In accordance with A.R.S. §38-847.F, a local board, from time to time, shall establish and adopt such rules as it deems necessary or desirable for its administration. All rules and decisions of a board shall be uniformly and consistently applied to all members in similar circumstances.

I hereby acknowledge receipt of the following documents:

- Rules and Regulations of the Arizona State University Policy Department Public Safety Personnel Retirement System Local Board
- Title 13.Public Safety, R13-4-107.Medical Requirements

Signature: ____________________________________________________________

Printed Name: ________________________________________________________

Date: ___________________________ Employee ID: ________________________
RULES AND REGULATIONS OF THE ARIZONA STATE UNIVERSITY
POLICE DEPARTMENT PUBLIC SAFETY PERSONNEL RETIREMENT
SYSTEM LOCAL BOARD

Pursuant to A.R.S. §38-847 the following Rules and Regulations are hereby adopted:

**FORMATION AND GOVERNANCE**

1. Pursuant to statute, the Local Board (Board) of the Arizona State University Police Department (ASUPD or Department) Public Safety Personnel Retirement System (PSPRS) is composed of two members elected by secret ballot of PSPRS members of ASUPD, and three citizens, one of whom may be the head of the merit system, appointed by the Governor.

2. The Chairperson and Vice Chairperson shall be elected by a majority of the Board. At least one of the votes cast for Chair and Vice Chair, shall be an elected member. During the inability of the Chairperson to serve, either by the Chair’s temporary designation or vote of the Board, the Vice Chairperson shall assume all powers and responsibilities of the Chair, as outlined in paragraph 7, or as may otherwise be provided by law. The Secretary should be a civilian staff member of the ASU Police Department, preferably with human resources, retirement or benefits experience, and shall be approved by a majority of the members of the Board. The Assistant Secretary should be a civilian staff member, preferably with secretarial or clerical experience, and shall be approved by a majority of the members of the Board.

3. A quorum for the purpose of doing any business by the Board shall be three members, one of whom shall be one of the members elected by secret ballot of the
ASUPD members. All votes for Board action, shall be by a majority of those present.

4. Regular quarterly meetings shall be posted in the lobby of the ASUPD Headquarters and held in the University Services Building on the third Thursday of the second month of each quarter (February, May, August, November), unless said Thursday is a holiday; which would move the meeting to the following Thursday. The Board may also meet at other dates, times or places as may be called pursuant to Paragraph 5 below, and set forth in the Notice(s) of Meeting. Any meeting may be continued to a later date, on proper notice, in the absence of a quorum.

5. Special meetings can be held at any time upon the call of the Chairperson or any two members of the Board.

6. The Assistant Secretary or Secretary, not less than three (3) days prior to the date of a meeting or hearing, shall give each member of the Board notice and post the public notice, of that meeting. Any member, claimant or applicant whose application or request for determination is on the agenda, shall be given personal notice of the meeting or hearing, in any manner deemed appropriate by the Board. A Board member who is not notified of a meeting, or who has not received the required three (3) days notice, shall be deemed to consent to all action taken by the Board at said meeting unless a written protest is filed with the Assistant Secretary or Secretary within ten (10) days after the date that the minutes of the meeting are mailed or otherwise given to the member. If such a protest is duly filed, the action protested shall be re-opened for consideration and vote at the next regular meeting. Any notice may be given by placing a copy thereof in the
U.S. Mail, postpaid, addressed to the address maintained in the files of the local Board.

7. The Chairperson shall preside at all meetings and hearings, and shall rule on evidentiary issues that arise during hearings. The Chairperson shall also have authority to sign contracts, certificates, and other documents required by, or incidental to, the operation of PSPRS, fulfillment of the Board’s statutory responsibilities, or as required by law.

8. The Assistant Secretary or Secretary shall prepare and keep minutes of each meeting. The Assistant Secretary or Secretary shall have authority to prepare, execute and file with the PSPRS Board of Trustees such certificates or other documents as may be necessary in, and incidental to, the operation of PSPRS, fulfillment of the Board’s statutory responsibilities, or as required by law. Under the direction of the Board, the OHR Benefits Design and Management Staff shall have the authority to file with the PSPRS Board of Trustees all members’ enrollment forms, retirement/disability applications, or other documents as may be necessary in, and incidental to, the PSPRS plan management.

