



Retirees in Defined Benefit Retirement Plans

Defined Benefit Hybrid (Main)

Judges

Public Safety

Highway Patrol

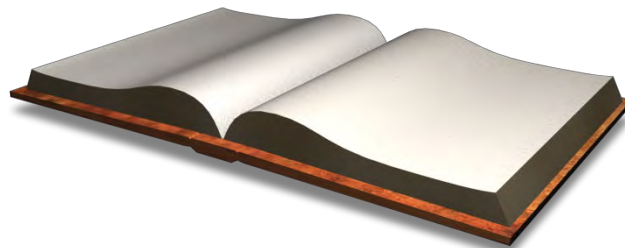
2025-2027



**NORTH DAKOTA
PUBLIC EMPLOYEES
RETIREMENT SYSTEM**

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Introduction

Information contained in this publication is intended to be general and does not offer a legal interpretation of retirement law. Statements contained in this publication do not supersede or restrict the authority granted by the North Dakota Century Code, Administrative Code, the Board of the North Dakota Public Employees Retirement System, and its agents.

This information is subject both to changes made by the legislature and rules and regulations established by the Board of the North Dakota Public Employees Retirement System.

In compliance with the Americans with Disabilities Act, this document can be provided in alternate formats. To request an alternative format, please call the NDPERS ADA coordinator at (701)328-3918 or call toll-free at 1-800-803-7377 if you are outside the Bismarck local calling area.

All questions, comments and correspondence can be directed to the following address:

North Dakota Public Employees Retirement System

1600 East Century Avenue, Ste 2

P.O. Box 1657

Bismarck, North Dakota 58502-1657

(701) 328-3900—Telephone

(701) 328-3920 — Fax Number

1-800-803-7377 — Toll-Free Outside the Bismarck Calling Area

Confidentiality Law

All records of a member or beneficiary are confidential and not public records. Information and records may be disclosed under limited circumstances:

- A person to whom a member/beneficiary has given written consent.
- A person legally representing the member/beneficiary upon proper proof of representation, unless member/beneficiary withholds consent.
- A person authorized by court order.
- A member's spouse or former spouse, that individual's legal representative, and the judge presiding over the member's dissolution of marriage proceedings for the purpose of drafting a Qualified Domestic Relations Order.
- A member's participating employer's authorized agent, under limited circumstances.
- A member's designated beneficiaries after the member's death. Information relating to beneficiaries may be disclosed to other beneficiaries of the same member.
- The general public, but only after the board has been unable to locate the member for a period in excess of two years, and limited to the member's name and the fact that NDPERS has been unable to locate the member.
- Any person whom the NDPERS board determines disclosure is necessary for treatment, operational, or payment purposes, including the completion of necessary documents.

A penalty for disclosure of confidential information is a Class C felony which includes a five-(5) year prison term and a \$5,000 fine (N.D.C.C. 12.1-13-01).

When Calling The NDPERS Office

While NDPERS staff makes every effort to take your calls and answer your questions immediately, it is not always possible to do so. In an effort to serve you more efficiently, we have a voice mail system. If it is necessary for you to leave a voice mail message, please provide the following information: your name, PERSLink Member ID, last 4 digits of your social security number, telephone number, and a brief explanation about your call. If NDPERS staff has this information at the outset, we are able to address your concerns more quickly and efficiently the first time!

We also have a Member Service Unit who can assist you with general questions about NDPERS programs, including updates on program changes. The representatives will also take requests for forms, brochures, and benefit books. If you require additional services outside the scope of Member Services, the representative will be happy to transfer you to the staff member best qualified to assist you.

Our busiest times are the day after a holiday and the first week of every month. Calls are placed in queue and answered in the order they are received. If you place a call to us during these high volume periods, please be patient. Your call is important to us.

Remember all your benefit information is confidential. For your protection, staff cannot release benefit information to any party without first obtaining your written authorization or your Durable Power of Attorney, or upon being served with a subpoena. Although you may request information over the phone, only you may do so and only after you have provided the correct response to at least three of five criteria established by the NDPERS Board.



When Visiting The NDPERS Office

Please make an appointment before stopping by the NDPERS office. Although staff will accommodate walk-ins when possible, an appointment will ensure that someone is available to assist you at the time you arrive. An appointment also allows staff to prepare appropriate benefit information for your individual needs.

