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## DIGEST

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HB 26 Original

2016 Regular Session

Montoucet

**Abstract:** Requires that an appeal by a member of the Firefighter's Retirement System (FRS) of a decision regarding his eligibility for disability benefits be filed within 30 days.

Present law provides procedures whereby a member of a state or statewide retirement system may apply for disability benefits from his system. Provides for determination of eligibility for disability benefits by a physician. Further provides that if either the applicant or the retirement system's board of trustees contests the physician's decision, the contesting party may request a second medical examination by filing a written appeal within 30 days after notification of the decision. If the two physicians differ in their decisions, they shall select a third specialist to conduct another examination. Provides that the majority opinion of the three physicians shall be final and binding and not subject to further appeal other than through the courts.

Proposed law provides that a member of FRS who wishes to appeal either the decision of the first two physicians or the majority opinion of the three physicians may do so by filing a petition with the district court within 30 days after receipt of the written notice of the decision.

Proposed law is applicable only to eligibility decisions made after the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 11:2258.1)