

HB 430  
135 O.L.

Sec. 3307.44. A disability [beneficiary] RETIRANT, notwithstanding section 3319.13 of the Revised Code, shall retain membership in the state teachers retirement system and shall be considered on leave of absence from his position during his first five years on the retired list. The state teachers retirement board may require any disability [beneficiary] RETIRANT to submit at any time to a medical examination by a physician selected by the board. [Upon completion of any such] AFTER THE examination, the examiner shall report and certify to the board whether [said beneficiary] THE RETIRANT 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 that the [said] disability [beneficiary] RETIRANT is capable of resuming service similar to that from which he was retired, the payment of a disability retirement [allowance] BENEFIT shall be terminated not later than the following thirty-first day of August or upon employment as a teacher prior thereto. If the leave of absence has not expired, the board shall so certify to his last employer before retirement that [said teacher] THE RETIRANT is capable of resuming service, and if [said beneficiary] THE RETIRANT was under contract at the time he was retired, [said] THE employer by the first day of the next succeeding year shall restore [said beneficiary] THE RETIRANT to his previous position and salary

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or to a position and salary similar thereto. The disability [allowance] BENEFIT shall terminate if the disability [beneficiary should become] RETIRANT BECOMES employed as a teacher [outside the state, or as a teacher in a private school, university, or college, wherever located. Should a disability beneficiary be removed from the retired lists, his retirement allowance shall cease and the balance of 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 teachers' savings fund and the employers' trust fund respectively. Should] IF any disability [beneficiary refuse] RETIRANT REFUSES to submit to a medical examination, his retirement [allowance] BENEFIT shall be discontinued until his withdrawal of such refusal, and [should such] IF THE refusal [continue] CONTINUES for one year, all his rights in and to [such] THE retirement [allowance] BENEFIT shall be forfeited.

A disability [allowance] BENEFIT also may be terminated by the board at the request of the disability [beneficiary] RETIRANT.

[Should] IF a disability [allowance be] BENEFIT IS terminated for any reason, and if the total disability allowance paid was less than the amount of the accumulated contributions of the member transferred to the annuity and pension reserve fund at the time of his disability retirement, then the difference shall be transferred from the annuity and pension reserve fund to such other fund as required. In determining the amount of a member's account following the termination of disability retirement for any reason, the total [allowance] BENEFIT paid shall be charged against the member's refundable account.

[Should] IF a former disability [beneficiary] RETIRANT again [become] BECOMES a contributor to this retirement system, the school employees retirement system, or the public employees retirement system, and complete at least two additional years of service credit, HE SHALL RECEIVE CREDIT FOR the period on disability retirement [shall be included as service credit for the purpose of superannuation retirement as provided in section 3307.38 of the Revised Code].