

**OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 014 – DEATH AND SURVIVOR BENEFITS**

459-014-0040

Valid Request for Distribution of Pre-Retirement Death Benefits

- (1) For the purposes of this rule, “valid request for distribution” is when PERS receives the last required document PERS has determined necessary to distribute a death benefit to a beneficiary.
- (2) PERS must receive a copy of the death certificate of the deceased member or alternate payee. PERS will provide instructions to a beneficiary identifying additional documents that must be received to make a valid request for distribution. Required documents may include but are not limited to:
 - (a) Death Benefit Election;
 - (b) Letters of Testamentary/Administration;
 - (c) Small Estate Affidavit or out of state equivalent;
 - (d) Affidavit of Next of Kin;
 - (e) Affidavit of Beneficiary;
 - (f) Declaration of Beneficiary;
 - (g) Proof of marriage;
 - (h) Proof of registered domestic partnership;
 - (i) Proof of birth of the beneficiary;
 - (j) Trust document or certification of trust;
 - (k) Proof of Conservatorship; and
 - (l) Proof of Guardianship.
- (3) Earnings crediting for the distribution amount for an IAP account beneficiary will be determined under OAR 459-007-0320.

Statutory Authority: ORS 238.650 & 238A.450

Statutes Implemented: ORS 238.390, 238A.230, 238A.410 & 238.395