

**RCW 41.32.550 Options and allowances on report that disability will be permanent—Reexamination.** (1) Should the director determine from the report of the medical director that a member employed under an annual contract with an employer has become permanently disabled for the performance of his or her duties or at any time while a member is receiving temporary disability benefits that a member's disability will be permanent, a member shall have the option of then receiving (a) all of the accumulated contributions in a lump sum payment and canceling his or her membership, or (b) of accepting a retirement allowance based on service or age, if eligible under RCW 41.32.480, or (c) if the member had five or more years of Washington membership service credit established with the retirement system, a retirement allowance because of disability.

(2) Any member applying for a retirement allowance who is eligible for benefits on the basis of service or age shall receive a retirement allowance based on the provision of law governing retirement for service or age. If the member qualifies to receive a retirement allowance because of disability he or she shall be paid the maximum annuity which shall be the actuarial equivalent of the accumulated contributions at his or her age of retirement and a pension equal to the service pension to which he or she would be entitled under RCW 41.32.497. If the member dies before he or she has received in annuity payments the present value of the accumulated contributions at the time of retirement, the unpaid balance shall be paid to the estate or to the persons, trust, or organization nominated by written designation executed and filed with the department.

(3) A member retired for disability may be required at any time to submit to reexamination. If medical findings reveal that the individual is no longer disabled for the performance of public school service, the retirement allowance granted because of disability may be terminated by action of the director or upon written request of the member. In case of termination, the individual shall be restored to full membership in the retirement system. [1995 c 144 s 13; 1991 sp.s. c 11 s 6. Prior: 1991 c 365 s 33; 1991 c 35 s 62; 1970 ex.s. c 35 s 4; 1969 ex.s. c 150 s 20; 1967 c 50 s 10; 1963 ex.s. c 14 s 19; 1961 c 132 s 4; 1959 c 37 s 2; 1955 c 274 s 28; 1947 c 80 s 55; Rem. Supp. 1947 s 4995-74; prior: 1941 c 97 s 7, part; 1939 c 86 s 7, part; 1937 c 221 s 8, part; 1931 c 115 s 8; 1923 c 187 s 18; 1917 c 163 s 17, part; Rem. Supp. 1941 s 4995-8, part.]

**Purpose—Effective dates—1991 sp.s. c 11:** See notes following RCW 41.26.090.

**Severability—1991 c 365:** See note following RCW 41.50.500.

**Intent—1991 c 35:** See note following RCW 41.26.005.

**Effective date—Severability—1970 ex.s. c 35:** See notes following RCW 41.32.480.

**Effective date—1969 ex.s. c 150:** See note following RCW 41.50.200.

**Effective date—Severability—1967 c 50:** See notes following RCW 41.32.010.

~~Savings—Severability—Effective date—1963 ex.s. c 14:~~ See notes following RCW 41.32.010.