When Writing To The NDPERS Office

Always include your name, NDPERS Member ID, and last four digits of your social security number on your correspondence.



NDPERS E-Mail Address

The NDPERS address is <https://ndpers.nd.gov/>.

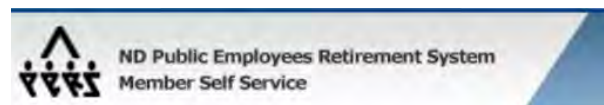
NDPERS Website

The address for the NDPERS Website is <https://ndpers.nd.gov/>. You have access to plan information on all NDPERS benefits, Perspectives Newsletters, news flashes, forms and publications, and contact information.

PERSLink Member Self Service

We offer through Member Self Service the ability to view:

1. Your retirement payment(s) and related details
2. Insurance coverage(s) and related details
3. 1099R tax information



We also offer you the capability to do direct on-line updates and requests for:

1. Address changes
2. Direct Deposit changes
3. Federal & ND State income withholding elections
4. Spouse or designated contact information
5. Scheduling an appointment
6. Submitting questions to NDPERS
7. Reporting a death of a spouse or a covered insurance dependent

Find us on Facebook

Need regular updates and the latest information on NDPERS benefits? Join us and follow the NDPERS Facebook page. Simply search for NDPERS or North Dakota Public Employees Retirement System and click the Like Us button!



Your Monthly Benefit Option

When you retired, you elected a retirement option under which to begin drawing your benefits. No matter which benefit option you selected, your pension will pay you for as long as you live. The benefit options differ in how they pay your beneficiary upon your death. The selection you made upon retiring is irrevocable. The payment provisions are summarized below:

Main and Public Safety

SINGLE LIFE RETIREMENT BENEFIT

This amount is payable to you for as long as you live. There is no monthly income provision for beneficiaries under this option. Upon your death, your beneficiary (ies) will receive a lump sum payment of the remaining amount in your member account balance, if any.

50% JOINT AND SURVIVOR

This amount is payable to you for as long as you live. This option provides a lifetime benefit of 50% of your monthly benefit to your surviving spouse upon your death. In the event your spouse predeceases you, or in the event of a divorce, notify the NDPERS office immediately. Upon receipt of a certified copy of your spouse's death certificate or a copy of the divorce decree, your monthly benefit will be adjusted back to your Single Life amount.

100% JOINT AND SURVIVOR

This amount is payable to you for as long as you live. This option provides a lifetime benefit of 100% of your monthly benefit to your surviving spouse upon your death. In the event your spouse predeceases you, or in the event of a divorce, notify the NDPERS office immediately. Upon receipt of a certified copy of your spouse's death certificate, or a copy of the divorce decree, your monthly benefit will be adjusted back to your Single Life amount.

TEN YEAR TERM CERTAIN

This amount is payable to you for as long as you live. This option provides monthly payments to your beneficiary in the event you become deceased before receiving at least ten years of benefit payments. Your beneficiary will receive the remainder of the ten-year term of monthly benefits. If you collect benefits longer than ten years, there are no payments made to your beneficiary.

TWENTY YEAR TERM CERTAIN

This amount is payable to you for as long as you live. This option provides monthly payments to your beneficiary in the event you become deceased before receiving twenty years of benefits. Your beneficiary will receive the remainder of the twenty-year term of monthly benefits. If you collect benefits longer than twenty years, there are no payments made to your beneficiary.

PARTIAL LUMP SUM OPTION (PLSO)

This option is only available to members who retired at or after full retirement date. This option is not available to members receiving disability benefits, or to beneficiaries of deceased members.

If you selected this option, you were allowed to take a partial lump sum distribution equal to 12 monthly payment of the Single Life option and was payable at the same time as your first monthly retirement benefit. You were still eligible to select a Joint and Survivor or Term Certain option as your ongoing retirement benefit. Your ongoing retirement benefit was actuarially reduced in exchange for the partial lump sum payment.

GRADUATED BENEFIT OPTION

This option allows members who have retired after March 1, 2011 to select the graduated benefit as either a one percent or two percent annual benefit increase. If you made this election, your monthly annuity was actuarially reduced. You were still permitted to choose one of the optional forms of payment for your annuity benefit (e.g. the reduced annuity could be paid as a joint and survivor or term certain option). The amount of the reduction was based on your age.

