§ 135-5.7. Certain employees of East Carolina University.

(a) As used in this section, the terms "Medical Faculty Practice Plan" and "ECU Dental School Clinical Operations" have the same meaning as in G.S. 116-360.5.

(b) All employees of the Medical Faculty Practice Plan and the ECU Dental School Clinical Operations who (i) are employed before January 1, 2024, and (ii) are members of either the Retirement System or the Optional Retirement Program before January 1, 2024, shall retain membership in that Retirement System or that Optional Retirement Program.

(c) Employees of the Medical Faculty Practice Plan or the ECU Dental School Clinical Operations hired on or after January 1, 2024, shall not be eligible for membership in the Retirement System. East Carolina University shall offer employees of the Medical Faculty Practice Plan and employees of the ECU Dental School Clinical Operations who are hired on or after January 1, 2024, any of the following benefits:

(1) Membership in the Optional Retirement System.

(2) Enrollment in a similar benefit to the Optional Retirement System pursuant to G.S. 116-360.15.

(3) A choice between the options provided in subdivision (1) and subdivision (2) of this subsection.

(d) If any individual ceases to be employed by the Medical Faculty Practice Plan or the ECU Dental School Clinical Operations on or after January 1, 2024, and is later rehired by the Medical Faculty Practice Plan or the ECU Dental School Clinical Operations, then that individual shall be treated as an employee newly hired on or after January 1, 2024, for the purposes of this section.

(e) East Carolina University School of Medicine shall continue to report the payroll of employees employed as of December 31, 2023, and shall continue to remit the employee and employer contributions for all employees retaining membership in the Retirement System or the Optional Retirement Program until none exist.

(f) Notwithstanding subsections (b) and (c) of this section, an individual hired by the Medical Faculty Practice Plan or the ECU Dental School Clinical Operations on or after January 1, 2024, who is a contributing member of the Retirement System or the Optional Retirement Program immediately prior to that individual's date of hire by the Medical Faculty Practice Plan or the ECU Dental School Clinical Operations shall, for the purposes of this section, be treated as having been employed as of December 31, 2023. If, at the time of entering eligible employment with the Medical Faculty Practice Plan or the ECU Dental School Clinical Operations, that individual is a member of the Retirement System and was not previously offered an election to participate in the Optional Retirement Program, then that individual may elect to continue contributing membership in the Retirement System or to participate in the Optional Retirement Program. (2023-134, s. 4.10(p); 2024-1, s. 1.7(i); 2025-19, s. 8(b).)