

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 510

6
7 S.P. 192

In Senate, February 12, 1985

8 Reference to the Committee on Aging, Retirement and Veterans
9 suggested.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Bustin of Kennebec.

11 Cosponsored by Senator Gauvreau of Androscoggin, Representative
Aliberti of Lewiston and Representative Handy of Lewiston.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Require the Executive Director of
18 the Maine State Retirement System to
19 Employ Qualified Physicians for
20 Determining Eligibility for
21 Disability.
22

23 Be it enacted by the People of the State of Maine as
24 follows:

25 5 MRSA §1122, sub-§1-A, ¶B, as enacted by PL
26 1977, c. 450, §2, is amended to read:

27 B. Any person who becomes a member of the system
28 on or after July 1, 1977, shall submit a state-
29 ment of his health to the executive director on
30 forms prescribed by the executive director. If
31 the executive director determines that additional
32 information is necessary to determine the extent
33 of any preexisting disability of the employee,
34 the executive director may require that a medical
35 examination or tests, conducted by a qualified
36 physician who shall be mutually agreed upon by

1 the director and the member, be submitted as evi-
2 dence of that employee's health. Any such medical
3 examination or tests shall be conducted at a
4 place mutually agreed upon and the costs thereof
5 shall be paid by the retirement system. This
6 statement of health or medical examination or
7 test result shall only be utilized in determining
8 eligibility for a disability retirement allowance
9 pursuant to paragraph A. Any member subject to
10 this paragraph who does not submit a statement of
11 health as required, prior to his application for
12 disability benefits in accordance with this sec-
13 tion, will not be eligible for those benefits un-
14 less he establishes to the satisfaction of the
15 executive director that he meets the qualifica-
16 tions of paragraph A.

17 STATEMENT OF FACT

18 This proposed wording parallels the construction
19 of the existing provision for a continuance of dis-
20 ability retirement allowance and requires that medi-
21 cal examinations or tests required by the Executive
22 Director of the Maine State Retirement System for
23 initial eligibility for disability also be performed
24 by a qualified physician.

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