

807 CMR: TEACHERS' RETIREMENT BOARD

807 CMR 22.00: INTEREST ON INCORRECT PAYMENTS

Section

22.01: Determination of Payment Amount

22.02: Timing of Payment

22.03: Waiver

22.01: Determination of Payment Amount

When an error exists in the records maintained by the System or an error is made in computing a benefit and, as a result, a member or beneficiary (hereinafter "Member") receives from the System more or less than the Member would have been entitled to receive had the records been correct or had the error not been made, an amount shall be paid to the Member or collected from the Member, as the case may be, that represents the difference between what should have been paid and what was paid (hereinafter the "Principal"). Collection may occur through benefit offsets or other method as prescribed by the Board.

22.02: Timing of Payment

The Principal shall be paid, or collected as the case may be, together with interest thereon at a rate equal to the CPI-W index, as determined by the Commissioner for Social Security, for the year when the Principal amount should have been paid or not paid, such interest accruing on December 31st of that year and compounding annually on December 31st of each subsequent year.

22.03: Waiver

Nothing in 807 CMR 22.00 shall prevent the Board from waiving repayment of any amount or portion thereof eligible for waiver pursuant to M.G.L. c. 32, § 20(5)(c)(3) (the so-called "Needham bill").

REGULATORY AUTHORITY

807 CMR 22.00: M.G.L. c. 15, §16, and c. 32, §§ 20(5)(b) and (c)(2).