
OLR Bill Analysis

sHB 5495

AN ACT CONCERNING REVIEW OF DECISIONS BY THE CONNECTICUT STATE EMPLOYEES RETIREMENT COMMISSION BY THE SUPERIOR COURT AND AUTHORIZING APPEALS OF DECISIONS OF THE MEDICAL EXAMINING BOARD.

SUMMARY

This bill requires the State Employee Retirement System's (SERS) medical examining board, before deciding on a SERS member's eligibility for a disability pension, or discontinuing one, to hold a hearing and send the member a written copy of its decision and reasoning. The bill allows a member aggrieved by the board's decision to appeal to the Superior Court under the state's Uniform Administrative Procedure Act (UAPA). However, it also specifies that these changes do not take effect until the State Employees' Bargaining Agent Coalition (SEBAC) gives its written consent to incorporate these terms into its collective bargaining agreement.

Current law prohibits the board from reconsidering disability retirement decisions unless applicants disclose additional facts about their condition when they ended their employment. Under the UAPA, these decisions cannot be appealed to court because they are not "final decisions."

Separately, the bill also requires the courts, when reviewing any State Employees Retirement Commission decision, to do so "de novo" (generally, to treat it as if hearing it for the first time, rather than limiting the review to certain issues such as errors of law, or abuse of discretion in the original decision, as otherwise required by the UAPA).

EFFECTIVE DATE: October 1, 2026

BACKGROUND

Appeals Under the UAPA

The UAPA generally allows someone who has exhausted all administrative remedies and is aggrieved by a final decision to appeal to Superior Court (CGS § 4-183(a)). Under the law, a “final decision” is an agency’s (1) determination in a contested case, (2) declaratory ruling, or (3) decision made after reconsideration. It does not include an agency’s preliminary or intermediate ruling or order, or ruling granting or denying a petition for reconsideration (CGS § 4-166).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/19/2026)