

SENATE No. 2690

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SENATE, February 14, 2022.

The committee on Public Service, to whom was referred the petition (accompanied by bill, Senate, No. 1726) of Anne M. Gobi for legislation to allow Wayne Estes, a retired member of the Massachusetts DDS, an accidental disability retirement option, reports the accompanying bill (Senate, No. 2690).

For the committee,
Michael D. Brady

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An Act allowing Wayne Estes, a retired member of the Massachusetts DDS, an accidental disability retirement option.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding chapter 32 of the General Laws or any other general or
2 special law to the contrary affecting the noncontributory or contributory retirement system in the
3 commonwealth, the State Retirement Board shall allow Wayne Estes, a retired member, the
4 option to receive accidental disability retirement from any condition of impairment of health
5 caused by severe physical and psychological harm accompanied by post-traumatic stress disorder
6 resulting in total or partial disability. The retirement board shall pay Wayne Estes accidental
7 disability retirement benefits as of the effective date of this act for the remainder of his
8 retirement. Wayne Estes shall notify the board of his decision on the option granted by this act
9 within 90 days of the effective date of this act.

10 SECTION 2. The payments provided for in this act shall only be made when Wayne
11 Estes has been examined by a medical panel, pursuant to section 6 of chapter 32 of the General
12 Laws, in which a majority of the physicians have certified to the retirement board that the
13 member is mentally or physically incapacitated from further duty and that such incapacity is

14 likely to be permanent, and that the disability is such as might be the natural and proximate result
15 of the accident or hazard undergone on account of which retirement is claimed; provided,
16 however, that the public employee retirement administration commission may, upon request,
17 waive such examination if the member has already been approved by a medical panel and the
18 board and is receiving a disability benefit as of the effective date of this act. The commission
19 shall promptly notify the retirement system of such waiver.

20 SECTION 3. This act shall take effect upon its passage.