

# Tier II

## Disability Benefits

### Key Facts

- Disability benefits are available to members who have at least five (5) years of service.
- Disability retirees receive monthly benefits for as long as their disability exists.

A member who has five (5) or more years of actual service and becomes totally and permanently incapacitated for duty due to personal injury or disease can receive disability benefits.

### Eligibility for Benefits

To receive disability benefits, the member must receive a medical examination and submit a written application to the Board of Trustees of the State Police Retirement System (Board). A medical professional must perform the examination using the division's active-duty criteria to determine the extent of the disability.

The five-year service requirement will not apply to a member who is receiving workers' compensation for a disability arising solely from employment with the division.

### Straight Life Annuity

Members who retire due to disability receive an annuity computed under the same provisions as a voluntary retirement. These provisions do not contain a reduction for early retirement.

A member's annuity is computed as:

- a straight life annuity equal to two and sixty-five hundredths percent (2.65%) of the member's final average compensation multiplied by the number of years of service, and
- If the member is younger than age 62, a temporary annuity equal to five hundred thirteen thousandths percent (0.513%) of the member's final average compensation for each year of actual service. The temporary annuity ends at age 62.

### Example:

Below is a benefit calculation based on the average compensation and service credit of an active member.

<i>Straight Life Annuity</i>	<i>Temporary Annuity</i>
\$63,116	\$63,116
X 2.65%	X 0.513%
X <u>12.5 years</u>	X <u>12.5 years</u>
<b>\$20,097 annually or</b>	<b>\$4,047 annually or</b>
<b>\$1,742 monthly</b>	<b>\$337 monthly</b>

In this example, a member will receive a total monthly benefit of \$2,079 (\$1,742 + \$337) during his or her disability retirement.

## Annuity Options

Before the annuity starting date, a member may elect to have his or her annuity reduced to continue payments to a beneficiary. See the Post-Retirement Death Benefits fact sheet for Tier Two for more information.

## Disability Review

The Board is authorized to require retirees under age 50 to submit to a medical examination by a medical professional during their disability retirement. If the retiree refuses to submit to an examination, disability benefits may be suspended until he or she complies. If the refusal continues for one (1) year, the disability benefits may be revoked.

If a medical professional determines that the retiree is physically capable of performing the duties of the rank held at retirement, the retiree must return to employment with the division.

## Reemployment

If a disability retiree returns to employment in the division, the service earned before retirement will be restored to his or her credit. If he or she had been receiving workers' compensation arising from employment in the division, the system also will grant service credit for the period of disability retirement.

## Benefit Limitations

If a disability retiree who has not attained age 55 becomes employed outside of the division, his or her disability payments will be reduced. The disability payments will be reduced so that the sum of the annuity and the compensation from employment will not exceed his or her annual salary at retirement.

## Additional Information

If you have any questions about disability benefits, please contact our Education Services section at [ASPRS@arkansas.gov](mailto:ASPRS@arkansas.gov).

Reference: A.C.A. § 24-6-405