

1.1 A bill for an act

1.2 relating to retirement; general employees retirement plan of the Public Employees
1.3 Retirement Association; authorizing a late disability benefit application in certain
1.4 cases.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **PERA-GENERAL; LATE DISABILITY BENEFIT APPLICATION**
1.7 **AUTHORIZATION.**

1.8 (a) Notwithstanding any provisions of Minnesota Statutes, section 353.01,
1.9 subdivision 19, 353.031, subdivision 3, or 353.33, subdivision 1, to the contrary, an
1.10 eligible person described in paragraph (b) is entitled to file an application for a disability
1.11 benefit from the coordinated program of the general employees retirement plan of the
1.12 Public Employees Retirement Association within the time period specified in paragraph
1.13 (c) and in compliance with the evidentiary requirements of paragraph (d), and, if
1.14 determined to be totally and permanently disabled for a period of at least one year under
1.15 Minnesota Statutes, section 353.01, subdivision 19, as of June 27, 2006, is eligible to
1.16 receive a disability benefit under Minnesota Statutes, section 353.33.

1.17 (b) An eligible person is a person who:

1.18 (1) was born on April 5, 1955;

1.19 (2) was employed by the city of Richfield from October 28, 1985, until June 27,
1.20 2006;

1.21 (3) was a member by virtue of that employment of the coordinated program of the
1.22 general employees retirement plan of the Public Employees Retirement Association;

1.23 (4) applied for a total and permanent disability benefit under Minnesota Statutes,
1.24 chapter 353, on July 6, 2006;

2.1 (5) had the total and permanent disability benefit application denied by the executive
2.2 director of the Public Employees Retirement Association because the medical evidence
2.3 did not support total and permanent disability for a period of at least one year based on
2.4 an evaluation of medical reports submitted by the person as reviewed by the physicians
2.5 at the Minnesota Department of Health;

2.6 (6) had an appeal of the total and permanent disability benefit application denial by
2.7 the Board of Trustees of the Public Employees Retirement Association on September
2.8 14, 2006;

2.9 (7) filed for a review of the decision by the Board of Trustees of the Public
2.10 Employees Retirement Association by the Minnesota Court of Appeals in November 2006;

2.11 (8) withdrew the request for a review by the Minnesota Court of Appeals after
2.12 December 11, 2006;

2.13 (9) requested a disability benefit application in July 2008; and

2.14 (10) has passed the three-year time limit from the date of termination for applying
2.15 for a disability benefit on June 27, 2009.

2.16 (c) An application for a disability benefit under paragraph (a) must be filed on or
2.17 before January 1, 2011.

2.18 (d) An application for a disability benefit under paragraph (a) must include evidence
2.19 of a total and permanent disability benefit that was not provided to the Board of Trustees
2.20 of the Public Employees Retirement Association prior to September 14, 2006.

2.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.