

(III) THE MEDICAL BOARD CERTIFIES THAT:

1. THE MEMBER IS MENTALLY OR PHYSICALLY INCAPACITATED FOR THE FURTHER PERFORMANCE OF DUTY;

2. THE INCAPACITY IS LIKELY TO BE PERMANENT;
AND

3. THE MEMBER SHOULD BE RETIRED.

(2) IN NO EVENT SHALL A MEMBER RECEIVE A DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THE PENSION SYSTEM, EXCEPT TO THE EXTENT THAT SUCH A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT. A MEMBER WHO TRANSFERS FROM THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF MARYLAND OR THE TEACHERS' RETIREMENT SYSTEM OF THE STATE OF MARYLAND TO THE PENSION SYSTEM FOR EMPLOYEES OF THE STATE OF MARYLAND SHALL RETAIN THE ENROLLMENT DATE FIRST ESTABLISHED IN THE RETIREMENT SYSTEM FROM WHICH THE MEMBER TRANSFERRED.

(3) ANY MEMBER WHO APPLIES FOR DISABILITY RETIREMENT WITHIN 2 YEARS OF HAVING TRANSFERRED FROM THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF MARYLAND OR THE TEACHERS' RETIREMENT SYSTEM OF THE STATE OF MARYLAND TO THIS PENSION SYSTEM AND WHO IS FOUND TO BE DISABLED SHALL RECEIVE THE BENEFITS PROVIDED UNDER THE RETIREMENT SYSTEM FROM WHICH THE MEMBER TRANSFERRED OFFSET BY WHATEVER CONTRIBUTIONS HAVE BEEN REFUNDED TO THE MEMBER.

(4) FOR THE PURPOSES OF THIS SUBSECTION, MEMBERSHIP IN THE PENSION SYSTEM FOR EMPLOYEES SHALL CONTINUE FOR A PERIOD OF 2 YEARS FROM THE TIME PAID EMPLOYMENT IS TERMINATED.

(5) ON RETIREMENT ON ORDINARY DISABILITY, A MEMBER SHALL RECEIVE:

(I) IF THE MEMBER IS AT LEAST 62 YEARS OLD, A SERVICE RETIREMENT ALLOWANCE; OR

(II) IF THE MEMBER IS UNDER THE AGE OF 62 YEARS, AN ORDINARY DISABILITY RETIREMENT ALLOWANCE EQUAL TO A SERVICE RETIREMENT ALLOWANCE CALCULATED ON THE BASIS OF THE MEMBER'S AVERAGE FINAL COMPENSATION AND WITH THE CREDITABLE SERVICE THAT THE MEMBER WOULD HAVE RECEIVED HAD THE MEMBER CONTINUED IN SERVICE UNTIL THE AGE OF 62 YEARS WITHOUT ANY CHANGE IN THE RATE OF EARNABLE COMPENSATION.

(B) (1) THE BOARD OF TRUSTEES SHALL GRANT AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE TO A MEMBER IF: