

House Bill 172 (AS PASSED HOUSE AND SENATE)

By: Representatives Maxwell of the 17<sup>th</sup>, Benton of the 31<sup>st</sup>, Meadows of the 5<sup>th</sup>, and Maddox of the 172<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-2-125 of the Official Code of Georgia Annotated, relating to  
2 reexamination of persons receiving disability benefits under the Employees' Retirement  
3 System of Georgia, effect of refusal to undergo examination, and effect of ability to engage  
4 in gainful employment, so as to delete provisions providing for physical examinations done  
5 at a place convenient to the beneficiary; to provide that a beneficiary who has not reached  
6 the age of 60 shall submit to an examination; to provide that the amount earnable by certain  
7 disabled members shall include certain payments that the beneficiary receives from workers'  
8 compensation; to provide an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

10 Code Section 47-2-125 of the Official Code of Georgia Annotated, relating to reexamination  
11 of persons receiving disability benefits under the Employees' Retirement System of Georgia,  
12 effect of refusal to undergo examination, and effect of ability to engage in gainful  
13 employment, is amended by revising subsection (a) as follows:

14 "(a)(1) Once each year during the first five years following the retirement of a member  
15 on a disability retirement allowance and once in every three-year period thereafter, the  
16 board of trustees may require a disability beneficiary who has not yet attained retirement  
17 age as specified in subsection (a) of Code Section 47-2-110 to undergo a medical  
18 examination, ~~such examination to be made at the disability beneficiary's place of~~  
19 ~~residence or other place mutually agreed upon,~~ by a physician or physicians designated  
20 by the medical board. The disability beneficiary may request such an examination.  
21 Should any disability beneficiary who has not yet attained retirement age refuse to submit  
22 to such medical examination, the pension of such disability beneficiary may be  
23 discontinued by the board of trustees until the withdrawal of such refusal; and should the  
24 refusal continue for one year, all rights of the disability beneficiary in and to a pension  
25 may be revoked by the board of trustees.  
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