



2019-2020 General Assembly

SENATE BILL 704: COVID-19 Recovery Act , Sec. 4.22: Interim Determinations and Interim Certifications for Certain Disability Benefits

Committee:		Date:	October 16, 2020
Introduced by:		Prepared by:	Theresa Matula
Analysis of:	Sec. 4.22 of S.L. 2020-3		Legislative Analyst

OVERVIEW: *Sec. 4.22 of S.L. 2020-3 allowed the Director of the Retirement Systems Division of the Department of State Treasurer, or designee, to make an interim determination or interim certification that a member or beneficiary is eligible for disability benefits. However, the Director or designee is not allowed to make an interim determination or interim certification that the member or beneficiary is not eligible. The medical board is required to review any interim determinations or interim certifications as soon as practicable and to make a final determination or final certification. If, subsequent to the interim determination or interim certification, the medical board makes a determination or certification that the member or beneficiary is not eligible for disability benefits, then any payment to that member or beneficiary will cease and the determination will be applied prospectively so that the final determination will not require any refund by the member or beneficiary for benefits received during the interim determination period.*

This section became effective May 4, 2020 and the language allowing interim determinations or interim certifications expired August 1, 2020. Any interim determination or interim certification made under the authorization of this section remains valid until a final determination is made in accordance with the section.

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Legislative Analysis
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