

self-care; (ii) receptive and expressive language; (iii) learning; (iv) mobility; (v) self-direction; (vi) capacity for independent living; and (vii) economic self-sufficiency; and

(5) Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services which are lifelong or of extended duration and are individually planned and coordinated.

(d) The term "functional disability" means a severe, chronic disability of a person which:

(1) Is attributable to a mental or physical impairment or combination of mental and physical impairments;

(2) Is likely to continue indefinitely;

(3) Results in substantial functional limitations in three or more of the following areas of major life activity: (i) self-care; (ii) receptive and expressive language; (iii) learning; (iv) mobility; (v) self-direction; (vi) capacity for independent living; and (vii) economic self-sufficiency; and

(4) Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services which are lifelong or of extended duration and are individually planned and coordinated.

DRAFTER'S NOTE:

Error: Obsolete subtitle heading immediately preceding Article 88A, § 128.

Occurred: As a result of Ch. 638, Acts of 1988, which expanded the scope of Article 88A, § 128 to include individuals with functional disabilities.

Article 88B - State Police

53.

(m) In lieu of the disability or service allowances payable under the aforesaid provisions, a member who at the time of retirement does not have a spouse who would be entitled to a benefit under [§ 53(b)(2) or § 53(d)(3) or § 53(f)(3)] SUBSECTION (B)(2), (D)(3), OR (F)(3) OF THIS SECTION may, prior to the first retirement allowance payment normally due, elect a reduced retirement allowance of equivalent actuarial value in one of the optional forms set out below. The election of the option shall be made on a form provided for that purpose and shall be filed with the board of trustees. If a member dies prior to the effective date of retirement, the election shall be void and of no effect, and the benefits payable on his account shall be the