



Employees' Retirement System of Rhode Island

ANNUAL MEDICAL UPDATE

For Members Receiving a Disability Retirement Allowance

Please take this page with you to one of your doctor's appointments during 2022.

Name of Member:	Member Date of Birth:
Doctor's Name:	Date of Examination:

To be completed by your Doctor **(Due by December 31, 2022)**

Please provide a response to the following statement based on your medical opinion.

The Member likely remains unable to work in the position from which he or she retired.	
Yes <input type="radio"/>	Further independent examination is recommended to determine. <input type="radio"/>

Please attach a copy of the Member's current medical report.

Additional Notes (Optional):

Doctor's Signature: _____ Date: _____

This box is only applicable for Members who are unable to see a doctor during 2022. Member, please check the reason below and return to ERSRI.		
I cannot afford to see a doctor. <input type="radio"/>	I do not have a doctor. <input type="radio"/>	My doctor will not sign the form. <input type="radio"/>
Other (please explain): _____		

Please submit this form to:

Employees' Retirement System of Rhode Island
Re: Disability Compliance
50 Service Avenue, Second Floor
Warwick, RI 02886-1021

Fax: 401.462.7691
Phone: 401.462.7638



Employees' Retirement System of Rhode Island

FREQUENTLY ASKED QUESTIONS

For Members Receiving a Disability Retirement Allowance

Please be advised that these questions and answers should not be relied upon in a legal setting and they do not supersede any law or promulgated rule or regulation. These questions and answers apply the laws, rules and regulations, and policies that are in effect as of December 31, 2021. Should the laws, rules and regulations, and/or policies change, these questions and answers will no longer be applicable.

1. Why does ERSRI require me to submit an Annual Disclosure Statement?

ERSRI is required by law to adjust a member's disability retirement allowance if the member earns over a certain amount of money. ERSRI determines whether you have earned over the statutory limit by reviewing your *Annual Disclosure Statement* and supporting documentation.

2. Where can I find the laws regarding the earnings limitation for members receiving a disability retirement allowance?

The earnings limitation applies to: (i) state employees including BHDDH nurses and correctional officers through Rhode Island General Laws (RIGL) § 36-10-17; (ii) teachers through RIGL § 16-16-19; (iii) general municipal employees through RIGL § 45-21-24; (iv) municipal police and fire members receiving an ordinary disability retirement through cross reference to RIGL § 45-21-24 by RIGL § 45-21.2-7; and (v) municipal police and fire members receiving an accidental disability retirement through RIGL § 45-21-24 based on the provisions of RIGL § 45-21.2-4.

3. How much money can I make before my retirement allowance is adjusted?

You are permitted to make the difference between the amount you would have earned had you still been employed in the same position from which you retired and your disability retirement allowance. See the below example:

1. You retired as a teacher in 2004.
2. You would have earned \$70,000 had you been employed as a teacher in 2015.
3. For 2015, your disability retirement allowance with COLA was \$50,000.
4. For 2015, you would be permitted to make \$20,000 (\$70,000 - \$50,000) before your disability retirement allowance is adjusted.

4. *At what age will I no longer receive an Annual Disclosure Statement?*

Once a member attains his or her minimum age of service retirement, he or she will no longer receive an *Annual Disclosure Statement*. Please note that you will receive an *Annual Disclosure Statement* the calendar year after you attain your minimum age of service retirement because we request your earnings information for the previous calendar year. For example, if you attain your minimum age of service retirement in 2017, you will receive an *Annual Disclosure Statement* in 2018 in which you must provide your 2017 tax information.

5. *What happens if I do not submit an Annual Disclosure Statement?*

If you do not provide ERSRI with a completed *Annual Disclosure Statement* including all supporting documentation, your disability retirement allowance may be suspended until your statement is received and analyzed.

6. *Will my tax return become a public document?*

No. Pursuant to RIGL § 38-2-2(4)(O), tax returns are not public documents.

7. *Why do I have to provide my spouse's tax information?*

If you filed a joint tax return, ERSRI will not be able to differentiate whether the earnings are attributable to you or your spouse without receiving the W-2s, wage attachments and other business income attachments and/or schedules for both you and your spouse.

8. *If I made over the statutory limit, will I be notified before my disability retirement allowance is adjusted?*

Yes, you will be mailed written notice at least thirty (30) days before your disability retirement allowance is adjusted. The notice will contain the amount owed and the adjustment period.

9. *What if I cannot afford to see a doctor on an annual basis?*

You are not required to see a doctor. However, ERSRI has the legal authority to send you for an independent medical examination (IME), at ERSRI's expense, once per year. By not submitting an *Annual Medical Update*, ERSRI may be more likely to send you to an IME.

10. *What happens if I refuse to see an IME which was assigned by ERSRI?*

If you refuse to see an IME that has been assigned to you by ERSRI, your disability retirement allowance may be permanently revoked.

11. *Where can I find the laws regarding ERSRI's authority to send me to an IME?*

Rhode Island General Laws § 36-10-17; §16-16-19; and § 45-21-23 govern the re-examination of disability retirees.