

relating to disability retirees of the State retirement and pension systems.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29–115 and 29–116

Annotated Code of Maryland

(1997 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

29–115.

(a) [If a disability retiree is under normal retirement age, the Board of Trustees may require the disability retiree to undergo a yearly medical examination] THIS SECTION APPLIES ONLY TO A DISABILITY RETIREE WHO IS NOT ELIGIBLE TO RECEIVE A NORMAL SERVICE RETIREMENT.

(b) [The retiree shall be examined by a physician chosen by the Board of Trustees at a place agreed on by the retiree and the physician conducting the examination.

(c) If a retiree who is under normal retirement age refuses a medical examination, the Board of Trustees may stop payment of the retiree's allowance until the retiree withdraws the refusal.

(d) If a retiree's refusal of a medical examination continues for 1 year, the Board of Trustees may revoke the retiree's rights in the retiree's disability retirement allowance.

(e) (1) The Board of Trustees may, after giving notice [and an opportunity for a hearing], TEMPORARILY suspend the retiree's allowance if ~~†~~ THE RETIREE:

(i) ~~†~~ BEGAN RECEIVING A DISABILITY RETIREMENT ALLOWANCE ON OR AFTER JULY 1, 1998; AND

(ii) ~~a retiree~~ is employed by a participating employer at an annual compensation that is at least equal to the retiree's average final compensation at retirement [;

(ii) a retiree is employed by a participating employer at an annual compensation that is less than the retiree's average final compensation at retirement in a position similar to the position held before retirement; or

(iii) the Board of Trustees determines that a retiree has refused to accept from the retiree's employer at retirement an offer of reemployment in a position comparable to the position held before retirement or a position with compensation that is at least equal to the retiree's average final compensation at retirement].