

Comprehensive Medical Evaluation

Member's Packet revised: 11.2009



COMMONWEALTH OF MASSACHUSETTS | PERAC DISABILITY UNIT | FIVE MIDDLESEX AVE. | SUITE 304 | SOMERVILLE, MA | 02145
PH: 617 591 8956 | TTY: 617 591 8917 | WEB: WWW.MASS.GOV/PERAC

STATEMENT FROM THE EXECUTIVE DIRECTOR

Dear Member:

Pursuant to Massachusetts General Laws, Chapter 32, section 8, as a member retired for accidental or ordinary disability whether voluntarily or involuntarily, you are required to participate in an evaluation to determine whether you are able to perform the essential duties of the position from which you retired, or a similar job within the same department for which you are qualified, or whether your return to your former or similar job is likely to be expedited by your participation in a medical or vocational rehabilitation program.

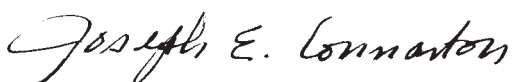
In accordance with this statute, the Public Employee Retirement Administration Commission (PERAC) schedules comprehensive medical evaluations of disabled retirees. Evaluations can take place once per year during the first two years after a member's retirement, once every three years thereafter, and upon PERAC's receipt of a written request from a disabled retiree. PERAC is committed to assembling and analyzing objective and comprehensive medical data. Every step is taken to manage cases appropriately and to ensure that members are evaluated in a thorough, fair, and objective manner. State troopers are subject to a similar evaluation process.

PERAC's Nurse Case Manager asked you to forward to PERAC all of your medical records related to any examinations, tests, and studies performed since your disability retirement became effective. PERAC has reviewed all of the information received from you and from your retirement board, as well as that already on hand, and determined that a comprehensive medical examination is necessary to complete your medical assessment. PERAC has selected a physician, provided him/her with your medical information and scheduled an appointment for you. Enclosed in this packet are your appointment letter, a map and directions to the physician's office, a medical release form, and a survey form that you can use to comment about your evaluation experience.

All tests, procedures and examinations that are carried out or ordered by the physician who is conducting your comprehensive medical examination must be pre-approved by PERAC. No test, procedure or examination can be initiated upon your request without prior approval from PERAC.

To ensure timely processing of your case, you are strongly encouraged to provide all medical information prior to the date of your comprehensive medical examination. With access to all up-to-date medical information, PERAC is better able to make an assessment without requiring the duplication of medical tests and studies to produce relevant data.

PERAC's Disability Unit staff members are available to respond to your questions. You may reach this unit by calling (617)591-8956.


Joseph E. Connarton, *Executive Director*

The Evaluation May Include

Comprehensive medical evaluations may include medical examinations, vocational testing, meetings, and consultations with medical professionals (including a member's treating physician), and vocational rehabilitation counselors. An evaluation may also involve pulmonary function tests, EKGs, functional capacity tests, stress tests, psychiatric evaluations, and other tests and consultations. At no time will you be asked to make payment for any part of the comprehensive medical evaluation scheduled by PERAC.

Tests for Public Safety Personnel

Municipal firefighters and police officers must be scheduled for a stress test, a functional capacity test, a pulmonary function test and an audiogram unless the CME physician has already determined, through his/her physical examination, that the member is unable to perform the essential duties of his/her former position or a similar position.

Materials for Physician

The physician who will be conducting your evaluation has been sent a letter of referral, copies of all available medical information, and a copy of the current job description associated with the position you held at the time of retirement. The essential duties of that position have been highlighted. This physician has also received all available rehabilitation reports. If you are a retired police officer or fire fighter, a copy of the medical standards and essential duties established by the Commonwealth's Human Resources Division for these positions has also been sent to the physician.

The Physician Will Consider

The physician will consider the condition for which you retired and your general health as they relate to your ability to perform the essential duties of your former or a similar job and your rehabilitation potential. With PERAC's approval, the physician may recommend further medical consultations and/or non-invasive medical tests.

No Show Policy for CME and RTS Examinations

If a disability retiree fails to appear at a scheduled examination without having been granted a request for rescheduling by the Commission, the disability retiree shall reimburse the Commission for the costs of that examination before a new examination shall be scheduled. In addition, as further stated in M.G.L.c.32§8, "if such member shall refuse without good cause to submit to any evaluation, his rights in and to the pension provided for in section six and seven shall promptly be terminated by the board; provided, however, that the member shall first be given written notice and an opportunity to be heard by the board with respect to such termination."

