



Disability Benefits

for members of the Teachers' Retirement System (TRS) Plan I

If you are a member of TRS Plan I and you become disabled, you may be entitled to disability benefits. This publication describes disability benefits and how to apply for them. The Department of Retirement Systems (DRS) recommends that you contact a TRS retirement services analyst if you plan to apply for disability benefits.

Temporary disability benefits

To be eligible, you must:

- Be a member employed full-time in a TRS-covered position at the time disability occurs (if you are on authorized leave from a full-time TRS position, you are considered employed);
- Be a member employed full-time in a TRS-covered position when applying for and while receiving disability benefits;
- Be mentally or physically disabled for the performance of your duties for at least 60 consecutive calendar days before applying for and receiving temporary disability benefits.

If you were not employed full-time in Washington public school service in the prior fiscal year and you return to full-time service, you must be employed for at least 50 consecutive days to again qualify for temporary disability coverage.

You must apply within four years of the date the disability occurred. If you have a disability that gets worse over time, the four year time limit starts from the beginning of the disability.

Benefits

\$180 a month for up to two continuous years per incident. Your benefit is retroactive to the effective date of your disability.

Permanent disability benefits

There is no time limit for a permanent disability retirement.

To be eligible, you must:

- Be permanently disabled for the performance of your duties;
- Have five or more years of Washington State TRS service credit;
- Be employed under a continuing service contract as a contributing member of TRS at the onset of the disability (you are covered during the summer if you were under a service contract during the preceding school year); and
- Separate from your public school service. (Be sure to discuss your case with a TRS retirement services analyst as a determination of eligibility can be provided to you before you separate. You have not separated from service if you are on any type of leave.)

Note: If you are eligible for a service retirement benefit, you are not eligible for a disability benefit. You are eligible for a service retirement benefit if you:

- Have at least 30 years of service credit regardless of age;
- Are age 60 or older and have at least five years of service credit; or



- Are age 55 or older and have at least 25 years of service credit.

We determine eligibility for disability retirement based on your condition at the time of your application. You are responsible for providing us with medical information that shows you are permanently disabled for the performance of your duties. Your doctor must support any opinions or conclusions with objective data, such as observations recorded in office visit notes and tests. You are responsible for scheduling and paying for independent medical examinations.

Benefits

If you qualify, you will receive a monthly benefit calculated as follows:

$$2\% \times \text{service credit years} \times \text{average final compensation}$$

Average final compensation (AFC) is based on your highest two consecutive compensated fiscal years (July 1 through June 30). Service credit is your total years of service credit at the time you separate from employment.

Note: If you become permanently disabled and will be compensated for less than 144 full-time days during the school year, your effective retirement date will be on the first of the month following the month you separated from TRS-covered employment. In the event that you are compensated for 144 or more full-time days during the school year, your effective retirement date will be July 1st of that school year. If you are contemplating using sick leave or shared leave, etc., this counts as part of your salary for full-time days.

Terminal disability

If your disability is terminal, you are encouraged to discuss survivor benefit options with a TRS retirement services analyst. If you are disabled, apply as soon as possible. If you die before your disability retirement application has been submitted, your beneficiary may receive a death in service survivor benefit, which will be less than a disability retirement.

If you die within 60 days of filing your disability application, your beneficiary may choose one of several options. Please call us to discuss these options.

Am I eligible to purchase service credit for temporary disability leave?

You have the option to apply for up to 24 months of service credit while on leave for a disability. To qualify:

- Your disability must have occurred in the line of duty; and
- You must have received your injury on or after July 22, 2007, and be eligible to receive workers' compensation benefits; and
- You must make retirement contributions on the compensation you would have earned had you been working. DRS charges interest if the payments are made for a retroactive period.

For more information on how to apply for temporary disability service credit, contact us.

How do I apply for disability retirement?

You must take the following steps to apply for disability retirement:

Step 1. Request an application packet and estimate of benefits by contacting us. Please be prepared to give us the following information:

- Name
- Address
- Phone number
- Social Security number
- Retirement system and plan
- Spouse's name and birth date (if married)
- The date you became disabled
- Whether or not the disability was incurred during the performance of your job.

Step 2. Read through all of your application packet materials. There are three separate parts to the application that must be completed by different individuals and then returned to DRS.

- **Part 1 of 3, Application for Disability Retirement,** complete, sign and have notarized. If you are married, your spouse's signature must also be notarized;
- **Part 2 of 3, Employer's Statement and Report,** complete the *Member Information Section*, then send the form to your employer. They will complete the remainder of the form, sign and mail it to DRS;
- **Part 3 of 3, Medical Report** complete the *Member Information Section*, including the *Mandatory Field*, then send the form and a copy of your job description to your physician. Your physician will complete the remainder of the form, sign and mail it along with any supporting documentation to DRS.

