

PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chairman*

JOHN W. PARSONS, ESQ., *Executive Director*

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES M. MACHADO | ROBERT B. McCARTHY | JENNIFER F. SULLIVAN

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director

RE: Compliance with the **2019** 91A Process

DATE: October 1, 2020

As you know, G.L. c. 32, § 91A provides that if such pensioned or retired person fails to submit such statement or such forms, and unless such person shall show good cause for such failure to submit such statements to the Commission, the member's rights in and to the retirement allowance provided for in §§ 6 and 7 shall terminate until the member has complied with the reporting requirements under this section.

According to the § 91A process, your board soon will receive tasks through PROSPER for any of your disability retirees who have not met the 2019 § 91A filing requirements, pursuant to G.L. c. 32, § 91A.

For any of your members who have not met the 2019 § 91A filing requirements, your task column will look like this:

The screenshot shows the PERAC PROSPER system interface. The header reads "Massachusetts Public Employee Retirement Administration Commission". On the left is a navigation menu with icons for Home, Tasks, Notifications, Compliance, Finance, Disability, 91A, and a user profile. The "Notifications" section is active, showing a notification for "7/17/2020 NEW Termination Notification for". The main content area displays a message: "Dear [redacted], There has been an update to [redacted] 91A Form. Please follow this link to view the update. <https://prosper.perac.state.ma.us//Account/SignIn> Sincerely, PERAC". A blue banner at the bottom states: "Once a member has been Terminated by PERAC, a notification will be sent."

When you receive a task for any member, and prior to the termination of benefits pursuant to G.L. c. 32, § 91A, your board must provide such member with written notice and an

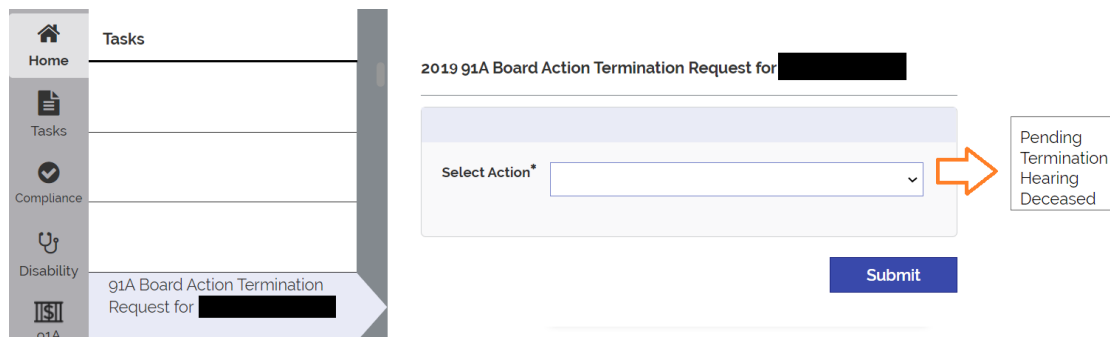


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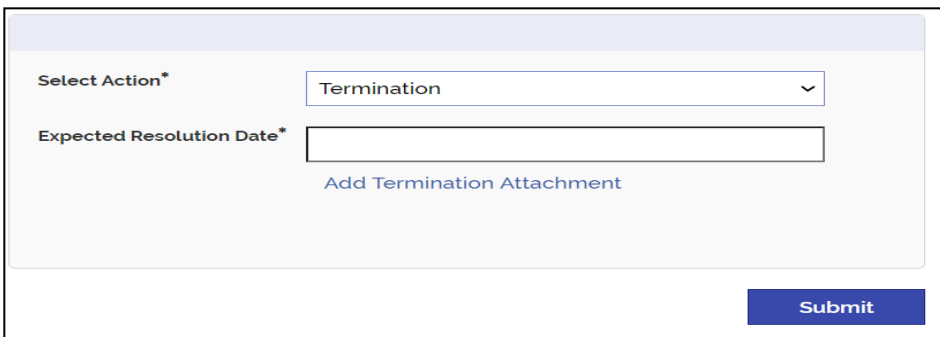
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opportunity to be heard by the retirement board. In the event of termination of benefits following such hearing, the member shall have the right to appeal such action to the Contributory Retirement Appeal Board (“CRAB”).

PROSPER will prompt you to take Termination Action, and will keep sending you task alerts every 30 days if no response is indicated. Once a member complies or if their status changes you will be able to view such update.



Whichever action you choose, please note that you may be prompted to include a date. In addition, you will have the ability to attach the letter that you send to your member. Please do not mail a copy of such letter to PERAC, rather, attach it here.



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Select Action* ▼

Expected Resolution Date*

Select Action* ▼

Date of Death*

[Add Death Certificate](#)

Please do not hesitate to contact Sandra King at SEKing@per.state.ma.us, with any questions or concerns.

SEK/keb