§ 135-10.1. Failure to respond.

(a) If a member fails to respond within 120 days after preliminary option figures and the Form 6-E or Form 7-E are transmitted to the member, or if a member fails to respond within 120 days after the effective date of retirement, whichever is later, then the Form 6 or Form 7 shall be null and void.

(b) If an applicant for disability retirement fails to furnish requested additional medical information within 90 days following the request for that information, then the application shall be declared null and void, unless the applicant is eligible for early or service retirement. If the applicant is eligible for early or service retirement, then the application shall be processed using the same effective date as would have been used had the application for disability retirement been approved.

(c) The Retirement System shall not be liable for any benefits due on account of an application voided in accordance with this section. A new application must be filed establishing a subsequent effective date of retirement.

(d) The Executive Director of the Retirement Systems Division, acting on behalf of the Board of Trustees, may extend the 120-day limitation provided for in this section when a member has suffered incapacitation such that a reasonable person would not have expected the member to be able to complete the required paperwork within the regular deadline, or when an omission by the Retirement Systems Division prevents the member from having sufficient time to meet the regular deadline. (2005-91, s. 4; 2009-66, s. 4(b); 2010-72, s. 6(a); 2016-108, s. 3(a); 2024-9, s. 1(e).)