ORDINARY DISABILITY

The processing of Ordinary Disability Retirement benefits normally takes at least three to five months. To qualify for Ordinary Disability Retirement you must:

• be a member in service at the time the application is filed with the New Jersey Division of Pensions & Benefits (NJDPB). “Member in service” means that the member or employer was making contributions to the retirement system at the time of filing the application for Ordinary Disability Retirement. It also may mean that the member was on an approved leave of absence, paid or unpaid, or suspension, paid or unpaid, at the time of filing the application. If the member had pending litigation for wrongful termination filed against the employer, the member has 30 days from the date the litigation is resolved to file for Ordinary Disability Retirement. In addition, you may be required to be examined by physicians selected by the retirement system.

• complete the Authorization for Release of Information (HIPAA).

The regulations governing the retirement system require two physician reports (or one physician report and one hospital record) to be supplied when you apply for Disability Retirement. In addition, you may be required to be examined by physicians selected by the retirement system.

Please Note: The initial Independent Medical Examination (IME) will be scheduled at no cost to you. However, if you fail to attend or cancel the initial IME, you will be required to pay for any subsequent medical examinations arranged by the NJDPB. If additional medical documentation is submitted after the initial IME, you will be responsible for the cost of any subsequent reviews and reports. Payment is required before the NJDPB will schedule another IME; failure to provide payment within 90 days from the initial IME date will result in the cancellation of the Application for Ordinary Disability Retirement.

If you qualify for an Ordinary Disability Retirement, the annual benefit is equal to 40 percent of your Final Compensation, or one and a half percent of your Final Compensation for each year of service credit, whichever is higher.

“Final Compensation” — for a SPRS Tier 1 member enrolled on or before May 21, 2010, Final Compensation means the salary upon which pension contributions were based in the last 12 months of creditable service preceding retirement.

For a SPRS Tier 2 member enrolled after May 21, 2010, Final Compensation means the average salary upon which pension contributions were based for any three fiscal years of membership preceding retirement that provides the largest possible benefit.

For all SPRS members, Final Compensation includes the value of the maintenance allowance for the same period.

The retirement benefit is not reduced by any Social Security or private insurance benefits that may be payable. However, any Workers' Compensation award you receive may be reduced. See your employer for details.

Ordinary Disability Retirement benefits are subject to federal tax to the same extent as other pensions; your benefits are not subject to New Jersey State income tax until you reach age 65.
IN VOLUNTARY

D ISABILITY RETIREMENT

Your employer has the right to apply for an Involuntary Disability Retirement on your behalf, provided that you meet the qualifications for Ordinary Disability Retirement. Along with the retirement application, the employer must provide an official letter from the current Colonel of the State Police, which indicates the intent to involuntarily retire the employee.

- A SPRS member with at least four years of service, but less than 20 years, who meets the qualifications for an Ordinary Disability Retirement and who is required to retire upon application by the employer, will receive an Ordinary Disability Retirement allowance of 40 percent of Final Compensation, or one and a half percent of Final Compensation for each year of service, whichever is higher.

- A SPRS member with 20 or more years of service will receive an allowance equal to 50 percent of Final Compensation, plus an additional three percent of Final Compensation for every year of service over 20 up to a maximum of 25 years.

An employer submitting an Involuntary Disability Retirement application must list the member's life insurance beneficiary as "estate." If the retirement is approved by the Board of Trustees, the member may receive an Ordinary Disability Retirement allowance of 40 percent of Final Compensation, or one and a half percent of Final Compensation for each year of service, whichever is higher.

