

**OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 080 – OPSRP INDIVIDUAL ACCOUNT PROGRAM**

459-080-0300

Receipt of Retirement Distribution Payments by an Active Member of the IAP

(1) A member of the IAP who received a distribution at retirement under ORS 238A.400 or OAR 459-080-0250 who reestablishes active membership in the PERS Chapter 238 Program as set forth in OAR 459-017-0060, or the OPSRP Pension Program as set forth in OAR 459-075-0300, shall also reestablish active membership in the IAP on the same date.

(2) A member is not entitled to receive any IAP payments once active membership is reestablished.

(a) If the member received a single lump sum payment, the member is entitled to the payment provided the payment was dated on or before the date the member reestablished active membership.

(b) If the member is receiving installment payments, the last installment payment to which the member is entitled is the last installment payment paid before the date the member reestablished active membership.

(3) A member who receives benefits to which he or she is not entitled must repay those benefits to PERS.

(4) A member of the IAP who reestablishes active membership may, at subsequent retirement, elect any payment option provided in ORS 238A.400, subject to the provisions of OAR 459-080-0250.

Stat. Auth.: 238A.450

Stats. Implemented: ORS 238 & 238A