

## **Disability Process with the PRS**

The timeline of processing an application for disability retirement is not exact, and many factors impact the process. To begin with, a member who has suffered a potentially career-ending incident, whether in the line of duty or not, may present with a single issue or a host of issues. The complexity of the situation has a direct bearing on the approach and the subsequent processing of an application.

In order for a member to make application, s/he must present a copy of the police report of the incident. We have found it necessary, in the absence of obvious circumstances such as a traumatic amputation, for the member to have reached maximum medical improvement (MMI) and have completed the police department's fitness for duty medical examination prior to application. The member is asked to produce a complete listing of all treating physicians, including their primary care physician (PCP), along with any other treatment such as physical therapy.

The member makes application in the pension office, provides the required documentation, and advised of the disability process. A member's medical records are assembled based upon the list of all treating physicians and other treatment, and the file forwarded to the System's Medical Director. Past experience has told us that the medical records from the police department often do not contain all the records from all the member's treating physicians.

Once the records are forwarded, the Medical Director performs an Independent Medical Examination (IME) determining the scope of the injuries suffered, and may appoint any number of physicians he deems appropriate, depending on the circumstances. This may include, for example, orthopedists, neurologists, neurosurgeons, psychiatrists or psychologists, or any other specialist the Medical Director deems appropriate to examine the member in order to determine the member's fitness for further duty. The physicians appointed by the Medical Director join the Director to form the Medical Board for the member applying for disability. The staff makes the appropriate appointments with the physicians appointed by the Medical Director for the member, notifying the member by phone and US Mail.

After an IME by each member of the Medical Board, reports are forwarded to the office for inclusion with the member's records. Once all the members of the Medical Board have submitted their IME reports, the Medical Director review the reports, contacts the members of the Medical Board, and provides a Chairman's report summing up the findings of the Medical Board.

There are external factors that impact the length of time required to prepare the member's medical file and complete the physical examinations. Many times medical records are stored at an offsite location, and the staff must complete the appropriate form to retrieve the records. Some providers change their form fairly often, and will not honor an "old" form submitted after a revised version has been adopted.

When making appointments for an IME, the staff is at the mercy of the physicians' schedules, as the summer months in particular are not available. In addition, many physicians will not perform an IME on a member whose medical file is in excess of two (2) inches thick.

### **The Hearing Process**

Completed files are distributed to the members of the Disability Committee, who convene an informal hearing before the Committee. The Committee reviews the applicant's medical file and the reports of the Medical Board, and hears the testimony of the applicant. The Committee votes on a recommendation to make to the full Board of Trustees, said recommendation presented at the next regularly scheduled monthly meeting of the Board of Trustees, or at a special meeting of the Board of Trustees called by the Chairman to consider issues of immediate importance.

Applicants who are denied a disability retirement after an informal hearing by the Disability Committee may file an appeal to the Board of Trustees within 30 days of the decision, asking for a formal hearing to present additional information which may not have been available to the Board of Trustees. Formal hearings are held in front of the entire Board of Trustees and are conducted by an independent Hearing Officer, and recorded by a registered court reporter. Attorneys for both the Board of Trustees and the applicant submit legal briefs to the Hearing Officer who provides a decision based upon the findings of fact and conclusions of law. If the applicant fails at the formal hearing, the applicant can appeal the decision of the Board of Trustees within 30 days to the Circuit Court for the City of St. Louis.