ACCIDENTAL DISABILITY

The processing of Accidental Disability Retirement benefits normally takes at least six to eight months. To qualify for Accidental Disability Retirement you must:

- be a member in service at the time the application is filed with the NJDPB. "Member in service" means that the member or employer was making pension contributions to the retirement system at the time of filing the application for Accidental Disability Retirement. It may also mean that the member was on an approved leave of absence, paid or unpaid, or suspension, paid or unpaid, at the time of filing the application. If the member had pending litigation for wrongful termination filed against the employer, the member has 30 days from the date the litigation is resolved to file for an Accidental Disability Retirement in order to be considered a member in service;

- be considered permanently and totally disabled (you must prove that you are physically or mentally incapacitated from performing your normal or assigned job duties, or any other position that your employer may assign) as a direct result of a traumatic event* that happened during and as a direct result of carrying out your regular or assigned job duties;

- be an active member of the SPRS on the date of the traumatic event;

- have separated from employment as a result of the alleged disabling condition;

- file an Application for Accidental Disability Retirement within five years of the date of the traumatic event;

- be examined by physicians selected by the retirement system at no cost to you (see exceptions to cost below);

- provide medical reports to support the application for disability including, but not limited to: accident reports, witness reports, and corroborating evidence on file for any and all accidents for which you are filing; and

- complete the Authorization for Release of Information (HIPAA).

Please Note: The initial Independent Medical Examination (IME) will be scheduled at no cost to you. However, if you fail to attend or cancel the initial IME, you will be required to pay for any subsequent medical examinations arranged by the NJDPB. If additional medical documentation is submitted after the initial IME, you will be responsible for the cost of any subsequent reviews and reports. Payment is required before the NJDPB will schedule another IME; failure to provide payment within 90 days from the initial IME date will result in the cancellation of the Application for Accidental Disability Retirement.

Direct Result of a Traumatic Event has been defined by the courts as an occurrence that is:

- identifiable as to time and place;

- undesigned and unexpected;

- caused by a circumstance external to the member (not the result of a preexisting disease that is aggravated or accelerated by the work);

- occurred during and as a result of the member's regular or assigned duties;

- was not the result of the member's willful negligence; and

- results in the member's permanent and total incapacity from performing his or her usual or any other duty.

When there is an issue of mental incapacity caused by a non-physical event, the member must also establish that the event forms the basis for an Accidental Disability Retirement was objectively capable of causing a reasonable person in similar circumstances to suffer a disabling mental injury, based on a finding that the disability resulted from "direct personal experience of a terrifying or horror-inducing event that involves actual or threatened death or serious injury, or a similarly serious threat to the physical integrity of the member or another person."

If you qualify for an Accidental Disability Retirement, the annual benefit is equal to 2/3 of your Final Compensation.
Disability Retirement Benefits

If you are receiving periodic Workers’ Compensation benefits, your Accidental Disability Retirement benefits will be reduced dollar-for-dollar by the periodic benefits paid after your retirement date.

The retirement benefit is not reduced by any Social Security or private insurance benefits that may be payable.

The NJDPB reports your Accidental Disability Retirement benefit as exempt from federal income tax; your benefits are not subject to New Jersey State income tax until you reach age 65.

If you apply for Accidental Disability Retirement and are found by the Board of Trustees to be permanently and totally disabled, but not because of a traumatic event, or the event was not the primary cause of your disability, you will be granted an Ordinary Disability Retirement if you have at least four years of State Police Retirement System service. You may be offered a Service or Special Retirement depending on your age and service credit at the time the application is received.

Supporting documents should be submitted to:

New Jersey Division of Pensions & Benefits
Disability Review Unit
P.O. Box 295
Trenton, NJ 08625-0295

All medical information is kept confidential and used only by the Board of Trustees in reviewing the claim.

You must pay for the cost of any medical documentation that may be required to prove your claim. For example, if you had a hospital stay due to your disability and the hospital charges for the duplication of medical records from your stay, you would be responsible for any cost involved.

**ADDITIONAL PROVISIONS OF DISABILITY RETIREMENT**

In order to be eligible to receive either Ordinary or Accidental Disability Retirement benefits, you must terminate all retirement system-covered employment prior to your retirement date.

