



'77 FUND DISABILITY AT A GLANCE

1977 POLICE OFFICERS' & FIREFIGHTERS'
RETIREMENT FUND

Pre-1990 Disability Plan

1990 Disability Plan

Disability Plans & Eligibility

Eligible members were hired before Jan. 1, 1990, and elected NOT to be covered under the 1990 Disability Plan or made no election.

Eligible members were hired for the first time on or after Dec. 31, 1989, and chose the current plan.

Ineligibility

Members are **NOT** eligible for disability benefits in either plan if the disability resulted from a non-covered impairment (IC 36-8-8-12.3) such as:

- a deliberate or self-inflicted injury or attempted suicide,
- committed or attempted a felonious act,
- due in whole or in part by a fund member engaging in any use of a controlled substance or unlawful use of a prescription drug,
- beginning within 2 years after a fund member's entry or reentry into active service with the department and that was caused or contributed to by a mental or physical condition that manifested itself before the fund member entered or reentered active service.

Disability Application Process

Under both plans, the local board or INPRS may request a yearly medical review while you are receiving disability benefits.

Pre-1990 Disability Plan

1. Submit an application to the local department board to request a hearing. Your local board must conduct a determination hearing no later than 90 days after you submitted your application.
2. The '77 Fund & the INPRS Medical Authority will review local board findings. The review will decide if a covered impairment exists. You may provide INPRS with more records and evidence for review before INPRS' initial determination is finalized.
3. After the hearing, the local board has 30 days to submit its written determination to both you and the safety board regarding whether you have a covered impairment. The submission states if you have a line of duty or non-line of duty impairment.
4. Send the disability application, local board hearing minutes and determination, a statement from your appointing authority that certifies there is no suitable and available work, considering accommodations required by ADA, medical records from treating physicians present at the hearing, and an explanation of how the disability occurred.

If eligible, you will receive disability benefits equal to your full regular retirement benefit at age 52.

1990 Disability Plan

1. You must submit an application to the local board. Your local board must conduct a hearing no later than 90 days after you submitted your application to decide if you have a covered impairment.
2. The local board decides the class of your impairment. The local board will consider reasonable accommodations as required by the ADA and if there is suitable and available work in the department for you.
3. After the hearing, the local board has 30 days to submit its written determination to both you and the safety board regarding whether you have a covered impairment. The submission states if you have a Class 1, 2, or 3 impairment.
4. Send the disability application, local board hearing minutes and determination, a statement from your appointing authority that certifies there is no suitable and available work, considering accommodations required by ADA, medical records from treating physicians present at the hearing, and an explanation of how the disability occurred.
5. The '77 Fund & INPRS Medical Authority will review the local board findings to decide if you qualify as well as your class and degree of your disability. Disability benefits are based on the class of impairment if you qualify.



Disability Benefit Based on Type of Impairment in the 1990 Fund Plan

Class 1: You will receive a monthly base benefit equal to 45% of the first-class salary, plus an additional amount based on your degree of impairment as determined by the INPRS Medical Authority.

Class 2: You will receive 22% of the base pay plus 0.55% of that pay for each year of service, up to a maximum of 30 years. You will also receive an additional amount based on the degree of your impairment. The INPRS Medical Authority determines your degree of impairment.

Class 3: You will receive a monthly benefit equal to your years of service, up to a maximum of 30 years, multiplied by 1% of the base pay (first class salary). You will also receive an additional amount based on the degree of your impairment as determined by the INPRS Medical Authority. **NOTE:** If you are hired with a pre-existing medical condition that is not covered by this plan, you will not qualify for a Class 3 benefit when the impairment is related in any manner to the pre-existing condition.

Additional Monthly Benefit for Classes 1, 2, and 3: INPRS uses a formula to convert the degree of your impairment into a benefit percentage. The amount represents your additional monthly benefit. The minimum benefit (10% of the certified salary) and maximum benefit (45% of the certified salary) is set by statute.

If you return to work after a covered impairment and are disabled within 2 years with the same disability, you are eligible to receive disability benefits. The benefit amount will equal the benefit amount you were previously receiving on a disability.

More information about the classes of impairments is in the '77 Fund Member Handbook.

Mental Illness Disability and the Mental Health Disability Review Panel

As of July 1, 2020, mental illness disabilities are classified as Class 1 or Class 3 impairments. Class 2 is a possibility if a mental illness is combined with some other non-mental illness disability. The Mental Health Review Panel reviews all mental illness disabilities determined by INPRS after Jan. 1, 2013. Members subject to the panel will submit up to 2 provisional review periods of 2 years each.

- During both review periods, the member must actively participate in a mental health treatment plan as determined by the member's treating physician. The employer is required to pay for the mental health care and treatment relating to the disability during these review periods.
- For each review period, the panel will conduct an evaluation of the member, including reports and records submitted by the member's treating physician and any other mental health provider seen by the member.
- After each review period, the panel determines if the member is no longer impaired and can return to active duty or if the member continues to be impaired. If the member is no longer impaired, the benefit stops.
- After the second review period, if the panel determines that the member is still disabled, then the member will be considered to have a permanent impairment.

Members during this process may also be subject to other reviews conducted under '77 Fund law. If a member does not comply with requests for information from the review panel, their benefit may be suspended.

FOR YOUR BENEFIT

This handout is an overview of the '77 Fund plan provisions. Complete details are available in the Police Officers' and Firefighters' Member Handbook. You may read it or print your copy from the INPRS website. You may also request a copy in writing or by calling our toll-free number, (844) GO-INPRS or 844-464-6777.

It is your responsibility to keep your name, address, and beneficiary choices current. Visit your online account at myINPRSretirement.org to make changes.

Every attempt has been made to verify that the information in this publication is correct and up-to-date. Published content does not constitute legal advice. If a conflict arises between the information contained in this publication and the law, the applicable law shall apply.