1959, voluntarily or otherwise, shall be eligible for allowances or benefits as computed under the provisions of this act.