



## Commission on Government Forecasting and Accountability

### PENSION IMPACT NOTE *103<sup>RD</sup> General Assembly*

BILL NO: HB 2035

February 8, 2023

SPONSOR (S): Burke

SYSTEM: Metropolitan Water Reclamation District Fund (MWRD)

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#### FISCAL IMPACT

The MWRD pension fund claims that the two changes made by HB 2035 in the MWRD article of the Pension Code, allowing non-physicians to make disability determinations and granting the pension fund the ability to waive guardianship in cases where a disability applicant's parents or spouse is deceased, have no fiscal impact as the changes are purely administrative.

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SUBJECT MATTER: HB 2035 amends the Metropolitan Water Reclamation District Article of the Illinois Pension Code. This bill would allow licensed health care professionals other than physicians to make disability determinations. The bill also grants to the MWRD Board of Trustees the powers to waive the requirement of legal guardianship, changing language concerning certain persons eligible for the waiver of the requirement.

#### COMMENTS:

##### *Disability Determinations by Non-Licensed Physicians*

According to the MWRD Pension Fund, medical exams in disability cases are often delegated to medical professionals other than a physician (Nurse Practitioners, Licensed Physician's Assistants, etc.) but a licensed physician is required to sign off on the examination. HB 2035 would allow the aforementioned healthcare practitioners to make disability determinations on their own. According to the pension fund, the bill would allow the MWRD Pension Fund the ability to accept disability documentation signed by the healthcare practitioner without having to wait on a doctor's signature.

*Waiver of Guardianship in Cases of Deceased Parents or Spouse*

The MWRD Pension Fund claims that in the event that an unmarried member with deceased parents becomes incapacitated, current statute does not allow the member's adult child or adult sibling to act as a decision maker, even if given Board approval. HB 2035 amends the MWRD article of the Pension Code to allow for a representative other than the spouse or parent of the disabled member to represent the annuitant before the board in cases where a disability benefit is under consideration by the board.

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