9. Adequate records, necessary to the proper operation of PSPRS, fulfillment of the Board’s statutory responsibilities, or required by law, shall be maintained by the Assistant Secretary, Secretary, or OHR Benefits Design and Management Staff in such form and manner as the Board prescribes. Employer records may be used to avoid duplication, where permitted by law.

10. Board members, whether elected or appointed, shall serve staggered four-
year terms. All Board members are expected to exercise their discretion and authority consistent with the requirements of applicable Arizona law, including PSPRS provisions, Conflict of Interest avoidance, and the Open Meeting Law, as set forth in the Board member agreement. Failure to comply with the terms of the Board member agreement, or unexcused absences for two regularly scheduled meetings in the same year, may be cause for removal, by a vote of the majority of the Board. Training for Board members shall be offered on an annual basis.

11. The Board shall have authority to fully investigate all requests for benefits or System eligibility under Arizona law, and any request for determination under PSPRS law which may bear on benefits or System eligibility, and may rule on any application with or without an evidentiary hearing, during a properly noticed meeting. If there is a conflict in the medical evidence available, or for other reasons within its discretion, an evidentiary hearing would be of benefit, the Board may schedule such a hearing, upon proper notice to the member, claimant, applicant, and public. The Board shall be represented by counsel at any hearing, which will follow the same procedures applicable to rehearing, set forth in paragraphs 32 through 39 below. The member, claimant or applicant shall be permitted to address the Board, and may be subject to questioning by Board members or the attorney for the Board or PSPRS Board of Trustees, at any meeting at which a determination of benefit eligibility, System membership, and/or exclusion may be made. Upon application, surviving spouses, guardians, and eligible children shall be permitted to address the Board, and may be also subject to questioning
by Board members or the attorney for the Board or PSPRS Board of Trustees.

12. These Rules and Regulations may be changed, amended or revoked by majority vote of the members of the Board.

**PROCESSING OF NEW HIRES**

13. Within one month of new hire or promotion to an officer position, the Office of Human Resources (OHR) Benefits Design and Management Staff shall distribute membership forms to the newly employed commissioned officer(s).

14. After receipt of completed membership forms, the Board Secretary shall request each applicant’s post-offer, pre-hire medical report from the medical and psychological evaluator(s) of the Department. The Secretary shall screen the medical reports and inform the Board when the medical and psychological evaluator(s) have indicated that any applicant has a condition which required a category II medical review for compliance with the Arizona Peace Officer Standards and Training Board medical requirements.

15. The Board, at its next regularly scheduled meeting, or at a special meeting if appropriate, shall review the application(s) for new membership in PSPRS for System eligibility, pursuant to the applicable statutory definitions. Pursuant to Local Board vote of September 13, 2011, police officer recruits in training since July 1, 2007, satisfy the definition of “employee” contained in A.R.S. §38-842 (27), effective the date of their entry into training, after hire or promotion into that position with ASU Police Department.
16. If an applicant has a physical or mental condition or injury that existed or occurred prior to the date of membership in PSPRS, but is otherwise eligible for membership, the Board shall approve membership, excluding accidental or ordinary disability benefits relating to the preexisting physical or mental condition or injury, and the Secretary shall notify the applicant of the Board’s decision, as indicated in Paragraph 30 below. In analyzing such questions, the Board shall consider the medical board examination report, as required by A.R.S. §38-847(D)(9) and §38-859, in a Confidential Medical Executive Session. Votes to declare pre-existing conditions shall be taken in Open Session as required by law, with caution to avoid unnecessary declarations of otherwise confidential medical information. If necessary to clarify medical issues, and in the Board’s sole discretion, applicants may be invited to attend Confidential Medical Executive Sessions. An elected Board member who is in the chain of command for a potential recruit or lateral hire at the time of Board review, shall not review that employee’s medical reports or participate in the discussion or vote involving him or her.

17. If the Board denies PSPRS membership, or approves membership with an exclusion based on a preexisting condition, the Board Secretary or Board counsel shall notify the applicant of the Board’s decision, as indicated in Paragraph 31 below.

18. On its own motion, the Board may review and redetermine its prior decision(s) on any matter, including PSPRS membership and exclusions. The Board shall notify any member, claimant, or applicant of any meeting at which it will review a prior decision affecting him or her.
PROCESSING OF PENSION APPLICATIONS

19. All applications for any type of pension shall be timely submitted to the OHR Benefits Design and Management Staff with supporting documentation of certificates of birth, death and marriage, as appropriate. The OHR Benefits Design and Management Staff shall prepare years of service and rates of pay in writing for the Secretary to present to the Board at the next scheduled meeting following the filing of any application for any pension.

