

**ADMINISTRATIVE RECOMMENDATION**  
**PROCESS AND POLICIES FOR DISABILITY APPLICATIONS**

**STEP ONE: APPLICATION FOR DISABILITY RETIREMENT**

In order to apply for disability retirement, a Disability Retirement Application must be submitted to SDCERA. The Disability Retirement Information and Application Booklet can be obtained by contacting SDCERA at 619.515.6864. The following items must be filed out by applicant<sup>1</sup> or applicant's physician and returned to SDCERA:

1. Disability Retirement Application form

Applicants must explain the items and issues listed in appendix one in full on the Application form and applicants must attach supporting documentation to address every applicable issue.

2. Member's Description of Job Duties form

3. Claims Against Third Parties form

4. Authorization to Obtain and Release Records

5. Physician Questionnaire

Applicant must submit the Physician Questionnaire form along with the completed Class Description form and Member's Description of Job Duties form to applicant's treating physician. It is applicant's responsibility to ensure that SDCERA receives the completed Physician Questionnaire form. Copies of Class Descriptions are available on the County's website at <http://www.co.san-diego.ca.us>. Your Department or SDCERA can assist you in obtaining a copy.

The application process requires completion of the Application forms and submission of the supporting medical documentation. An initial applicant interview and a case status interview with SDCERA staff are also required. All initial applicant interviews will be in person unless the applicant lives outside the county or is physically unable to communicate or travel.<sup>2</sup> Case status interviews may be done in person or telephonically. Upon member's request an authorized representative may assist with one or both interviews. For department filings on behalf of employees, all departments are expected to make supervisors and key personnel available for interview.

Items 1 through 5 above must be completed and returned to SDCERA before SDCERA will begin processing the Application. Additionally, an SDCERA staff member must certify that applicant has satisfactorily completed the initial applicant interview.

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<sup>1</sup> If a department files on behalf of an employee, the department must complete the Department Application form and work directly with the SDCERA disability department.

<sup>2</sup> If Applicant lives outside the County or is physically unable to travel, SDCERA will conduct a telephonic pre-filing interview. For applications unable to communicate an authorized representative may assist.

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An incomplete or altered Application will be returned to the member in its entirety. This can create a delay in the effective date for benefits or affect the timeliness of the Application. Any amendments to Applications that claim a new or unrelated disability will be treated as a new Application, which could also affect the timeliness of the Application.

Once SDCERA begins processing the Application a Disability Specialist will be assigned to the Application and the member will receive an acknowledgement of receipt letter.

The processing timeline for Applications will begin only when the Application has been filed, items 1 through 5 above have been returned to SDCERA and the initial applicant interview has been completed.

**STEP TWO: DISCOVERY AND OBTAINING RECORDS**

The Disability Staff will obtain all or some of the following records:

All documentation submitted by the applicant; medical and psychiatric records; personnel records such as time cards, payroll records, accommodation documents, performance evaluations, accident investigation reports, traffic collision reports, grievance filings and internal investigations; all workers compensation records related to the Application, such as benefit awards, depositions, sub-rosa investigation reports, surveillance tapes and surveillance materials, notice of work restrictions; correspondence to and from the department regarding the department's ability to accommodate work restrictions, lists of all claims filed, claim forms, claim sheets and face sheets, employer's report of occupational injury or illness, job analysis reports; medical reports and records including any subpoenaed reports and records, requests for leave of absence for occupational injury or illness, descriptions of employee's job duties (RU-91's); supervisor's accident investigation reports; settlement documents, including stipulations, compromise and release documents, electronic medical records including reports on CD's or DVD's, any and all functional capacity assessments (PR-4), and any other litigation filings claims and accident reports.

**STEP THREE: CASE STATUS INTERVIEWS**

All members will participate in an in-person or telephonic case status interview unless they are physically unable to communicate. Upon applicant's request an authorized representative may assist.

