

MASSACHUSETTS

Public Employee Retirement Administration Commission
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M E M O R A N D U M

TO: All Retirement Boards

FROM: Robert F. Stalnaker, Executive Director

RE: Recouping Underpayments to Boards or Overpayments by Boards

DATE: January 26, 1999

The Commission has received inquiries on the status of the legislation that would allow retirement boards to waive the recoupment of unintentional underpayments by members or repayments of overpayments by retirement boards in certain circumstances. As of this date, this legislation has not passed the Legislature. Until such time as a bill is approved and takes effect, neither the Commission nor any retirement board has the authority to waive any repayment by any member. While the Commission agrees with this legislation in concept, the Commission cannot allow underpayments or overpayments to remain outstanding. Retirement boards should work with such members to allow prompt repayments of all amounts currently due.

We trust the foregoing is of assistance. If you have further questions or concerns, please contact this office.