

H.B. 520
As Introduced

Topic: SERS disability benefit recipients - early Medicare

_____ moved to amend as follows:

In line 7 of the title, after "3309.30," insert "3309.392," 1

In line 22, after "3309.30," insert "3309.392," 2

Between lines 4661 and 4662, insert: 3

"Sec. 3309.392. (A) A recipient of a disability benefit 4
granted under this chapter on or after ~~the effective date of this~~ 5
~~section~~ January 7, 2013, but before the effective date of this 6
amendment, who is enrolled in health care coverage under section 7
3309.69 of the Revised Code shall apply for social security 8
disability insurance benefit payments under 42 U.S.C. 423 if the 9
recipient meets the requirements of divisions (a) (1) (A), (B), and 10
(C) of that section. ~~The application shall be made not later than~~ 11
~~ninety days after the recipient is granted a disability benefit~~ 12
~~under this chapter unless~~ 13

(B) A recipient of a disability benefit granted under this 14
chapter on or after the effective date of this amendment who is 15
enrolled in health care coverage under section 3309.69 of the 16
Revised Code shall apply for both of the following: 17

(1) Social security disability insurance benefit payments 18
under 42 U.S.C. 423 if the recipient meets the requirements of 19

divisions (a)(1)(A), (B), and (C) of that section; 20

(2) Hospital insurance benefits under 42 U.S.C. 426(b), if 21
both of the following are the case: 22

(a) The recipient had medicare qualified government 23
employment, as defined in 42 U.S.C. 410(p). 24

(b) The recipient would have met the requirements of 25
divisions (a)(1)(A), (B), and (C) of 42 U.S.C. 423 if the medicare 26
qualified government employment was treated as employment under 42 27
U.S.C. 410(a). 28

(C) Unless the school employees retirement board system 29
determines from the member's medical records that the member is 30
physically or mentally unable to make the application good cause 31
exists to exempt the recipient from the requirements of this 32
section, a recipient who is subject to division (A) or (B) of this 33
section shall file the applications required by those divisions as 34
follows: 35

(1) For a recipient who on the effective date of this 36
amendment is enrolled in health care coverage under section 37
3309.69 of the Revised Code, not later than one hundred eighty 38
days after the effective date of this amendment; 39

(2) For a recipient who enrolls in health care coverage under 40
section 3309.69 of the Revised Code on or after the effective date 41
of this amendment, not later than ninety days after enrolling. The 42

(D) The recipient shall file a copy of the each completed 43
application and a copy of the social security administration's 44
acknowledgement of receipt of the application with the school 45
employees retirement system. The system shall accept the copy and 46
acknowledgement as evidence of the member's recipient's 47
application. 48

The recipient shall file with the system a copy of the social security administration's final action on the recipient's application for social security disability insurance benefit payments or hospital insurance benefits, as applicable. 49
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~~If a~~ (E) (1) Unless an exemption is granted under division (C) of this section: 53
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(a) A recipient subject to division (A) or (B) of this section who fails without just cause to apply for social security disability insurance benefit payments or to file a copy of the application and acknowledgement of receipt with the system, comply with division (D) of this section shall have the recipient's disability benefit under this chapter shall be suspended until application is made the recipient applies for the payments and a copy of the application and acknowledgement is filed with the system complies with division (D) of this section. 55
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~~The member shall file with the system a copy of the social security administration's final action on the member's application for social security disability insurance benefit payments.~~ 64
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(b) A recipient subject to division (B) of this section who fails without just cause to apply for hospital insurance benefits or to comply with division (D) of this section shall have the recipient's disability benefit suspended until the recipient applies for the benefits and complies with division (D) of this section. 67
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(2) A recipient subject to division (B) of this section whose application for hospital insurance benefits is approved by the social security administration shall enroll in coverage for those benefits. A recipient who fails to enroll in coverage for hospital insurance benefits is not eligible for health care coverage under section 3309.69 of the Revised Code until the recipient enrolls in 73
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the coverage for hospital insurance benefits.

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(F) The school employees retirement board may adopt rules as
it considers necessary to implement this section."

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In line 6059, after "3309.30," insert "3309.392,"

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The motion was _____ agreed to.