

**The Commonwealth of Massachusetts**  
Public Employee Retirement Administration Commission  
John W. McCormack Building, Room 1101  
One Ashburton Place Boston, MA 02108  
(617) 727-9380

MEMORANDUM

TO: All Retirement Boards

FROM: John J. McGlynn, Executive Director

RE: Effect of Selection of Option C By An Accidental Disability Retiree

DATE: Janaury 23, 1997

At the January 9, 1997 meeting of the Public Employee Retirement Administration Commission the members of the Commission discussed the effect of the amendment to G.L. c. 32, §12 which authorizes an accidental disability retiree to select option c on retirement. This memorandum is a statement of the Commission's opinion on the effect of such option selection.

The amendment to G.L. c. 32, §12 has no effect on the language of G.L. c. 32, §9 which provides for an accidental death benefit if the retirement board finds that the death of a member previously retired for accidental disability was the natural and proximate result of the injury or hazard on account of which such member was retired. Thus, an accidental disability retiree may select an eligible individual as his or her option c beneficiary. The retiree can name his or her spouse, former spouse who has not remarried, child, father, mother, sister or brother. See the Commission's memorandum issued November 12, 1996 regarding the availability of option c selection. As noted in that memorandum, any accidental disability retiree who filed an option selection form after November 7, 1996 is eligible to select option c.

If an accidental disability retiree dies and his or her death is the natural and proximate result of the injury or hazard on account of which the member was retired, an accidental death benefit would be payable to an eligible beneficiary pursuant to the provisions of G.L. c. 32, §9. The beneficiary would be determined by reference to G.L. c. 32, §9(2). The option c beneficiary, named at the time of retirement, would also be entitled to the option c benefit as the result of the retiree's selection of option c at retirement.

If you have questions, please do not hesitate to contact this office.