20. Any type of disability pension application shall be supported with medical report(s) and examinations as required by A.R.S. §38-847(D)(9) and §38-859, establishing all eligibility requirements of A.R.S. §38-844, and the definitions contained in A.R.S. §38-842, for the particular disability type applied for. Any disability application shall not be considered complete, for purposes of Board review and action, unless and until all necessary supporting medical documentation has been received by the Board Secretary. The OHR Benefits Design and Management Staff will assist the members with their applications. In addition, any application for a disability pension shall include evidence that the Applicant has diligently pursued in good faith any remedies available to him with the Industrial Commission of Arizona. Applicants for any disability pension shall provide copies of the Worker’s Report of Injury and medical records furnished to the Industrial Commission, and any case-determinative pleadings, or judicial decision(s) from the workers’ compensation matter.

21. A disability or PSPRS system Applicant may be subject to an Independent
Medical Evaluation or Medical Board, pursuant to A.R.S. §38-847(D)(9) and §38-859 (A, C), composed of a designated physician or clinic other than the employer’s regular employee or contracted clinic. If a medical evaluation conducted for other purposes, such as workers’ compensation or another disability claim, would satisfy the requirements of A.R.S. §38-847(D)(9) and §38-859, the Board may in its discretion, appoint that examiner as its Medical Board or evaluator for PSPRS purposes. Consistent with A.R.S. §38-859, the Medical Board or evaluator will be asked to make written findings regarding eligibility for the disability type as defined by A.R.S. §38-844, and the definitions contained in A.R.S. §38-842, and whether pursuant to A.R.S. §38-844 (D)(3), and as defined by Paragraphs 14 and 16 above, a pre-existing mental or physical condition or injury, precludes PSPRS or benefit eligibility. In considering any application for a disability pension, the Board shall also consider the eligibility requirements of A.R.S. §38-844 (D)(1,2), and any applicant for PSPRS membership or any disability pension shall sign a medical release, so that proper investigation of eligibility can occur. Any failure to cooperate with the Board’s medical investigation and/or to participate in a medical examination§38-847(D)(9) and at the request of the Board for eligibility purposes, shall result in a denial of benefits pursuant to A.R.S. §38-844 (E) and §38-859.

22. The Secretary shall, upon direction of the Board, but not more frequently than once a year, and prior to the normal retirement date of any disability pensioner, notify such pensioner to report for examination by the Board’s physician. If required,
other physicians may be employed to report on special cases. For purposes of such annual evaluation, the recipient of any disability pension shall sign a medical release, and may be requested to provide medical records, or other medical documentation of the disability, so that proper investigation of continuing eligibility can occur. Any failure to cooperate with the Board’s medical investigation and/or to participate in the annual review medical examination at the request of the Board, shall result in a termination of benefits pursuant to A.R.S. §38-844 (E) and §38-859. The Board, upon receipt of the physician’s report, shall review the appropriateness of any such disability award.

23. Each ordinary disability pensioner shall, in the period prior to his normal retirement date, furnish to the Secretary by October 31st of each year, in such form as the Board may from time to time require, appropriate evidence of source and amount of any employment income for the preceding calendar year.

24. Any member of the Public Safety Personnel Retirement System who fails to comply with the provisions of applicable Arizona law, and/or these Rules and Regulations shall be deemed to be ineligible for the award of any benefits or the continuation of any benefits already awarded.

**MEDICAL EXAMINATION OF/RECOVERY BY MEMBER WITH ORDINARY OR ACCIDENTAL DISABILITY**

25. When the Board determines that a member qualifies for an ordinary or accidental disability retirement pension and the member will not reach normal retirement date within one year of the initial determination, the Board shall determine whether and when to request a medical examination pursuant to A.R.S. §38-844(E), §38-847(D)(9)
and §38-859.

26. The Board shall request the Medical Board or evaluator performing the medical or psychological examination to address specifically whether the member has sufficiently recovered to be able to engage in a reasonable range of duties within the member’s Department.