Below are the limitations of who can elect the option and exclusion for benefit modifications:

1. Limits the option to members who retired on or after their Normal Retirement Date as set by statute,
2. Excludes disability and early retirees, and beneficiaries of deceased members.
3. Requires the option be a one-time, irrevocable election that was made at the time of the member's retirement, and
4. Excludes the benefit in combination with a PLSO or DNRO benefit option.

Judges and Highway Patrol

NORMAL RETIREMENT BENEFIT

This amount is payable to you for as long as you live. If you are married at the time of your death, your surviving spouse will continue to receive one-half of your normal retirement benefit for as long as your spouse lives. If you are single, there is no monthly income provision for your beneficiary under this option.

100% JOINT AND SURVIVOR

This amount is payable to you for as long as you live. This option provides a lifetime benefit of 100% of your monthly benefit to your surviving spouse upon your death. In the event your spouse predeceases you, or in the event of a divorce, notify the NDPERS office immediately. Upon receipt of a certified copy of your spouse's death certificate, or a copy of the divorce decree, your monthly benefit will be adjusted back to your Normal Retirement amount.

TEN YEAR TERM CERTAIN

This amount is payable to you for as long as you live. This option provides monthly payments to your beneficiary in the event you become deceased before receiving at least ten years of benefit payments. Your beneficiary will receive the remainder of the ten-year term of monthly benefits. If you collect benefits longer than ten years, there are no payments made to your beneficiary.

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If you selected this option, you were allowed to take a partial lump sum distribution equal to 12 monthly payment of the Normal retirement option and was payable at the same time as your first monthly retirement benefit. You were still eligible to select a Joint and Survivor or

Term Certain option as your ongoing retirement benefit. Your ongoing retirement benefit was actuarially reduced in exchange for the partial lump sum payment.

GRADUATED BENEFIT OPTION

This option allows members who have retired after March 1, 2011 to select the graduated benefit as either a one percent or two percent annual benefit increase. If you made this election, your monthly annuity was actuarially reduced. You were still permitted to choose one of the optional forms of payment for your annuity benefit (e.g. the reduced annuity could be paid as a joint and survivor or term certain option). The amount of the reduction was based on your age.

Below are the limitations of who can elect the option and exclusion for benefit modifications:

1. Limits the option to members who retired on or after their Normal Retirement Date as set by statute,
2. Excludes disability and early retirees, and beneficiaries of deceased members.
3. Requires the option be a one-time, irrevocable election that was made at the time of the member's retirement, and
4. Excludes the benefit in combination with a PLSO, Graduated or DNRO benefit option.

Disability Retirement Benefits

Your eligibility to continue to receive disability benefits must be recertified 18 months after the date your first check is issued and thereafter if the medical consultant deems recertification is necessary.

Four (4) months prior to the 18 month payment anniversary date, you will receive an “**Application for Recertification of Long Term Disability Benefits**” and a “**Recertification of Long Term Disability Attending Physician’s Statement**”. These two forms are to be completed and returned to NDPERS.

Also as a part of the Recertification Process, you will be required to document any employment. (See “Benefits and Return to Work” section)

If it is determined that you were not eligible for benefits during any period when benefits were provided, the executive director may do all things necessary to recover the erroneously paid benefits.

If you return to employment or have a change in employment, you must notify the NDPERS office in writing.

When you attain your normal retirement date, you may elect to terminate your disability benefits and draw retirement benefits.

Taxes and Your Disability Benefit

The NDPERS disability benefit is provided by your employer’s contributions to the retirement system and is therefore 100% taxable before age 65. You may elect to have both federal and ND state income tax withheld from your disability payment. You will receive a 1099-R tax statement at the end of each year reporting the taxable income and any federal and/or ND income taxes withheld.

At age 65, your benefit is considered a retirement benefit for income tax purposes. A portion of your monthly benefit may be non-taxable based upon your contributions to your member account balance. An exclusion ratio will be computed to determine your non-taxable portion, if any.

According to IRS Regulation Section 1.72-15(c)(2), your member account balance will not be reduced before age 65. At age 65, your member account balance is reduced by the monthly benefit payments you receive.

Post-Retirement Benefit Increases

Your retirement benefits are set by the legislature and does not provide an automatic cost of living adjustment (COLA). Historically, when the benefit multiplier has been increased by the legislature, a corresponding benefit increase for retirees has also been authorized. However, the legislature is not required to provide an increase for retirees. Therefore, it is to your benefit to actively participate in the legislative process and keep your legislators informed of your needs.

