

RÉSUMÉ DIGEST

ACT 209 (HB 24)

2016 Regular Session

Montoucet

Existing law provides for a disability retirement for members of the Firefighters' Retirement System (FRS). Provides for determination of the amount of the disability benefit. Provides that eligibility for a disability retirement is determined by a physician.

Existing law, relative to all state and statewide retirement systems, provides that any disability claimed must have been incurred after commencement of service in the retirement system and that a disability claim for a preexisting condition shall not be honored.

New law provides that a member of FRS is not eligible for a disability benefit if the disability is indirectly a result of a preexisting condition, for example, if fire department employment has made such a condition worse. Prohibits the board of trustees from considering the fact that the member was found to be fit for fire department employment in determining whether a disability is the result of a preexisting condition. New law further provides that an appeal of a decision that the member is ineligible because the disability preceded employment may be instituted by the member or his beneficiary by filing a petition in the district court within 30 days after receipt of written notice of the decision.

Effective upon signature of governor (May 26, 2016).

(Amends R.S. 11:2258(A) and (B)(intro. para.); Adds R.S. 11:2258.1)