

ERS [ers.state.tx.us](http://www.ers.state.tx.us)

Employees Retirement System of Texas

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Nonoccupational disability retirement

To apply for a disability retirement, download and fill out the [Disability Retirement Packet](#). You must meet strict conditions to qualify for nonoccupational disability retirement:

- You must have at least **10 years of creditable service credit**. Up to five years of established military service can be included. You cannot use Optional Retirement Program Service to meet this requirement.
- You must **apply within two years** of your last month of ERS service credit.
- You must have contributed to ERS in the month you became disabled.
- Your condition must likely be **permanent**.
- You must be mentally or physically **unable to perform your job**, or any other job earning similar pay.
- **Reasonable accommodations** for your condition must be requested with your agency.
- The **ERS Medical Board must certify** your disability is likely to be permanent and prevents you from working at any job for similar pay.

If your application for disability retirement is approved, you will receive a monthly retirement check and insurance benefits. Your monthly retirement check will be permanently reduced based on your age at your retirement date.

Original URL:

<http://www.ers.state.tx.us/dynamic.aspx?id=793>

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Occupational disability retirement

To apply for a disability retirement, download and fill out the [Disability Retirement Packet](#). You must meet strict conditions to qualify for occupational disability retirement.

- You must have at least **one month of ERS service credit**.
- You must **apply within two years** of the injury date reported with your agency.
- You must have contributed to ERS in the month you became disabled.
- Your injury must have occurred at a **definite time and place**.
- Your injury must be sudden and unexpected, resulting from a **dangerous job duty** not common to the general public.
- You must be mentally or physically **unable to perform your job**, or any other job earning similar pay.
- You must **request reasonable accommodations** for your condition through your agency.
- The **ERS Medical Board must certify** your disability is likely to be permanent and prevents you from working at any job for similar pay.

If your application for disability retirement is approved, you will receive a monthly retirement check and insurance benefits.

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Disabled TRS or ORP Retiree

You are eligible to enroll in the State's insurance program if you are certified as a TRS or ORP disabled retiree and fulfill all of the following requirements:

1. You have at least 10 years of service credit in ERS, TRS, or the ORP, or any entity that participates in the state retirement program. You may also apply service credit under [proportionate retirement](#) as part of your 10 years if you are eligible.
2. Employees hired after August 31, 2001 must have 10 years of service in a GBP-participating agency or institution to qualify for health insurance in retirement. Employees hired prior are grandfathered which required 10 years of service, but only three years of service with a GBP-participating agency.
3. At retirement, you were employed by an agency or institution that participates in the State's insurance program.
4. You must be retired from the ORP, as required by Tex. Ins. Code §1551.102(d)(1) and §1551.102(d)(2)(B)

TRS or ORP disability retirees with at least 10 years of service credit may continue state insurance participation for as long as they continue to be certified as disabled.

Note: Health and other insurance benefits for members and retirees are subject to change based on available State funding. The Texas Legislature determines the level of funding for such benefits and has no continuing obligation to provide those benefits beyond each fiscal year.

Original URL:

http://www.ers.state.tx.us/Retirement/Eligibility/Disability/Disabled_TRS_or_ORP_Retiree/



Application for Disability Retirement Benefits

Please send this completed form to:

**Employees Retirement System of Texas
Customer Benefits
P.O. Box 13207
Austin, Texas 78711-3207
(877) 275-4377 Toll-free**

Information provided to Employees Retirement System of Texas (ERS) is maintained for administration of your benefits. If you have questions about your information, or believe that information provided to ERS may be incorrect, please notify your benefits coordinator/Health and Human Services Employee Service Center or ERS.

DISABILITY RETIREMENT INFORMATION AND INSTRUCTIONS

- The retirement date cannot be a past date.
- You must have been contributing to ERS at the time you became disabled.
- You can apply no more than 90 days in advance of your requested retirement date.
- You cannot be on a state payroll, including any paid or unpaid leave status, the day following your selected retirement date.
- Your retirement date must be the last day of the month.
- All documents must be received by ERS before we can begin the process of reviewing your disability retirement application.
- You must immediately report to ERS any change in your work status after the date of your application.
- Provide detailed answers for all questions.
- Initial next to any corrections made.
- We do not accept incomplete and/or illegible forms.
- Provide copies of medical or surgical records related to your injury/medical condition including copies of the reports from imaging studies such as MRI, X-ray, etc.

Please read and choose carefully. Choose only ONE Disability Retirement type.

NONOCCUPATIONAL DISABILITY QUALIFICATIONS

- Application must be made within 2 years of the date of your last member contribution to ERS.
- You have 10 years of creditable state service.
- If you have less than 10 years of creditable state service, up to 5 years of military service can be used to meet the 10 year requirement.
- Your disabling condition is likely to be permanent.
- You are mentally or physically “incapacitated for the further performance of duty,” meaning you have sought and been denied workplace accommodation of the disability and you are unable to hold the position occupied, and unable to hold any other position offering comparable pay.

OCCUPATIONAL DISABILITY QUALIFICATIONS

- Your application must be submitted to ERS no later than two years after your disabling injury or disease unless there is good cause for filing the claim at a later time.
- Your disability directly resulted from a sudden and unexpected injury or disease that results solely from a specific act or occurrence determinable by a definite time and place and solely from an extremely dangerous risk or severe physical or mental trauma or disease that is not common to the public at large and that is peculiar to and inherent in a dangerous duty that arises from the nature and in the course of a person’s state employment.
- Your disabling condition is likely to be permanent.
- You are mentally or physically “incapacitated for the further performance of duty,” meaning you have sought and been denied workplace accommodation of the disability and you are unable to hold the position occupied, and unable to hold any other position offering comparable pay.

IF OCCUPATIONAL, STATE THE DATE OF INJURY OR ONSET OF DISEASE _____(mm/dd/yyyy)