

## COUNTY LOCAL LAWS

following retirement, and once in every three-year period thereafter, until age fifty-five, if a member of Group B, C, or E, or age sixty if a member of Group A or F. The Retirement Hearing Board will review the findings of the physical examination and take appropriate action, which may include a hearing. Should a member refuse to submit to the examination, the Retirement Hearing Board may reduce or discontinue pension payments.

(f) Amount of Pension at service connected disability retirement.

(2) if the member is partially and permanently incapacitated, five percent of final earnings for each ten percent of partial and permanent incapacity. If the member meets the age requirements for elective early retirement, not less than the yearly amount of retirement pension computed under Section 33-42 (c) shall be payable. The Retirement Hearing Board may adjust the percentage amount of disability payments, after considering the findings and recommendations of the Medical Examiner, after a periodic physical examination.

(g) Adjustment or cessation of disability pension payments.

(1) If a member receiving service connected disability pension payments reaches the first day of the month following normal retirement date, the amount of pension then payable shall not be less than the amount that would have been payable under the provisions of Section 33-45 (a), Vesting, if the member had terminated service on the date disability pension commenced and had not elected a return of member contributions with credited interest.

(2) Whenever the Retirement Hearing Board determines that a member, who has not yet reached normal retirement date, receiving disability pension payments is engaged in or is able to engage in a gainful occupation paying more than the difference between the amount of disability pension payments, and the current earnings of a member similarly classified, the amount of the member's disability pension payments will be reduced to the point at which the amount of disability pension payments plus the amount earnable equals the current earnings of a member similarly classified.

(3) Adjustment or cessation of disability pension payments.

Whenever a disability retiree's earnings capacity is changed, the amount of disability retirement pension may be further modified by the Retirement Hearing Board. The