27. The Board shall consider the matter at the next regularly scheduled meeting, or earlier if appropriate within its discretion, upon proper notice to the member and the public. Pursuant to A.R.S. §38-844(E), if the Board determines that the member has recovered sufficiently to be able to engage in a reasonable range of duties within the member’s Department, the Board shall so notify the member and the Department. If the Department makes an offer of employment to the member, the Board shall terminate benefits.

28. If the Board determines that the member has not recovered, the Board shall determine whether and when to request another medical examination pursuant to A.R.S. §38-844(E), §38-847(D)(9) and §38-859.

29. Sixty months after the award of a catastrophic disability pension (CDP), the Board shall reevaluate the member. If the member still qualifies for the CDP, s/he is entitled to receive the pension at the reduced amount prescribed in §38-845 (E). At or after the sixty month review, the catastrophic disability shall be considered to have ceased and a CDP terminates, if the Board determines that the member has sufficiently recovered and is able to engage in gainful employment based on a medical examination
as indicated in Paragraph 21 above. However, after the sixty month review, the Board’s medical examination pursuant to Paragraph 21 above shall not be required more frequently than once in a calendar year. The medical review after the sixty month period does not apply after the date the catastrophic disability pensioner would have attained twenty-five years of service assuming the pensioner remained a member of the system. The Board shall also terminate a catastrophic disability pension if the member refuses to undergo any medical examination requested by the Board. A member whose catastrophic disability pension is terminated may apply for and if eligible is entitled to receive an accidental disability pension as provided in A.R.S. §38-844, §38-845 and as set forth in Paragraphs 11, 19 - 28.

**NOTIFICATION TO MEMBER OF BOARD’S DECISION OF DETERMINATION OR ELIGIBILITY**

30. When the Board approves applications for PSPRS membership, retirement, disability pensions, and survivor’s benefits, the affected member, claimant or applicant and the PSPRS Board of Trustees shall receive notification of the Board’s original determination either by attending the meeting at which the action was taken, by certified mail, or by receiving benefits from PSPRS pursuant to the Board’s original action. The notification shall advise the affected member, claimant or applicant and the PSPRS Board of Trustees, through counsel if represented, of the statutory right to apply for a rehearing on the original determination within 60 days after receipt of notification, pursuant to A.R.S. §38-847 (G, H). Such notification, and minutes of the meeting or hearing, should
include the Board’s decision on the issue or application presented, specific findings supporting the decision with reference to the evidence relied upon by the Board, and if necessary, how the Board resolved any conflicts in the medical evidence.

31. When the Board votes to deny PSPRS membership, or makes rulings on requests for determination as described in Paragraph 11 above, pre-existing conditions or other questions of eligibility, or denies applications for retirement, disability pensions, and/or survivor’s benefits, whether based on an evidentiary hearing as indicated in Paragraph 11 above, or otherwise, the affected member, claimant or applicant and the PSPRS Board of Trustees, through counsel if represented, shall receive notification of the Board’s original determination either by attending the meeting at which the action was taken or by certified mail. The notification shall advise the affected member, claimant or applicant and the PSPRS Board of Trustees of the statutory right to apply for a rehearing on the original determination within 60 days after receipt of notification, pursuant to A.R.S. §38-847 (G, H). Such notification, and minutes of the meeting or hearing, should also include the Board’s decision on the issue or application presented, specific findings supporting the decision with reference to the evidence relied upon by the Board, and if necessary, how the Board resolved any conflicts in the medical evidence.

REHEARING ON ORIGINAL DETERMINATION

32. A request for hearing or rehearing shall be made in writing, setting forth the reason(s) for the request, and shall be received timely by the Board Secretary, pursuant
to A.R.S. §38-847 (G, H) to be considered. Not later than 40 calendar days after the original decision, the Board on its own motion may order a rehearing for any reason for which it might have granted a rehearing on motion of a party, stating the reason(s) underlying its action.

33. The Board shall conduct hearings or rehearings pursuant to A.R.S. §38-847(H) as adjudicative proceedings under A.R.S. Title 41, Chapter 6, Article 6 (A.R.S. §41-1061 et seq.). Although there is a preference for their application, the Board is not bound by statutory or Court Rules of Evidence. The Board also is not bound by common law, and may conduct the hearing in any manner that will achieve substantial justice, and is consistent with PSPRS statutes and case law. The Board shall be represented by counsel at the hearing or rehearing, who may present evidence and inquire of any witnesses who testify. The proceedings should be recorded by court reporter and all witnesses shall appear under oath and be subject to cross-examination. The member, claimant or applicant may be represented by counsel of his/her choosing at his/her own expense.