If you have been terminated for cause or have a settlement agreement, which sets forth the terms of your departure in lieu of the termination for cause, you and your employer MUST provide that information to us at the time you are filing for Disability Retirement. It must be shown that you have separated from employment as a result of the disabling condition. The NJDPB reviews Disability Retirement applications to determine if they are eligible for processing. If it is determined that the reason for termination is not from the disability, you may be deemed ineligible to apply for a Disability Retirement.

Your employer has the right to apply for an Involuntary Disability Retirement on your behalf (see page 2).

The approval of Workers’ Compensation or Social Security Disability benefits has no bearing on your application for Disability Retirement from the retirement system.

If you retire with an outstanding loan balance, your monthly loan repayment schedule will continue into retirement until the loan balance plus interest has been repaid.

Once the Board of Trustees approves a member for a Disability Retirement, the member’s retirement application cannot be withdrawn, canceled, or amended to a later retirement date than the date specified in the approved retirement application.

**Conversion**

When your group life insurance is reduced, you have 31 days to convert the amount of insurance reduced to private, individual insurance coverage. Please see the Conversion of Group Life Insurance Fact Sheet for more information.

**Health Benefits**

The Health Benefits Coverage – Enrolling as a Retiree Fact Sheet provides information about continuing your State Health Benefits Program coverage in retirement.

**Employment after Retirement**

Because the SPRS Board of Trustees has determined that you are disabled, you cannot accept any further SPRS-covered employment.
Additional restrictions may apply if you return to employment after retirement. Please refer to the Employment after Retirement Restrictions Fact Sheet for more information.

PAYMENT OF PENSION TO A SURVIVING FAMILY MEMBER

Upon the death of a retired SPRS member, the spouse, civil union partner, eligible domestic partner, and/or child(ren) of the member may be entitled to a monthly pension. The terms used in the explanations of benefits that follow are explained here.

“Spouse” means a person to whom you are legally married. A photocopy of the Marriage Certificate is required for verification.

“Civil Union Partner” means a person of the same sex with whom you have entered into a civil union. A photocopy of the New Jersey Civil Union Certificate, or a valid certification from another jurisdiction that recognizes same-sex civil unions, is required for verification (see the Civil Unions and Domestic Partnerships Fact Sheet for details).

“Domestic Partner” is a same-sex domestic partner, as defined under N.J.S.A. 26:8A-1et seq., the Domestic Partnership Act, of any State employee, retiree, or an eligible employee or retiree of a local public entity if the local governing body adopts a resolution to provide domestic partner benefits. A photocopy of the New Jersey Certificate of Domestic Partnership dated prior to February 19, 2007, or a valid certification from another jurisdiction that recognizes same-sex domestic partners, is required for verification (see the Civil Unions and Domestic Partnerships Fact Sheet for details).

“Child” means your unmarried child:
- under the age of 18; or
- 18 years of age or older and enrolled in high school; or
- any age, who at the time of your death, is disabled because of mental or physical incapacity and is incapable of substantial gainful employment because of the impairment. This incapacity must last, or be expected to last, for a continuous period of not less than 12 months as determined by the SPRS Medical Review Board.

Retired Member Death Benefits

Upon your death as a retired SPRS member, your surviving spouse/partner is eligible to receive a pension benefit equal to 50 percent of your Final Compensation (see page 1 for a definition of Final Compensation).

If there is no surviving spouse/partner, the following benefit is payable to eligible children:
- 50 percent of Final Compensation to three or more eligible children;
- 35 percent of Final Compensation to two eligible children; or
- 20 percent of Final Compensation to one eligible child.

FOR MORE INFORMATION

Fact Sheets and Forms

The fact sheets, forms, and other publications mentioned are available on the NJDPB website at: www.nj.gov/treasury/pensions

Member Benefits Online System

Active employees and retirees can access information about their benefits using MBOS. You can log on or register for MBOS at: www.nj.gov/treasury/pensions

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