

**BOARD OF TRUSTEES OF THE
CHAMPAIGN POLICE PENSION FUND**

**Guidelines for Annual Medical Examination
for those on Disability Pursuant to 40 ILCS 5/3-115**

- A. Section 3-115 of the Pension Code provides, as follows:

§ 3-115. Certificate of disability. A disability pension shall not be paid unless there is filed with the board certificates of the police officer's disability, subscribed and sworn to by the police officer if not under legal disability, or by a representative if the officer is under legal disability, and by the police surgeon (if there be one) and 3 practicing physicians selected by the board. The board may require other evidence of disability. Medical examination of a police officer retired for disability shall be made at least once each year prior to attainment of age 50, as verification of the continuance of disability for service as a police officer. No examination shall be required after age 50. 40 ILCS 5/3-115.

The aforementioned Section of the Illinois Police Pension Code mandates that all individuals on disability, who are under 50 years of age, shall be required to submit to an annual medical examination pursuant to the Board's direction.

- B. The annual medical examination, as identified herein, shall entitle the Board, at its sole discretion, to select any physician for the examination of applicant including, requesting a report of medical examination from applicant's treating/examining physicians.
- C. The cost of said medical examination, as may be required pursuant to the aforementioned statute, shall be provided by the Board, in the event the Board requires that any individual submit for an independent medical examination from a physician other than the applicant's personal physician.
- D. In the event the applicant resides outside the jurisdiction of this Board, then applicant may be required to return to the City of Champaign or the State of Illinois, in the event the Board so directs. Under such circumstances, the applicant shall bear the cost associated for his travel in returning to the jurisdiction of the Board, for such examination.
- E. Pursuant to said annual examination, applicant shall provide the Board with the names, addresses and telephone numbers of any and all medical providers and/or entities including, but not limited to, physicians, chiropractors, psychologists, psychiatrists, sociologists, therapists, and other medical personnel who may have treated, tested and/or examined applicant since the date he/she submitted his/her application for disability, or for any other period of time, as the Board may deem appropriate.
- F. Applicant shall furnish the Board with the name, address and telephone number of any employer for which applicant may have been employed, since the date of filing his/her application for benefits.

- G. Applicant shall provide the Board with any further information or documentation, as the Board may deem appropriate.
- H. Applicant's failure to provide the Board with the information and/or documentation as provided herein above, or any other reasonable documentation or information as the Board may deem appropriate in reviewing an applicant's entitlement to continuation on disability, shall constitute a failure of applicant to cooperate with the Board's mandate pursuant to Statute, and the same may be considered by the Board in determining whether or not to terminate applicant's disability status.**
- I. In the event the Board determines that the cause may exist for removing an individual from disability status and/or denying continuation on disability, as set forth in Section 3-115 of the Pension Code (40 ILCS 5/3-115), then the Board shall conduct a hearing to determine continuation/termination.
- J. In the event of hearing, Applicant shall be provided, at all times, with a due process hearing, respecting his/her entitlement to remain on disability. The hearing process shall be conducted pursuant to the rules of the Board's "General Guidelines for Processing Disability Applications". Provided, however, that a hearing for continuation/termination hereunder, shall be conducted strictly pursuant to the requirements of Section 3-115, as the same specifically relates to continuation on disability and/or termination as opposed to an application for initiation and commencement of benefits. Thus, in the event of hearing for continuation/termination, the Board shall not be required to select a minimum of three (3) physicians, but rather may proceed based upon an examination of one (1) physician.
- K. No decision for removal and/or termination of disability benefits shall be made by the Board based solely upon a medical report of examination by a physician who had previously (during the initial application hearing process) rendered an opinion of "not disabled". Provided, however, the Board may introduce into evidence (for consideration), such a medical opinion.