34. If the PSPRS Board of Trustees applies for a hearing or rehearing, the member, claimant or applicant whose benefit determination may be affected shall be a party to the proceeding. All other provisions of paragraphs 11, 32 - 39 shall apply.

35. No later than twenty calendar days prior to the scheduled hearing or rehearing, the member, claimant or applicant, Board or PSPRS Board of Trustees, shall submit to the Board Secretary and serve on all other parties, or their attorney(s) if
represented, a list of witnesses whom they intend to call to testify at the hearing, and of all exhibits which they intend to use at the hearing as well as a copy of all listed exhibits.

36. No later than ten calendar days prior to the scheduled hearing or rehearing, the member, claimant or applicant, Board, or PSPRS Board of Trustees, may submit to the Board Secretary and all other parties or their attorney(s) if represented, a written statement setting forth the facts of the case and a brief addressing the position and expected evidence on all relevant issues the party or PSPRS Board of Trustees will request the Board to address.

37. If the member, claimant or applicant, PSPRS Board of Trustees, Board or Board Attorney desires subpoenas pursuant to A.R.S. §41-1062(A)(4), said subpoenas shall be submitted at least twenty calendar days prior to the scheduled rehearing to the Secretary for issuance by the Board Chairperson as presiding hearing officer. Copies of the requested subpoenas shall be served upon all other parties, the PSPRS Board of Trustees or their attorney(s) if represented, at the time of filing. Service of the subpoenas and cost of service shall be the responsibility of the party requesting issuance of the subpoenas.

38. Applications for permission to take depositions pursuant to A.R.S. §41-1062(A)(4) shall be submitted to the Board Secretary for determination by the Board Chairperson as presiding hearing officer. Copies of the application(s) shall be served upon all other parties, the PSPRS Board of Trustees or their attorney(s) if represented, at the time of filing. Such applications should be made no later than 45 days prior to the
scheduled hearing or rehearing, to allow for compliance with the disclosure deadlines in paragraphs 35 and 36.

39. If any party or the PSPRS Board of Trustees, designates any portion of the oral proceedings before the Board as part of the record on review in the Superior Court, the cost of the transcript shall be paid by the party so designating or the PSPRS Board of Trustees, unless the Board waives the cost of transcription upon good cause shown. A request for waiver of the cost of the transcription shall be in writing and served upon the Board Secretary at the time of the service of the appeal complaint.

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Paragraphs 1 – 29 of the ASU Police Department PSPRS Local Board Rules and Procedures were adopted by the Board’s vote on November 20, 2009. Paragraphs 30 – 39 were amended by the Board’s vote on November 20, 2009.

Paragraphs 2, 4 and 5 of the ASU Police Department PSPRS Local Board Rules and Procedures were amended by the Board’s vote on November 17, 2011.

