



Ohio Administrative Code Rule 145-1-65 Interim benefit payment.

Effective: January 1, 2021

(A) For purposes of this rule and rules 145-1-71 and 145-1-73 of the Administrative Code:

(1) "Finalized retirement benefit" means:

(a) Any monthly benefit amount paid to a benefit recipient pursuant to section 145.32, 145.33, 145.331, 145.332, 145.35, 145.36, 145.361, 145.37 or 145.46 of the Revised Code calculated after the receipt of the final report of retirement contributions upon which the member appears;

(b) Any monthly benefit amount paid to a beneficiary pursuant to section 145.45 of the Revised Code calculated after the receipt of the final report of retirement contributions upon which the member appears;

(c) Any monthly benefit amount paid pursuant to section 9.03 of the combined plan document calculated after the receipt of the final report of retirement contributions upon which the member appears;

(d) Any monthly annuity paid pursuant to section 9.02 of the combined or member-directed plan documents after the receipt of the final report of retirement contributions upon which the member appears.

(2) "Interim benefit payment" means:

(a) Any monthly benefit amount paid to a benefit recipient pursuant to section 145.32, 145.33, 145.331, 145.332, 145.35, 145.36, 145.361, 145.37 or 145.46 of the Revised Code prior to the payment of a finalized retirement benefit;

(b) Any monthly benefit amount paid to a beneficiary pursuant to section 145.45 of the Revised Code prior to the payment of a finalized retirement benefit;



(c) Any monthly benefit amount paid pursuant to section 9.03 of the combined plan document prior to the payment of a finalized retirement benefit;

(d) Any monthly annuity paid pursuant to section 9.02 of the combined or member-directed plan documents prior to the payment of a finalized retirement benefit.

(3) "Beneficiary" means a person qualified to receive a monthly benefit pursuant to section 145.45 of the Revised Code after the death of a member or disability recipient.

(4) "Partial lump sum option payment" means the lump sum payment described in division (A)(2) of section 145.45, division (E)(1) of section 145.46 of the Revised Code, or section 9.03(e)(4) of the combined plan document.

(5) "Initial benefit payment" means the first benefit check or payment to a member or beneficiary. In the case that more than one initial payment is disbursed from one or more of the retirement plans defined in rule 145-1-81 of the Administrative Code, the first payment issued by the retirement system shall constitute the initial benefit payment for purposes of determining whether a benefit recipient is eligible to withdraw an application.

(B) Interim benefit payments may be paid in accordance with this rule.

(C) A beneficiary applying for a benefit under division (A)(2) of section 145.45 of the Revised Code, or a member or contributor applying for a monthly benefit under section 145.32, 145.33, 145.331, 145.332, 145.37, 145.46, or 145.64 of the Revised Code, or section 9.03 of the combined plan document that includes a partial lump sum option payment, shall receive the partial lump sum option payment no earlier than ninety days after issuance of the initial benefit payment.

(D) A member or contributor of the public employees retirement system may receive an interim benefit payment if either of the following is fully satisfied:

(a) The member is eligible for retirement pursuant to section 145.32, 145.33, 145.331, 145.332, 145.37, or 145.46 of the Revised Code or article IX of the combined or member-directed plan



document at the time the retirement application is filed;

(b) The member has filed all applications, forms and documents necessary to process the retirement benefit at least thirty days prior to the effective retirement benefit date;

(c) The member's employer has certified the last day for which the member will receive earnable salary;

(d) The member or contributor who makes payment for an additional annuity, pursuant to section 145.62 of the Revised Code, has at least one hundred dollars in an additional annuity account.

(a) The member or contributor is eligible for disability benefits pursuant to section 145.35, 145.36, 145.361, or 145.37 of the Revised Code;

(b) The public employees retirement board has approved the application for disability benefits by the member or contributor; and

(c) In the case of a member, the member's employer has certified the last day for which the member will receive earnable salary.

(E) A beneficiary may receive an interim benefit payment if all of the following are satisfied:

(1) The beneficiary is eligible for a benefit pursuant to section 145.45 of the Revised Code at the time the application is filed;

(2) The beneficiary has filed all applications, forms and documents necessary to process the benefit.

(1) For benefits payable under the traditional pension plan and section 9.03 of the combined plan document, an interim benefit payment shall be calculated using the earnable salary and service credit available in the account of a member or contributor at the time of the calculation. For a monthly annuity payment option under section 9.02 of the combined or member-directed plan document, an interim benefit payment shall be calculated using the portion of the member's individual defined contribution account specified by the member on the member's retirement application.



(a) Except as provided in paragraph (F)(3) of this rule, the retirement system shall revise the monthly benefit to which the member is entitled following the receipt of the final report of retirement contributions upon which the member appears.

(b) The retirement system shall revise the monthly benefit to which a beneficiary is entitled upon receipt of a report of contributions on which the deceased member appears if the contributions were not used in the calculation of the interim benefit payment. If no additional contributions are received by the retirement system, the interim benefit payment shall be the finalized retirement benefit.

(i) If the finalized retirement benefit is greater than the interim benefit payment, the retirement system shall increase the current benefit and issue a retroactive payment for the difference between the prior interim benefit payment and the finalized retirement benefit.

(ii) If the finalized retirement benefit is less than the interim benefit payment, the retirement system shall decrease the current benefit. The benefit recipient or the beneficiary shall repay to the retirement system the amount of the overpayment of benefits. If the benefit recipient or the beneficiary fails to repay such amount, the retirement system shall withhold the amount from any benefit due the benefit recipient or the beneficiary.

(3) Monthly additional annuity payments shall commence as described in rule 145-2-43 of the Administrative Code.

(G) A member or a beneficiary may withdraw their application for benefits prior to receipt of the initial benefit payment by providing the retirement system with either a written request to withdraw the application over the signature of the member or beneficiary or a verbal request to withdraw the application.

(1) A beneficiary applying for a benefit under division (A)(2) of section 145.45 of the Revised Code, or a member or contributor applying for a monthly benefit under section 145.32, 145.33, 145.331, 145.332, 145.37, 145.46, or 145.64 of the Revised Code, or section 9.03 of the combined plan document that does not include a partial lump sum option payment may make a one-time election to receive a partial lump sum option payment, or the member or contributor may make a one-time



change to their plan of payment, at any time prior to issuance of the finalized retirement benefit payment.

(2) A beneficiary applying for a benefit under division (A)(2) of section 145.45 of the Revised Code, or a member or contributor applying for a monthly benefit under section 145.32, 145.33, 145.331, 145.332, 145.37, 145.46, or 145.64 of the Revised Code, or section 9.03 of the combined plan document that includes a partial lump sum option payment may make a one-time change to their partial lump sum option payment amount, or the member or contributor may make a one-time change to their plan of payment, at any time prior to issuance of the partial lump sum option payment or transfer of the partial lump sum option payment by the retirement system to their financial institution.

(3) A member or contributor is ineligible to name a different beneficiary under a plan of payment selected by the member or contributor unless the member or contributor reselects or elects a different plan of payment under this rule. The spouse of a member or contributor who reselects or elects a different plan of payment shall consent on a form provided by the retirement system to the new plan of payment selected by the retiree.