Any benefit increases granted become effective 90 days after the governor signs the bill, or August 1st, whichever date is later.

Payment of Monthly Benefit

Your checks are mailed or direct deposited on the first working day of the month and is payment for that month.

Direct Depositing Your Benefit

NDPERS Board's policy is that all annuity payments be direct deposited. This method of transferring funds is safe, secure, and used nationwide. You do not have to change your current bank relationship to take advantage of this service. It is available through all banks, credit unions, savings and loans facilities, and most other financial institutions.

Advantages to Direct Deposit

- ▶ The money will be there on time each month.
- ▶ Your worries about mail delays or stolen checks are over.
- ▶ You will avoid waiting in long bank lines to cash or deposit checks.
- ▶ Your money will be deposited quicker – the first business day of each month, which allows you to access money more quickly than before.

To begin Direct Deposit, simply complete an “[Authorization for Direct Deposit for Annuity Payments SFN 18379](#)” or through your [PERSLink Member Self Service](#).

If completing a form, return to the NDPERS office by the 14th of any month. Your Direct Deposit of

NDPERS benefit payments will begin the first of the following month unless an alternate effective date is requested.

To change financial institutions or change any account information, just complete an [“Authorization for Direct Deposit for Annuity Payments SFN 18379”](#) or through your [PERSLink Member Self Service](#).

Direct Deposit is safe, convenient and easy. Benefit payments are deposited electronically into YOUR bank account.

There are no service fees charged by NDPERS for this service. However, you may have to check with your bank for any possible fees.

Receiving Your Benefit By Mail

Checks are mailed out on the first working day of each month. Please present your endorsed checks promptly for payment. Though rare, sometimes members do not receive their monthly benefit checks due to unforeseen circumstances. NDPERS' experience has shown if you have not received your check within the first few business days of the month, it has simply been delayed in the mail and should arrive shortly.

If you have not received your benefit check by the 10TH of the month, call NDPERS (701) 328-3900 or toll-free at 1-800-803-7377 for assistance. A "stop payment" will be placed on your check and a new one will be issued after the 10TH. Do not cash the original check should it arrive at your home after a "stop payment" has been ordered; please return it to the NDPERS office.

Monthly Benefit Deductions

Insurance Deductions

You may elect to have a limited number of deductions withheld from your retirement benefit check.

These deductions are as follows:

- NDPERS Dental Insurance ●NDPERS Vision Insurance

- NDPERS Health Insurance ●NDPERS Life Insurance

- Federal Income Tax ●ND State Income Tax

- Membership dues for ND retiree organizations (ND United)

You may elect to have any or all of the above deductions as long as your net benefit check is larger than \$50.00 after deductions.

Membership Dues

To have membership dues deducted from your check, you must fill out an authorization form and submit it to the NDPERS office. You may obtain an authorization form by contacting the following association:

ND United
301 4th St N
Bismarck, ND 58501
(701) 223-0450 or 1-800-369-6332

Income Taxes

The majority of your retirement income paid is reportable as taxable income for federal and state income tax purposes. If you retired after July 1, 1986, a small portion of your benefit may be non-taxable based on contributions you made to NDPERS while you were working. When you retired, you were provided with specific information regarding the taxability of your benefit. In most cases, once you have received

the total amount of the contributions you paid in to NDPERS while you were working, your retirement benefit will become all taxable.

1099-R Tax Form

While you were working, you received a W-2 form from your employer reporting your salary earned for that year. As a retired member, you will receive a 1099-R tax form from NDPERS to be used in preparing your income tax return. **NDPERS will mail your 1099-R form by the end of January of each year.** You also have access to your 1099-R on your PERSLink Member Self Service.

Whether you should have taxes withheld depends upon your financial situation. You have the option of having federal and **North Dakota** state income taxes withheld from your monthly benefit payment. At the time of your retirement, NDPERS had you complete a “[Withholding Allowance Election for Pension Payments SFN 51506](#)” for North Dakota tax withholding and the “[IRS Form W-4P](#)” for federal tax withholding. You may change your tax withholding election at any time and as often as you wish. Simply complete new withholding forms and submit to NDPERS or you may change your tax withholding election through your PERSLink Member Self Service. Changes in tax withholding must be received in the NDPERS office by the 20th of the month to be effective for the next month's benefit payment.

