

Disability Retirement Process Flowchart

Career Ending Injury/Illness:

Member is no longer able to perform their job due to injury or illness.

Counseling:

Contact the KCERA office to inform us of your situation. Staff will discuss service vs non-service connected disability and eligibility requirements for a service retirement. Staff will advise if Advance Disability Payments (ADP) are an option and the process (only available to those who are applying for a Service Connected Disability (SCD) and are eligible for paid 4850 time). Staff will provide you with a Disability Retirement Application packet and KCERA's Rules of Procedure for Disability Retirement.

Attending Physician Report (APR):

Your treating physician must complete an APR for each illness or injury you are claiming.

Staff Disability Application Group (SDAG) Review:

SDAG will review your application, APR(s) and medical evidence to determine if it is sufficient to accept. If your packet meets the necessary requirements, it will be officially accepted and the process will begin. If it does not, staff will contact you to advise what is required.

Apply for Disability:

Your completed disability packet, completed APR(s), and medical evidence are reviewed by staff for completeness prior to being provisionally accepted. All members must provide KCERA with the medical evidence necessary to support your application. The burden of proof is on the applicant.

Records Collection:

Once the packet has been accepted, staff will obtain documentation from Worker's Compensation (SCD only), Personnel and your department.

Medical Review:

Once all requested information has been received, staff will forward your entire packet to our third party provider, Managed Medical Review Organization (MMRO) for processing. A case manager with MMRO will be assigned to you. If deemed necessary, MMRO will schedule an examination by an independent medical or psychiatric provider (paid for by KCERA).

Board Decision:

KCERA's Board of Retirement will make a determination based on the entire record, including the recommendation from MMRO's medical experts. If your application for disability retirement is granted, staff will make every effort to place you on the following month's retirement payroll.

Staff Recommendation:

After MMRO has compiled your records and has completed a thorough assessment, a recommendation will be made to KCERA. Staff will notify you of the recommendation. You will have the opportunity to challenge a recommendation to deny your application by submitting additional medical records and/or requesting an administrative hearing. If you request a hearing, KCERA recommends you consider retaining legal counsel to prepare your case.

Administrative Hearing:

Selection of Hearing Officer: KCERA selects hearing officers on a rotational basis from KCERA's pre-existing panel. Parties will be notified once the hearing officer is selected.

Notice of Hearing: The hearing officer will coordinate the hearing date with all parties and provide the dates for submission of the Prehearing Statements and the Prehearing Conference.

Hearing Held: You or your counsel will present your matter to the hearing officer. KCERA's Legal Counsel will represent KCERA during the hearing. The hearing officer has 270 days to complete the administrative hearing process and submit their recommended decision and findings of fact to the Board.

Board Decision After Hearing:

Recommendation: Once the hearing officer's recommendation is provided to the Board, you and/or your counsel will receive a copy. **Objections/Responses:** If you disagree with the recommendation, you will have 10 days to file an objection with the Board of Retirement. **Board Action:** The Board may grant or deny your application or may take other action allowed by law.

Judicial Review: If you disagree with the Board's decision, you may file an action in Kern County Superior Court within 90 days of the Board's decision.