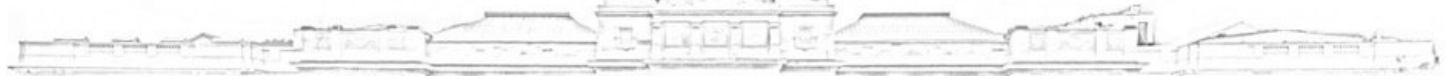




ADMINISTRATIVE RULES OF MONTANA



2.43.3540 DISABILITY BENEFITS FOR MEMBERS OF THE DEFINED CONTRIBUTION RETIREMENT PLAN

- (1) Members of the Defined Contribution Retirement Plan (DCRP) who are found by the board to be disabled are entitled to a disability benefit pursuant to 19-3-2141, MCA.
- (2) The disability benefit awarded a member of the DCRP is calculated based on the member's years of service credit, not years of membership service. The applied factor is based on membership service and the member's initial hire date, pursuant to 19-3-2141, MCA.
- (3) The disability benefit awarded a member of the DCRP is not a retirement benefit, but a benefit paid from the long-term disability trust fund established pursuant to 19-3-2141, MCA.
- (4) The disability benefit awarded a member of the DCRP is not subject to option 2, option 3 or option 4 contained in 19-3-1501, MCA.
- (5) The disability benefit paid to a member of the DCRP is not subject to distribution pursuant to a family law order or a qualified domestic relations order.
- (6) Disability benefits paid from the long-term disability trust fund will be tax-reported to the receiving participant and the IRS on the appropriate IRS form.

Authorizing statute(s): 19-3-2104, 19-3-2141, MCA

Implementing statute(s): 19-3-2141, MCA

History: NEW, 2002 MAR p. 1884, Eff. 7/12/02; AMD, 2003 MAR p. 1800, Eff. 8/15/03; TRANS, from ARM 2.43.1040, 2008 MAR p. 2467, Eff. 12/1/08; AMD, 2011 MAR p. 1678, Eff. 8/26/11.