If you do not have federal income tax withheld from your benefit payment, you cannot have ND state income tax withheld.

Questions about the amount of taxes to withhold or the need for tax deduction should be directed to a professional tax consultant.

Change of Address

Address changes must be requested in writing and include your name, NDPERS member ID, the last four digits of your Social Security Number and signature. Address changes must be received by the 15th of the month to be effective for the next month's check. For your convenience, complete and return a ["Notice of Change SFN 10766"](#). You may also update address through your [PERSLink Member Self Service](#).

Notification of Death/Divorce

Death of a Member

If you die while receiving benefits, the NDPERS office must be notified immediately. A telephone call will initiate the appropriate process. Upon receiving notice, NDPERS will stop your benefit payments and contact your designated beneficiary (ies).

Death of a Member's Spouse or Divorce

If you are drawing your monthly benefit or health insurance credit under the 100% or 50% Joint and Survivor Option, in the event your spouse predeceases you or in the event of a divorce, notify the NDPERS office immediately. Upon receipt of a certified copy of your spouse's death certificate or a copy of the divorce decree, your monthly benefit will be adjusted back to your Single Life or Normal amount.

Designation of Beneficiary

At the time you retired, NDPERS staff requested that you update your designation of beneficiary for your retirement and/or life plan(s). Please be sure to keep your designation up-to-date. If you are married and have designated someone other than or in addition to your spouse as your primary beneficiary for your retirement plan, your spouse's written consent is required. If you are drawing your monthly retirement benefit under the 100% or 50% Joint and Survivor Option, your primary beneficiary must be your legal spouse.

In the event of your death, a beneficiary is necessary in order to disburse your retirement account balance or life insurance benefits to the individual(s) you intended. All members are encouraged to continually review their NDPERS Retirement Plan and Group Life Insurance beneficiaries to confirm the information is displayed accurately.

How can I review my information?

1. Log on to Member Self-Service (MSS) online or on the mobile app
2. Review the beneficiaries listed under the retirement and life insurance benefits

It's not updated! How can I update my beneficiaries?

Complete and return the appropriate form(s) to the NDPERS office. The forms are available on the Popular Forms section on the homepage of the NDPERS website at <https://ndpers.nd.gov>.

- Retirement Benefit (NDPERS pension): Download, complete and sign the Designation of Beneficiary for the Group Retirement Plan (SFN 2560)

or

- Life Insurance: Download, complete and sign the Designation of Beneficiary for the Life Insurance Plan (SFN 53855)

When completing the form(s), all beneficiary designated shares must equal 100 percent.

Benefits & Return To Work

To be eligible for benefits, you must terminate employment or terminate membership. "Termination of employment" means a severance of employment by not being on the payroll of a covered employer for a minimum of one month (31 days). This period is determined by counting 31 days from your final regular payroll payment to the date you begin actual employment (first day of work) with a new NDPERS participating employer. **If you are a retiree who met Normal Retirement provisions but are under the age 59 ½, you must have a break in service and be off of all covered payroll for at least 31 days or your monthly retirement benefits received will be subject to a 10% early withdrawal IRS penalty and coded accordingly on your 1099-R.**

Approved leave of absence does not constitute termination of employment. "Termination of participation" means termination of eligibility to participate in the retirement plan.

Retirement and Return to Work

If you are a retiree employed for 20 or more hours a week for 20 or more weeks per year in any permanent position with a NDPERS participating employer, your retirement benefit will be suspended. Under NDCC 54-52, you are not eligible to receive a retirement benefit payment while being permanently employed with a NDPERS participating employer (See "**Overpayment of Benefits**" section). Upon termination of your subsequent employment, you may resume retirement benefits. Your initial monthly retirement benefit will be combined with your calculated subsequent retirement benefit current service. Your benefit attributable to any return to work period shall be based upon service and earnings attributable to the return to work period only.

a) **Returning to NDPERS Permanent Employment with Restricted Hours**

As a retiree meeting Normal Retirement provisions, if you return to **any permanent eligible employment with a NDPERS participating employer, your hours of employment must be restricted** if you wish to continue receiving your pension payment. As an eligible employee, your permanent employment must be limited to less than 20 hours per week so eligibility for any NDPERS retirement plan (including all plans under NDCC 54-52) is not obtained.

