



# EMPLOYER NOTICE

## Administrative Rule amendments effective Jan. 1, 2022

### WHO SHOULD READ THIS NOTICE

Finance directors, chief administrative officers, human resources and benefits professionals of OPERS employers.

### SITUATION OVERVIEW

Administrative rules are reviewed every five years or as needed to determine whether they require amendments, rescission or to continue without change. The OPERS Board of Trustees approved changes to the following Administrative Rules and the corresponding plan document amendments, which became effective on Jan. 1, 2022.

### SUMMARY OF SUBSTANTIVE RULE AMENDMENTS

#### 1. **Rule 145-2-25 – Combined disability benefits**

In the case of a disability benefit that includes employee and employer contributions from the School Employees Retirement System or State Teachers Retirement System, if the disability benefit is terminated, any unused portion of the employee contributions received from the other system must, upon application for a refund, be included in the refund of the recipient's accumulated contributions.

#### 2. **Rule 145-2-39 – Survivors of law enforcement officers with non-law enforcement service**

The amount due a survivor of a law enforcement or public safety officer, in the form of a lump sum payment for non-law enforcement service, is the same as what the member would have received in the form of a lump sum payment (either a refund or a lump sum payment discounted to present value), as specified in rule 145-2-49 of the Administrative Code.

#### 3. **Rule 145-2-55 – Death benefit payment**

##### **Rule 145-3-75 – Death benefit payment**

A death benefit payment is always divided equally among the beneficiaries. In addition, rather than specify the acceptable forms of proof of payment, staff will be permitted to accept a variety of forms of proof of payment.

### OTHER TECHNICAL (OR NON-SUBSTANTIVE) AMENDMENTS

#### 1. **Rule 145-1-43 – Alternative retirement programs**

The amendments to the rule remove obsolete language that is no longer operative law.

#### 2. **Rule 145-2-04 – Purchase of service pursuant to section 145.293 of the Revised Code**

##### **Rule 145-2-13 – Purchase of leave of absence**

These rules are updated to clarify that a form provided by the retirement system must be completed to obtain the service credit.

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**3. Rule 145-2-07 – Additional service credit under section 145.201 of Revised Code**

The amendment to the rule clarifies monthly earnable salary is determined by the salary reported to OPERS for each month.

**4. Rule 145-2-23 – Disability appeals**

The amendment clarifies that the additional medical evidence submitted for an appeal under the any occupation standard must be evidence that has not previously been considered by the examining physician or medical consultant, which is consistent with an appeal based on the own occupation standard.

**5. Rule 145-2-43 – Additional annuity accounts**

This rule is amended to conform the crediting of additional annuity deposits to current business practice.

**OTHER AMENDMENTS – COMBINED PLAN NO LONGER A PLAN SELECTION**

**1. Rule 145-1-88 – Changes to election to participate**

**Rule 145-1-89 – Transfer of contributions under rule 145-1-88 of the Administrative Code**

**Rule 145-3-22 – Restored service**

**Rule 145-3-23 – Additional liability for service purchases in the Combined Plan**

**Rule 145-3-40 – Service credit in the Combined Plan for participation in Member-Directed Plan**

**Amendment Nineteen to the Public Employees Retirement System of Ohio  
Defined Contribution Plan**

**Amendment Nineteen to the Public Employees Retirement System of Ohio  
Combined Defined Benefit/Defined Contribution Plan**

As of January 1, 2022, new members will no longer be allowed to select the Combined Plan. In addition, current members of the Traditional Pension or Member-Directed Plans will no longer be permitted to plan change into the Combined Plan. For those who elected the Combined Plan prior to January 1, 2022, the plan will retain the current plan features and current participants in the plan will experience no changes.

**2. Rule 145-2-18 – Service credit in the Traditional Pension Plan for participation in the Combined Plan or Member-Directed Plan**

Under current law, if a member terminates employment and elects a refund of the member's accumulated contributions, the member upon returning to public employment must elect the plan from which the member refunded to be eligible to restore the refunded amount in the plan. Because the Combined Plan will no longer be a plan selection beginning January 1, 2002, members who refunded from the Combined Plan prior to that date will no longer be permitted to return to the Combined Plan upon returning to public employment. The amendment to the rule will permit such members to elect the Traditional Pension Plan upon a return to public employment and to obtain the refunded service credit in the Traditional Pension Plan as plan change service credit in the same manner as members who plan change to the Traditional Pension Plan and seek to obtain credit in the new plan for service earned in the Combined Plan.

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## OTHER AMENDMENTS - HEALTH CARE

### **1. Rule 145-4-25 – Dental and vision coverage**

The new rule specifies the provisions of the dental and vision coverage that were previously integrated with self-insured group health plan rules and adds the requirement that the retiree's benefit amount exceed the cost of the dental and vision coverage.

### **2. Rule 145-4-27 – Health reimbursement arrangement**

#### **Public Employees Retirement System of Ohio Pre-Medicare Health Reimbursement Arrangement Plan**

#### **Public Employees Retirement System of Ohio Medicare Health Reimbursement Arrangement Plan**

#### **Public Employees Retirement System of Ohio Health Reimbursement Arrangement Plan**

The new rule and plan documents are the legal documents required to implement changes to the OPERS health care program approved by the Board in January 2020. The three plan documents and information on the changes to the OPERS health care program are available on our website, [www.opers.org](http://www.opers.org).

## WHAT EMPLOYERS NEED TO KNOW

The information contained here is a high-level overview to keep employers informed of changes to Administrative Rules and corresponding plan document amendments pertaining to the organization, operational policies, definitions and administration. Employers are encouraged to be knowledgeable about all aspects of each Administrative Rule and plan document change.

Those who want to read the primary documentation for all Administrative Rule changes will find exact information about all Administrative Rules on the Register of Ohio website, [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us). The plan documents, including the amendments, are available on our website, [www.opers.org](http://www.opers.org).

## WHOM TO CONTACT FOR MORE INFORMATION

After reviewing this Employer Notice, contact Employer Services with questions or comments at 888-400-0965, or by e-mail at [employeroutreach@opers.org](mailto:employeroutreach@opers.org).

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For a current listing of OPERS Board members, please visit [opers.org](http://opers.org)

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