



DISABILITY RETIREMENT: PERAC'S COMPLETE GUIDE TO THE PROCESS

COMMONWEALTH OF MASSACHUSETTS
PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

NOVEMBER 2009 UPDATE ADVISORY:

Page 149

Comprehensive Medical Evaluation: Member's Packet: Changed revision date to November 2009.

Page 150

No changes have been made to this page. Because it is the back side of page 149, it has been included in order to maintain the correct page order.

Page 151

No changes have been made to this page. Because it is the front side of page 152, it has been included in order to maintain the correct page order.

Page 152

Comprehensive Medical Evaluation: Member's Packet: The question: "May I appeal any decision made by PERAC or by my retirement board?" has been rewritten. It **now** reads, "May I appeal the determination of the CME Physician who examined me?"

The response to the question has also been rewritten. It **formerly** read as follows:

You may appeal if you are aggrieved by any decision rendered and/or action taken by PERAC or your retirement board to either the Contributory Retirement Appeal Board (CRAB) or in some circumstances, the appropriate district court. If PERAC or your retirement board fails to act on a matter on which they are required to act, their failure can also be appealed to CRAB. Appeals to CRAB must be filed within 15 days of the date that PERAC or the retirement board acted or should have acted. If the applicable provision of Chapter [32] does not specify a time within which PERAC or a retirement board was supposed to act, an appeal of the failure to act must be filed within 15 days after the end of one month following the date that a written request to act was filed with PERAC or with the retirement board.

The **revised** response is as follows:

If you disagree with the determination of the CME physician who examined you, you should appeal this decision to the Superior Court in the county in which you reside, or in Suffolk Superior Court, which is located in the City of Boston. PERAC should be named as the Defendant. You should file your appeal within thirty days of notification from PERAC. For assistance in filing such an appeal, you may want to contact an attorney. You may also wish to contact the clerk of the appropriate Superior Court for help.