- If you are a retiree who met Normal Retirement provisions but are under the age 59 ½, you must be off of all covered payroll for 31 days or you may be subject to 10% early withdrawal IRS penalties. Please consult with a tax advisor regarding this penalty.

- If you are a retiree that elected an early retirement option, you are required to be off all covered payroll for 31 days from either your last day worked or your last paycheck, whichever is later.

ACTION REQUIRED: You complete the “[Optional Participation for Defined Benefit Retirement Plan SFN 17627](#)” in the [New Hire Form packet](#).

b) Returning to NDPERS Temporary Employment

As a retiree meeting Normal Retirement provisions, if you return to **temporary employment** with a NDPERS participating employer, your hours of employment do not need to be restricted if you wish to continue receiving your pension payment.

- If you are a retiree who met Normal Retirement provisions but are under the age 59 ½, you must be off of all covered payroll for 31 days or you may be subject to 10% early withdrawal IRS penalties. Please consult with a tax advisor regarding this penalty.
- As an early retire, you are required to be off all covered payroll for 31 days from either your last day worked or your last paycheck, whichever is later.

ACTION REQUIRED: You must complete the “[Optional Participation for Defined Benefit Retirement Plan SFN 17627](#)” in the [New Hire Form packet](#).

c) Returning to NDPERS Reemployment with a Different Employer

If you are a retiree meeting Normal Retirement provisions and become reemployed with a different NDPERS participating employer than the employer with which you were employed at the time you retired, you may, before reenrolling in the retirement plan, elect to permanently waive future participation in the Defined Benefit Retirement plan and the Retiree Health Insurance Credit program to maintain your ongoing monthly retirement benefit. If you make this election you are not required to make any future employee contributions to NDPERS nor is your employer required to make any further contributions on your behalf.

- If you are a retiree who met Normal Retirement provisions but are under the age 59 ½, you must be off of all covered payroll for 31 days or you may be subject to 10% early withdrawal IRS penalties. Please consult with a tax advisor regarding this penalty.
- **For retirees that elected an early retirement option, you would not be eligible** for this return to work provision and your monthly retirement benefits will be suspended.

Under N.D.C.C. 54-52-01(8), a "Governmental unit" means the state of North Dakota, except the highway patrol for members of the retirement plan created under chapter 39-03.1 or a participating political subdivision thereof. Therefore, North Dakota state agencies are considered one employer group and any member retiring with one state agency and becoming reemployed with another state agency **would not be eligible** for this return to work provision.

The following retired members may be eligible for this provision:

<u>Past Employer</u>	<u>New Employer</u>
State	Political Subdivision
Political Subdivision	State
Political Subdivision	Political Subdivision

ACTION REQUIRED: You must contact the NDPERS office to confirm your eligibility and complete an irrevocable "[Retirement Plan Membership Waiver SFN 54286](#)." (This waiver is not available on the NDPERS website nor is this option available to early retirees.)

***SPECIAL Return to Work Provisions:**

- ***Retirees under age 59 ½:*** Retirees who meet "Normal Retirement" (unreduced benefits based upon "Rule" or age) in their respective NDPERS plan but are under the age of 59 ½ without a 'bona fide' break in service will be subject to a 10% early distribution penalty according to IRS guidelines.
 - ***'Bona Fide' Break in Service:*** Retirees under the age of 59 ½ at the time of retirement must be off all covered payroll for at least 31 days from the last day worked or the last paycheck issued, whichever is later, before returning to work. Also, at the time of retirement, there cannot be any intent to return to work, either written or verbal.
 - ***Reporting Under Age 59 ½ Penalty on 1099-R:*** If there is not a 'bona fide' break in service, the 10% early distribution penalty must be reported on the retiree's 1099-R for each calendar year retirement benefit payments are paid. The 10% early distribution penalty will remain on the retiree's 1099-R until age 59 ½ OR until there is a break in service that meets the minimum of 31 days requirement, whichever occurs first.
- ***County Elected Officials ([refer to employer memo 2025-5](#)):***
 - ***Existing Elected County Officials (May 13, 2025 – July 31, 2027):***
In-service distributions are allowed for existing elected county officials who are eligible for normal retirement and return to employment with their previous employer

after retirement while continuing to collect their NDPERS pension. This policy sunsets on August 1, 2027.

