

DISABILITY SEPARATION—EFFECTIVE OCTOBER 29, 2006

Current Rule	Former Rule(s)	Description of Change	OCSEA Contract Language (if applicable)
AC 123:1-30-01 Involuntary Disability Separation	AC 123:1-33-02	<ol style="list-style-type: none"> 1. Adds language to define “involuntary disability separation” for purposes of the rule. 2. Specifies that if an agency had credible medical evidence already in existence, the agency could go forward with the separation. 3. Adds language clarifying that the appointing authority must notify the employee of the required procedures to apply for reinstatement. 4. Clarifies that “active work status” does not include those hours worked during a transitional work program or a temporary part-time position. 	
AC 123:1-30-02 Voluntary Disability Separation	AC 123:1-33-03	<ol style="list-style-type: none"> 1. Clarifies that “active work status” does not include those hours worked during a transitional work program or a temporary part-time position. 	
AC 123:1-30-03 Medical and Psychological Examinations	AC 123:1-33-01	<ol style="list-style-type: none"> 1. Clarifies medical and psychological examination procedures. 2. Clarifies that normally the appointing authority is responsible for paying the costs associated with such examinations. 3. Adds language making an employee responsible for the costs associated with an unexcused failure to appear at a scheduled exam. 	
AC 123:1-30-04 Right to Reinstatement; Rights of Appeal	AC 123:1-33-04	<ol style="list-style-type: none"> 1. Clarifies that the three month timeline for the employee’s request for reinstatement begins with the date the employee was notified of the reinstatement denial. 2. Clarifies that “active work status” does not include those hours worked during a transitional work program or a temporary part-time position. 3. Adds language to require an appointing authority to notify an employee of its decision to approve/deny the reinstatement request no later than 60 days after it receives the employee’s request. 	Art. 35.02
AC 123:1-30-05 Disclosure of Medical Records	AC 123:1-33-05	No substantial changes.	
AC 123:1-30-06 Disability Leave Benefits for an Employee Given a Disability Separation	AC 123:1-33-11	No substantial changes. Updated cross references only.	