

1982 WL 189418 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 9, 1982

*1 Joseph C. Griffith
Deputy Director
South Carolina Retirement System
Sol Blatt Building
Second Floor
Columbia, South Carolina 29201

Dear Joe:

You have requested an opinion as to whether the 1982 amendment to § 9-1-1540 and other similar sections would permit the South Carolina Vocational Rehabilitation Department to evaluate persons who are presently retired on disability.

As you note, under § 9-1-1570, the Medical Board may require periodic reevaluation of the member. As you state, the aforementioned 1982 amendments do not change the standards for a finding of disability, but rather merely provide for what might be a more comprehensive examination of the person claiming disability. Accordingly, I can see no reason why those amendments could not also be made applicable to reevaluation. There is certainly nothing in the act which limits the Department's participation to cases arising after July 1, 1982.

If I have missed something in basing this conclusion on the terms of the statutes, I would appreciate it if you or Mr. Vandiver would let me know.

Sincerely yours,

Kenneth P. Woodington
Senior Assistant Attorney General

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