When DRS receives your completed Part 1, your application is date stamped and filed. If Parts 2 or 3

arrive first, your application will be put into pending status until Part 1 is received. DRS will not begin the application review process until all three parts have been received

In most cases the determination process takes four to six weeks. The process may take longer if DRS finds that your application requires supporting documentation. We will contact you if we need more information. Examples of supporting documentation include:

- All medical records, reports and charts pertaining to your disabling condition;
- Complete physician information, especially if you are being treated by more than one doctor;
- Copy of your Social Security Administration disability award letter and any additional medical information provided to the Social Security Administration;
- Clarification from your employer regarding your job specification information;
- Department of Labor and Industries or self-insurer file documentation such as Report of Accident (ROA), Independent Medical Examinations (IME), medical and vocational records.

You may submit any of the preceding information with your application to help expedite the determination process.

If you file an application for disability retirement with DRS, but die within 60 days of filing, your beneficiary may choose one of several options. Please call us to discuss these options.

What happens once I receive a determination from DRS?

If you receive a denial

You may petition for a review within 120 days of receiving your denial letter. If your petition is denied, you will be informed of appeal procedures. You will have 60 days to appeal the decision.

If you are approved

DRS will mail you an approval letter with additional information. You must separate from employment in order to begin receiving your benefit.

If you continue to work and have not separated within 90 days of the approval date, DRS will rescind its approval. You must reapply and submit current medical evidence to be considered for a benefit.

Your retirement date is the first of the month following your date of separation. For example, if your application is approved on May 4, and you separate from service on May 15, your retirement date is June 1 and you will receive your first benefit on the last working day of June.

Can my benefit increase after I retire?

On July 1 of every year following your first full year of retirement, your monthly benefit will be adjusted by the percentage change in the Consumer Price Index to a maximum of three percent per year.

Can I lose my benefit?

If you are receiving a monthly disability benefit, DRS may require you to undergo comprehensive medical examinations at the expense of DRS. You are responsible for ensuring that your doctor reports any and all changes in your disabling condition to DRS.

If medical examinations show that you have recovered from the disability for which DRS granted a disability retirement, you may no longer be eligible to receive a retirement benefit.

Your disability retirement benefit may also be affected if you return to work. In some cases, depending on the position and the extent to which you work, your retirement benefit may be suspended. If you decide to return to work, call DRS to determine how your benefit will be affected.

What if there is an error?

If you receive an overpayment of your disability benefit or refund, DRS will require that the overpayment be repaid. If you receive an underpayment, DRS will correct the error and pay you in full.

Am I eligible for continuing medical coverage?

If your medical coverage is provided by the state Health Care Authority (HCA), please contact them for information concerning continuation of coverage. HCA can be reached at 800-200-1004, or in Olympia at 360-725-0440.

Other possible disability benefits

You may also be eligible for disability-related benefits from the Department of Labor and Industries (workers' compensation benefits), Department of Social and Health Services, the Social Security Administration, your employer and disability insurers. Please contact these organizations directly for more information.

The benefits you receive from the Department of Labor and Industries, the Social Security Administration or other disability insurers do not affect your benefit amount with DRS. However, the benefit from DRS may affect other benefits. Please contact these organizations directly for more information.

Taxation and assignment of benefits

Federal income taxes

Disability benefits are taxed as ordinary income until minimum retirement age. You may be able to receive tax credits for the elderly or disabled as explained in the Internal Revenue Service (IRS) Publication 524.

You must complete a W-4P form to indicate how you want income tax withheld from your retirement benefit. If you do not, DRS will follow IRS rules requiring withholding as if you are married and claiming three exemptions. This is regardless of the number of exemptions you qualify to claim on your income tax return.

Assignment and attachment of benefits

Your retirement benefit may be subject to assignment or attachment to satisfy court and administrative orders for spousal maintenance and child support, or orders authorized by federal law.

DRS is authorized to divide pensions between members and ex-spouses based upon court-ordered property division. If the divorce decree complies with the applicable law, TRS will send the property division payment directly to the ex-spouse. For more information, refer to the publication *How Can a Property Division Affect My Retirement Account?* available from DRS or on our website at www.drs.wa.gov.

Contacting DRS

For more information about your plan, refer to your *TRS Plan 1 Member Handbook*, visit the DRS website, or contact DRS directly. DRS office hours are 8 a.m. to 5 p.m., Monday through Friday, except legal holidays.

Website: www.drs.wa.gov

Telephone: 1-800-547-6657, or
360-664-7000 in the Olympia area
For TRS disability questions select
option 4, then option 1

TTY: 1-866-377-8895, or
360-586-5450 in the Olympia area

Email: recep@drs.wa.gov

Address: PO Box 48380
Olympia, WA 98504-8380

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Summary Description

The rules governing disability are contained in state retirement law. This publication is a summary, written in non-legal terms. It is not a complete description of the law. If there are any conflicts between what is written in this publication, and what is contained in the law, the applicable law will govern.