Final Report

Once the comprehensive evaluation has been completed, the physician will submit a final report, based on objective evidence, to PERAC indicating either:

A. That you are able to perform the essential duties of your former position or a similar position;

Or

B. That you may be able to return to the essential duties of your former or similar job with rehabilitation;

Or

- C. That you are unable to perform the essential duties of your former or similar job with or without rehabilitation.

If the comprehensive medical evaluation indicates that you are able to perform the essential duties of your former position or a similar job, PERAC will schedule you for a series of restoration-to-service medical examinations.

How are retirees selected for a Comprehensive Medical Evaluation?

Retirees are selected by PERAC through an automated Selection Report run on PERAC's disability database. The report's selection criteria are consistent with the Massachusetts General Laws. A disabled retiree may initiate the process by filing a written request with PERAC.

COMMONLY
ASKED
QUESTIONS &
ANSWERS

Why do I have to provide medical records to PERAC?

The medical records from the period subsequent to your disability retirement are of crucial importance. With access to all up-to-date medical information, PERAC is better able to make an assessment without requiring the duplication of medical tests and studies to produce relevant data. In some instances, based on available medical records, a retiree may be excused from an examination if PERAC determines, in light of the nature of the member's illness or injury, that an examination is unwarranted. However, if a member informs PERAC that up-to-date medical records cannot be made available, PERAC may schedule the member for a comprehensive medical evaluation in order to complete an objective assessment.

May I direct the physician who conducts my evaluation to carry out certain tests?

Any and all requests for additional tests, procedures and consultations made by you or by your representative(s) must be pre-approved by PERAC. PERAC will not assume responsibility for payment unless such prior approval has been granted by PERAC.

May I ask the physician who conducted my evaluation to re-evaluate me if I disagree with his/her findings or I have new information to share with him/her?

Any requests for re-evaluation must be submitted in writing directly to PERAC. Because PERAC will not schedule another comprehensive medical examination for you in the same calendar year (not sooner than one year from the completion of the last evaluation), it must be emphasized that the best time to provide updated information is prior to the comprehensive medical examination taking place.

What happens if the comprehensive evaluation report indicates that rehabilitation might make it possible for me to perform the essential duties of my former position or a similar position?

If PERAC determines that you would benefit from a rehabilitation program and that such a program is cost-effective, your retirement board must provide the rehabilitation program for you. Such rehabilitation programs shall include only those services that have been approved by PERAC. Your retirement board must pay for the cost of the program, less any benefits payable under your insurance policies. Any rehabilitation program will include only those services that are aimed toward returning you to your former position or a similar position in the same department. It will not include re-training for other occupational pursuits.

What will happen after I complete a rehabilitation program?

After you complete the rehabilitation program, your retirement board will require you to submit to a mental or physical examination. The examination will determine the scope of your physical capabilities, in light of the completed rehabilitation program, and whether you are able to perform the essential duties of your former job or the essential duties of a similar job within the same department, given your condition.

What happens if I refuse to participate in a comprehensive medical evaluation and/or a rehabilitation program?

If you refuse to participate without good cause, your retirement board will terminate your retirement allowance. You will be given written notice and an opportunity to be heard by the retirement board prior to the termination of benefits. The board's determination may be appealed to the Contributory Retirement Appeal Board.

May I appeal the determination of the CME physician who examined me?

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.

What happens if no jobs are available after I successfully complete the CME/RTS process?

When a member is found able to perform the essential duties of his/her former job, PERAC will notify the member, his/her retirement board and employer, and the Commonwealth's Division of Human Resources. Some time may pass before a position becomes available and the member is actually restored to active service. In the interim, a PERAC case manager and a CME physician will monitor the member's medical status. Every six months, the member will be asked to complete and return a health questionnaire to PERAC. The member will also be re-evaluated by a CME physician upon any significant change in his/her medical condition and before returning to work. The goal is to assess the retiree's medical readiness to return to work and minimize the possibility of missing a retraining or academy opportunity.

What happens if I fail to attend a CME/RTS physician appointment and/or associated tests/consults?

You will be required to reimburse the Commission for the cost of the no-show appointment. If a disability retiree fails to appear at a scheduled examination without having been granted a request for rescheduling by the Commission, the disability retiree shall reimburse the Commission for the costs of that examination before a new examination shall be scheduled. If such member shall refuse without good cause to submit to any evaluation, his rights in and to the pension provided for in section six and seven shall promptly be terminated by the board; provided, however, that the member shall first be given written notice and an opportunity to be heard by the board with respect to such termination.