

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB278

Chairperson: Senator Mark Kolterman

Committee: Nebraska Retirement Systems

Date of Hearing: February 3, 2017

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 278 amends the County, State and School Employees Retirement Acts to create uniformity in the disability provisions. The definition of disability in each Act is amended to clarify that disability is the inability to engage in any substantially gainful activity. It also clarifies that a disability must be initially diagnosed or become disabling while the member is an active participant in the plan and there must be an expectation that the disability is of a long-continued duration or will result in death.

The County and State Plans add language which currently exists in the School Plan that the medical examination may be waived if the Public Employees Retirement Board determines that extraordinary circumstances exist including hospice placement or similar placement for a terminal illness or injury.

LB 278 deletes a current provision in the School Plan that grants a school member up to five years from termination to file for work-related disability. All disability applications must be filed within one year of termination of employment. This change makes the time-frame to file for disability consistent with the County and State Employees Retirement Act.

Principal Introducer: _____

Senator Mark Kolterman