

Wyoming Administrative Rules

Retirement System

Retirement Board

Chapter 1: General Provisions

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CHAPTER 1

GENERAL PROVISIONS

Section 1. **Authority.** The Wyoming Retirement Board, pursuant to W.S. § 9-3-409(a), is authorized to adopt rules and regulations for the administration of the Wyoming Retirement System. Additionally, W.S. § 16-3-102(a) requires each agency to adopt rules of practice setting forth the nature and requirements of all formal and informal procedures available in connection with contested cases.

Section 2. **Definitions.**

(a) The following terms apply throughout these rules and are defined as follows:

(i) “Disability Administrator” – Means the Wyoming Retirement System staff member responsible for administration of disability applications;

(ii) “Disability Applicant” – Means any Member, who at the time of disability, is actively contributing to any of the pension plans administered by the Wyoming Retirement System, and who has applied for disability benefits;

(iii) “In service” – Means a Member who is actively contributing to the System, is receiving worker’s compensation payments, is receiving disability payments under an employer’s disability insurance policy, or is on sabbatical or other leave authorized by the Member’s employer;

(iv) “Presiding Officer” – Means any person designated by the Board chairman to preside over any hearing provided for under these rules and regulations. Such persons may include, but are not limited to, a Member of the Board, an employee of the System, an employee of another state agency or an outside hearing officer qualified by reason of W.S. § 16-3-112; and

(v) “System” – Means the Wyoming Retirement System established by W.S. § 9-3-403.

Section 3. **Contested Case Proceedings.**

(a) Any Member who receives notification from the System of a decision which adversely affects the Member shall be entitled to a hearing before the Board or before a hearing officer designated by the Board, if the Member requests a hearing in writing within thirty (30) days from the date of receipt of such notice.

(b) The uniform rules for contested case practice and procedure adopted by the Office of Administrative Hearings shall govern all contested case proceedings.

Section 4. **Incorporation by Reference.**

(a) The following code, standard, rule, or regulation is incorporated by reference:

(i) Chapter 2 - Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on October 17, 2014, found at: <http://soswy.state.wy.us/Rules/RULES/9644.pdf>.

(b) No later amendments to a code, standard, rule, or regulation listed in subsection (a) are incorporated by reference.