Paragraphs 8, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, and 39 of the ASU Police Department PSPRS Local Board Rules and Procedures were amended by the Board’s vote on February 16, 2012.
R13-4-107. Medical Requirements
A. Medical Categories. The medical categories for certification are:
   1. Category I. No medical, physical, or mental circumstance exists that limits the person's ability to effectively perform all the duties of a peace officer or creates a reasonable probability of substantial harm to the person or others;
   2. Category II. A medical, physical, or mental circumstance exists that absent a reasonable accommodation by the appointing agency would limit the person's ability to effectively perform all the duties of a peace officer or create a reasonable probability of substantial harm to the person or others; and
   3. Category III. A medical, physical, or mental circumstance exists that despite reasonable accommodation by the appointing agency limits the person's ability to effectively perform all the duties of a peace officer or creates a reasonable probability of substantial harm to the person or others.
B. Eligibility for certified status.
   1. Category I. A person in Category I may be appointed if the person meets all other qualifications.
   2. Category II. If an agency chooses to make the required accommodation and appoint a person in Category II, and the examination was made by a Board-trained physician, the appointment may be made without further action by the Board. However, if the examining physician has not been trained by the Board, a medical review under subsection (H) by a Board-trained physician is required to determine eligibility for certified status. If the Board-trained physician agrees with the finding of the other physician, the appointment may be made without further action by the Board.
   3. Category III. If an agency wishes to appoint a person in Category III, the agency shall submit a letter to the Board asking for a determination of eligibility for certification. The letter shall include a report from a Board-trained physician identifying the medical limitations and the proposed accommodations. The Board shall determine the person's eligibility for certified status, based upon whether the appointing agency is able to make reasonable accommodations, and whether by placing restrictions or requirements on the person as a condition of certified status under R13-4-103(F), the person is able to perform the duties authorized within the restriction without endangering the person or others.
C. Medical, physical, or mental circumstances in Category II and Category III include:
   1. Angina pectoris;
   2. Asthma;
   3. Cancer - metastatic or leukemia;
   4. Cardiac arrhythmias or murmurs;
   5. Cerebral vascular accident;
   6. Chest pains of unknown origin;
   7. Contagious hepatitis;
   8. Contagious tuberculosis;
   9. Chronic respiratory disease;
   10. Diabetes, insulin dependent or ketosis-prone;
   11. Fixation of major joint;
   12. Hearing not specified in subsection (D);
   13. Herniated lumbar disc;
   14. Hypertension, uncontrolled;
   15. Inguinal hernia;
   16. Liver or renal dysfunction;
   17. Migraine headache;
   18. Myocardial infarction, history of;
   19. Paralysis;
   20. Pilonidal cyst;
   21. Prosthetic device, e.g., limbs, hearing aid, colostomy;
   22. Recurrent dislocation of a major joint;
   23. Schizophrenia or manic depressive psychosis;
   24. Scoliosis greater than 15 degrees;
25. Seizure disorders;
26. Current substance abuse;
27. Valvular heart disease, uncorrected;
28. Vision not specified in subsection (D) or monocular vision;
29. Wasting disease, chronic, such as multiple sclerosis, myasthenia gravis, or amyotrophic lateral sclerosis; and
30. Any other medical, physical, or mental circumstance that the examining physician determines may interfere with the person's ability to function as a peace officer effectively or may create a reasonable probability of substantial harm to the person or others.

D. Vision and hearing. Vision and hearing meeting the following requirements are classified in Category I:
1. Visual acuity of:
   a. 20/20 or better uncorrected;
   b. 20/20 or better, corrected by spectacles or hard contact lenses, if uncorrected acuity is 20/80 or better.
      The applicant shall demonstrate satisfactory adaptation to the contact lenses; or
   c. 20/20 or better, corrected by soft contact lenses, if the uncorrected acuity is 20/200 or better. The applicant shall demonstrate satisfactory adaptation to the contact lenses;
2. Vision capable of distinguishing basic color groups against a favorable background.
3. Peripheral vision:
   a. That does not reveal scotoma or quadrantanopia; or
   b. In which vision perimeter testing is intact at 170 degrees; and
4. Uncorrected hearing with no loss greater than 25 db in the 500, 1000, 2000, or 3000 hertz frequencies as measured by an audiometer.

E. Medical history. A person who seeks to be appointed shall supply to the examining physician a statement of the person's medical history that includes past and present diseases, injuries, operations, immunization status, and medications taken.

F. Medical examination. The examining physician shall review the person's medical history and examine the person.

G. Examination report. The examining physician shall record the findings of the medical examination on a form prescribed by the Board. The physician shall indicate whether a medical, physical, or mental circumstance in Category II or III exists, describe how the circumstance affects the person's ability to perform the duties of a peace officer, and specify the type and duration of any treatment required. In all Category II or III cases, the physician shall advise the appointing agency in writing of any limitation on the person's ability to function as a peace officer.

H. Category II and Category III reviews. The diagnosis of a person with a circumstance classified in Category II or Category III by an examining physician who is not Board trained shall be reviewed by a Board-trained physician if the agency intends to appoint the person. The Board-trained physician may review prior medical examination reports concerning the person and contact examining physicians to review their findings. If required by the Board-trained physician, an independent medical examination shall be conducted, if the agency wishes to appoint the person, and the person shall be referred to a specialist in the appropriate medical field.

I. Additional findings. The appointing agency may submit to the Board results of additional examinations or tests, or obtain additional opinions from other licensed physicians.

J. This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

**Historical Note**
Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3).
Amended by final rulemaking at 8 A.A.R. 3201, effective January 11, 2003 (Supp. 02-3).