- **Newly Elected County Officials (effective May 13, 2025):**
Effective May 13, 2025, NDPERS requires newly elected county officials that meet “mandatory participation” requirements to participate in the NDPERS retirement plan. When the mandatory participation requirements are not met, the elected county official will be considered an “optional participant”.
- **State Appointed Unclassified Employees:** *Retirees who meet “Normal Retirement” (unreduced benefits based upon “Rule” or age) in their respective NDPERS plan that had previously been state employees and are subsequently appointed by an elected state official to an unclassified state position for the duration of the elected official's term, or until a successor is appointed, may not participate in the retirement plan according to NDCC 54-52-05(1)(d) but will continue to receive their retirement and retiree health insurance (if applicable) benefits.*

Disability Retirement and Return to Work

As a disability retiree, if you return to **any permanent** full-time eligible employment with a NDPERS participating employer, your disability benefits must be suspended. You are not eligible to receive a disability retirement benefit while permanently employed with a NDPERS participating employer. (See “**Overpayment of Benefits**” section). If you are not able to continue employment for a consecutive period of time resulting in nine (9) months of service credit as a result of the disability and continue to meet the eligibility requirements under the plan, you may resume disability.

If you return to substantial gainful activity in employment not covered under NDPERS, your disability benefit may continue for up to nine (9) consecutive months. If you are not able to continue employment for at least nine (9) months as a result of the disability and continue to meet the eligibility requirements under the plan, you may continue disability status.

Overpayment Of Benefits

The laws governing NDPERS state that a person who receives an overpayment is liable to refund those payments upon receiving an explanation and a written request for the amount to be returned. Pursuant to that section, a member may be charged six (6) percent interest on the unpaid balance until the balance is paid in full. NDPERS executive director must approve any proposal made.

Your Retiree Health Insurance Credits

To be eligible for RHIC in the NDPERS Defined Benefit “Main” Retirement Plan or the Defined Contribution Plan, you must be first enrolled before January 1, 2020.

Pursuant to N.D.C.C. 54-52.1-03.2, your employer contributes 1.14 percent of your gross monthly salary to the retiree health insurance credit program. The Retiree Health Insurance Credit Program offers you a credit to receive reimbursement of premiums you pay for upon retirement. This credit can only be used if you are drawing a monthly NDPERS benefit payment. **Effective August 1, 2019, your RHIC may be used for any after-tax health and/or prescription drug premium expense, as well as for any dental, vision, or long term care premium expense.**



Defined Contribution Plan members must be at least 55 years of age or meet the “Rule” and must also be receiving a periodic distribution from the trustee company at least annually to be eligible for the RHIC benefit. Your RHIC is only reimbursed for eligible insurance premiums as long as you are receiving a periodic distribution.

RHIC is calculated as \$5.00 for every year of retirement service credit, subject to reduction for early retirement. Your retiree insurance credit will not be reduced if you are age 65, meet the “Rule” or are receiving NDPERS Disability retirement benefits.

If you are enrolled in NDPERS sponsored insurance coverage, NDPERS will bill you for the full premium amount or deduct the full premium amount from your bank account or pension check each month. Then, NDPERS will substantiate your monthly premium amounts and the third party administrator will reimburse you up to your eligible monthly RHIC amount.

If you are enrolled in non-NDPERS sponsored health or prescription drug coverage, you will need to provide documentation of eligible insurance premiums and proof of payment to the third party administrator.

Combining Retiree Health Insurance Credits

Effective August 1, 2007, spouses who each have RHIC may authorize NDPERS to combine their respective credits only when enrolled in the NDPERS sponsored family health plan.

A “[Request to Combine Retiree Health Insurance Credits SFN 58591](#)” must be completed and submitted to NDPERS prior to the 15th of the month to be effective for the following month.

Retiree Health Insurance Credit Options

If you chose the **Standard Option**, upon your death, your retiree health insurance credit will be transferred to your surviving spouse **ONLY** if your surviving spouse receives a monthly payment

from NDPERS. He or she can use the health insurance credit for as long as the benefit payments continue.

Under the **Alternate Health Credit Option**, if you are married and choose a Single Life, Ten or Twenty Year Term Certain Option, you have the opportunity to elect an alternate form of retiree health insurance credit. You may choose an actuarially reduced 50% or 100% Joint & Survivor retiree insurance credit option that applies only to the insurance credit portion of your retirement benefits. The alternate option is actuarially reduced based upon your age and the age of your spouse. With this option, upon your death, your surviving spouse will receive the RHIC amount for life.

