



DISABILITY PROCESS

IMPERIAL COUNTY EMPLOYEES' RETIREMENT SYSTEM

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1. Application Process:

- Application received
- Review of completeness/timeliness (returned to applicant if incomplete & referred to Administrator or Disability Attorney if untimely)
- Verify filing requirements
- Notice of Filing Complete Application sent to applicant and employer

2. Investigative Process:

- Specialist/Disability Attorney reviews case
- Check for possible subrogation
- Order records
 - Doctors reports
 - Workers' Compensation records
 - Hospital records
 - Personnel records
 - Return to Work file
 - Occupational Health and Safety (OHS) file
 - Attendance and/or payroll records
 - Other: depositions, investigative reports, etc.

3. Interview Process:

- Records are reviewed and indexed by Specialist/Disability Attorney
- Applicant interviewed
- Witnesses interviewed
- When applicable, additional records may be ordered

4. Medical Examination Process:

- Medical exam scheduled
- Letters of appointment sent to physician and applicant/attorney
- Records sent to physician
- Physician report is received and reviewed
- Doctor may be asked for a supplemental report to clarify information
- If doctor finds applicant not disabled and there are multiple types of injuries/illnesses listed, schedule a medical exam with a new doctor (this may occur multiple times and additional records and or interviews may be needed as well)

5. Staff Recommendation:

- Contact department regarding accommodations for any work restrictions in the physician report

- If requested by a party, send the file to the County Health Officer for review and report.
- Develop the staff recommendation based on the doctor's recommendation and the department's ability to accommodate

6. Case Prepared for Board:

- Prepare Disability Retirement Administrative Recommendation
- Case is reviewed by Retirement Administrator and Legal Counsel, legal opinion written if necessary
- Disability Retirement Applicant's agenda prepared
- Case delivered to Board Members

7. Post Board Meeting:

- Board action is taken:
 - Copy of the Administrative Recommendation is provided to the applicant following Board action
 - If granted, information is forwarded to department, member and Retirement Specialist for processing
 - If denied, file is held for 45 days. If a request for hearing de novo is filed by any party, the file is prepped for disability litigation. If a request for hearing de novo is not filed, the file will be closed.
 - If amendment is filed, the entire case is reprocessed – go back to Step 2
- No Board action taken and case is returned to staff for further information: may require contacting the department or physician for clarification or additional information, it may even require additional medical exams

8. Appeals:

- If the application is denied at the administrative level, Applicant may request a de novo hearing. The matter is referred to counsel for handling.
- If denied again, applicant may appeal to the courts as follows:
 - Superior Court
 - Appellate Court
 - Supreme Court