The case status interview will take place prior to any SDCERA medical evaluation, or, in the absence of a medical evaluation, within 30 days after SDCERA begins processing the Application. The purpose of the case status interview is to provide a status of the application, answer Applicant's questions, and/or identify and submit any additional evidence or records to be considered by SDCERA or SDCERA's physician. The case status interview may be conducted in person or telephonically.

An Applicant is expected to submit all supporting documentation at the time of filing the Application. The Applicant may submit additional supporting documentation to SDCERA at any time up to 14 calendar days after the case status interview. Unless requested by SDCERA as part of Step Four, below, no additional documents or evidence will be considered by SDCERA during the

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Administrative Recommendation process following that date. Nothing in this Administrative Recommendation Process and Policies for Disability Applications is intended to prevent or otherwise discourage the Applicant from presenting any additional or otherwise relevant evidence as part of the hearing de novo process.

#### **STEP FOUR: MEDICAL EVALUATIONS**

With limited exceptions<sup>3</sup>, applicants are expected to be evaluated<sup>4</sup> by at least one physician of SDCERA's choice. The Disability Retirement Staff will do the following:

- Send Records to the physician of SDCERA's choice.
- Notify the applicant or authorized representative in writing of the medical evaluation.

Applicant is expected to cooperate during the medical evaluation process and applicant may be expected to promptly provide additional medical records and information or to submit to additional examinations.

Applicant should expect the medical evaluation to take place approximately 15 to 30 days after the case status interview and applicant must be ready to report for medical evaluation appointments during this time period. Applicant is responsible for any missed medical appointment fees.

#### **STEP FIVE: RECOMMENDATION IS PREPARED FOR BOARD OF RETIREMENT CONSIDERATION**

All Applications are submitted to the Board of Retirement with a staff recommendation to grant or deny.

The procedures for hearings before the Board are set forth in the Procedures for Disability Retirement Hearings and Regulations. The *Disability Retirement Information and Application* booklet contains a copy of the Procedures for Disability Retirement Hearings and Regulations. To receive a copy via mail please call 619.515.6864.

Applicant should expect the hearing before the Board of Retirement to take place approximately 30 to 45 days after the completion of the medical evaluation process.

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<sup>3</sup> These limited exceptions may include terminal cases and cases where applicant's disability is clear and no opportunity for accommodation exists. These limited exception cases should represent less than 15% of all cases.

<sup>4</sup> The medical evaluation process contains three evaluation options:

(1) The Disability Specialist simply verifies information with one or more of applicant's treating physicians, i.e., SDCERA's physician of choice is one or more of applicant's treating physicians. This expedited option is for use in clear cut cases.

(2) Medical records are submitted to a physician of SDCERA's choice and SDCERA's physician provides a written report based solely on the document review.

(3) Applicant is sent for a medical examination with a physician of SDCERA's choice. The full medical evaluation is for use in cases where the evidence is conflicted or unclear.

**REVIEW**

This policy shall be reviewed by the Board at least every three (3) years and may be amended at any time.

**HISTORY**

November 2, 2006	Adopted, effective January 1, 2007
June 5, 2014	Amended, effective November 15, 2014

## **Appendix One**

### **Issues and Items Applicants must Address and Provide**

#### **Documentary Support for on the Disability Retirement Application Form**

- The nature of the disability and how it occurred, including a list of symptoms and complaints
- Medical evidence supporting each claim of inability to perform job duties
- Identification of all treating physicians, including primary care provider
- A summary of Workers' Compensation claims history
- A history of the job injury and illness
- Job history and job duties
- Any light duty and/or accommodated assignments
- Any non-work related factors relating to the disability
- An explanation for any delays in filing of the Application
- The name of any witnesses
- The initial date of knowledge of inability to return to work
- The name of current supervisor
- The name of supervisor at the time of claimed disability
- The name of any co-workers with knowledge of the claimed disability
- Membership and disability filing status in any other pension systems
- Disability retirement benefit options and beneficiary designations