Benefit Counseling

Individual benefit counseling is available at the NDPERS office. If you would like a counseling appointment, **please make an appointment** before coming to the NDPERS office.



Qualified Domestic Relations Orders

If certain requirements are met, the NDPERS Board may approve the equitable distribution of a member's retirement benefits due to a divorce. If applicable, your attorney should contact the NDPERS office to obtain a copy of the latest requirements prior to beginning or constructing a domestic relations order (a copy can be obtained on the NDPERS website). After a domestic relations order is deemed to be qualified, retirement benefits must be paid in accordance with any Qualified Domestic Relations Order (QDRO) issued in compliance with North Dakota Century Code Chapter 54-52-17.6 and North Dakota Administrative Code Chapter 71-02-10.

If you contact NDPERS regarding information about your account in relation to a divorce, please alert NDPERS staff so your information request can be provided in the proper format.

Durable Power of Attorney

Everyone, regardless of age, faces the possibility of being incapacitated. Planning for this possibility is very important to you and your family should you become unable to handle your own affairs.

A good step in planning is to have a current Durable Power of Attorney on file with NDPERS since the laws regarding Power of Attorney change from time to time. It should contain a durable clause that allows the attorney-in-fact to work on retirement system matters on the member's behalf in the event the member becomes incapacitated, disabled, or is unavailable.

A Power of Attorney that does not have a durable clause terminates upon a member's incapacity, and because of that termination, it may be necessary for NDPERS to withhold the member's NDPERS benefits until a conservator is appointed by the courts.

While it is preferred that members use Durable Power of Attorney, because it contains a durable clause, NDPERS will also accept a General Power of Attorney without a durable clause. A General Power of Attorney or Durable Power of Attorney may be used for address changes, withholding tax elections, setting up direct deposit, or requesting information regarding benefit payments. However, NDPERS will only accept beneficiary designations or retirement option elections from representatives authorized to act under a Durable Power of Attorney.

In conclusion, having a Durable Power of Attorney on file at NDPERS assures that NDPERS will be able to handle your retirement benefits without interruption, and in accordance with your wishes,

should you become unable to handle your own affairs.

Index of Forms You May Request or Obtain On-Line

IF YOU ARE TRYING TO	OBTAIN THIS FORM
Change your address	NOTICE OF CHANGE SFN 10766 or PERSLink Member Self Service
Change your name	NOTICE OF CHANGE SFN 10766
Change your marital status	NOTICE OF CHANGE SFN 10766
Change your beneficiary for retirement benefits	DESIGNATION OF BENEFICIARY SFN 2560
Change your direct deposit information	AUTHORIZATION FOR DIRECT DEPOSIT FOR ANNUITY PAYMENTS SFN 18379 or PERSLink Member Self Service
Change your Federal and ND State income tax election based on marital status and number of allowances	WITHHOLDING ALLOWANCE ELECTION FOR PENSION PAYMENTS SFN 51506 and IRS Form W-4P or PERSLink Member Self Service
Change your Insurance Premium to be deducted from a bank account	AUTHORIZATION FOR AUTOMATIC PREMIUM DEDUCTION SFN 50134 or PERSLink Member Self Service

Record of Important Documents

Name _____ Date _____

Personal

Indicate the location of each document.

- Birth Certificate _____
- Marriage Certificate _____
- Deed/Title to Property _____
- Automobile Title _____
- Passport _____
- Social Security Card _____
- Divorce Papers _____
- Military Service Record _____
- Designation of Beneficiary Forms _____

Financial

Indicate the bank name, address, and account number for each account.

- | | |
|------------------------|----------------------|
| Bank Account (Primary) | Bank Account (Other) |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

- | | |
|----------|----------------------------------|
| Mortgage | Safe Deposit Box/Box Number/Keys |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Retirement Sources

Indicate the company name, address, and account number for each plan.

- | | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Insurance

Indicate the insurance company name, address, and policy number for each policy.

Life Insurance

Health Insurance

Automobile Insurance

Property Insurance

Legal

Indicate the location of each document and, if applicable, an authorized individual.

Will

Trust

Power of Attorney

Other

Keys and Combinations

