

HCS HB 397 -- POLICE RETIREMENT SYSTEMS

SPONSOR: Viebrock (Flook)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Retirement by a vote of 11 to 0.

This substitute changes the laws regarding retirement based on disability in the police retirement systems of Kansas City and St. Louis.

POLICE RETIREMENT SYSTEM OF KANSAS CITY

The substitute changes the retirement benefits of any member of the Police Retirement System of Kansas City who retired due to being permanently disabled or any eligible surviving spouse of a member who died in service on or before August 28, 2009. If the member's or surviving spouse's current retirement benefit is less than \$600 per month, excluding supplemental retirement benefits, the benefit will increase to \$600 per month until the member's or surviving spouse's current total base pension and cost-of-living adjustments exceed \$600 per month.

POLICE RETIREMENT SYSTEM OF ST. LOUIS

The substitute:

(1) Eliminates the medical board of physicians that arranges for required disability-related medical examinations and replaces it with a medical director who must appoint doctors to investigate the physical and mental conditions of applicants for disability retirement. The medical director must report in writing to the board of trustees of the system on the doctor's conclusions and recommendations in connection with an application for disability retirement;

(2) Allows members who have completed at least 10 years of creditable service and who become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by his or her official duties or by his or her negligence to retire upon certification of the medical director and approval by the board of trustees;

(3) Allows members who are permanently disabled exclusively as a result of an accident occurring within the actual performance of duty at some definite time and place to retire upon certification by the medical director and the approval of the board of trustees. These members must apply for disability within five years of the accident, unless the accident was reported within five years and the member was examined by a health care provider

supplied by the board of police commissioners within 30 days of the accident;

(4) Requires a member who retires because of disability and is younger than 60 years of age to submit to a medical examination yearly for the first five years following his or her retirement and at least once every three years thereafter. If the retiree refuses to submit to a medical examination, his or her disability pension may be discontinued. If the retiree continues to refuse for one year, his or her pension may be revoked; and

(5) Specifies that if the medical director certifies to the board of trustees that a member who retires because of disability is able to perform the duties of a police officer and the board agrees, the disability pension will end. If the officer returns to active service, the period of time during which the officer received a disability pension will not be included in his or her time of service.

The substitute contains an emergency clause for the provisions regarding the Police Retirement System of Kansas City.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that the bill will bring survivor and member benefits to a level currently received by other retirees.

Testifying for the bill were Representative Flook; and Jim Pyles, Police Retirement System of Kansas City.

OPPOSERS: There was no opposition voiced to the committee.