

(b) An appeal of a denial or termination of long-term disability benefits described in Subsection (11)(a) is barred if it is not commenced within the time limit described in Subsection (11)(a).

(12) Medical or psychiatric conditions [~~which existed prior to~~] that existed before eligibility may not be a basis for disability benefits until the eligible employee has had one year of continuous eligibility in the Public Employees Long-Term Disability Program.

(13) If there is a valid benefit protection contract, service credit shall accrue during the period of total disability, unless the disabled eligible employee is:

- (a) exempted from a system;
- (b) eligible to retire with an unreduced retirement allowance; or
- (c) otherwise ineligible for service credit.

(14) Regardless of any medical evidence provided by the employee to support the application for disability, an employee is not eligible for long-term disability benefits during any period in which the employee:

- (a) makes a claim that the employee is able to work; or
- (b) has a pending action in a court or before any federal, state, or local administrative body in which the employee has made a claim that the employee is able to work.

(15) Notwithstanding the provisions of Section 49-11-618, upon written request by an employer, information obtained under this part may, upon an order of a court or an administrative law judge, be released to an employer who is a party in an action under Subsection (14).

(16) On or after May 1, 2025, but on or before November 1, 2025, the office shall provide a written electronic report to the Retirement and Independent Entities Committee regarding the costs and benefits of the changes to the disability benefits during the pilot period.

Section 3. Section **49-21-402** is amended to read:

**49-21-402. Reduction or reimbursement of benefit -- Circumstances --**  
**Application for other benefits required.**

(1) A monthly disability benefit may be ~~Ĥ→~~ reduced, suspended, or ~~←Ĥ~~ terminated ~~Ĥ→~~ [; suspended, or reduced] ~~←Ĥ~~ unless:

(a) the eligible employee ~~[is under the]~~ participates in ongoing care and treatment ~~[of a physician or physician assistant other than the eligible employee; and]~~ in accordance with Subsection 49-21-406(3) or (4); and