

**TITLE 590. OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

SUBCHAPTER 1. GENERAL PROVISIONS

590:1-1-7. Declaratory rulings [REVOKED]

(a) — ~~Petitions for declaratory rulings as to the applicability of any rule or order of the agency shall be in writing and must be filed with the Board at least ten days prior to the next regularly scheduled Board meeting. The petition must state with clarity the issues to be decided and any legal authority which may be applicable.~~

(b) — ~~The Board shall issue a written Final Ruling within 60 days of hearing the petition. The Final Ruling shall be mailed to the person requesting the ruling and shall be kept on file in the Board office for public inspection.~~

(c) — ~~Final rulings of the Board are subject to judicial review pursuant to the Administrative Procedures Act, in the same manner as individual proceedings.~~

SUBCHAPTER 3. ADMINISTRATIVE REVIEW AND HEARINGS

590:1-3-1. Purpose and general overview of administrative hearings

(a) **Purpose.** The purpose of this Subchapter is to give the member or ~~beneficiary participating employer, or in the case of a deceased member a joint annuitant or beneficiary,~~ a reasonable way to have a disagreement or controversy considered fairly. In all cases, the member or ~~beneficiary participating employer, or the joint annuitant or beneficiary of a deceased member,~~ shall have an opportunity to resolve disagreements with the System without a formal hearing.

(b) **Formal hearing.** If a case cannot be resolved informally, the provisions of this Subchapter provide for a formal hearing before a Hearing Examiner, who is not an employee or officer of the System. The Hearing Examiner makes proposed findings, conclusions and recommendations which are reviewed and acted upon by the Board of Trustees.

(c) **Right to appeal.** The member, ~~joint annuitant or beneficiary~~ or participating employer, ~~or the joint annuitant or beneficiary of a deceased member,~~ retains the right to seek relief from a final order in an administrative hearing by the Board of Trustees by way of appeal to the District Court of Oklahoma County.

(d) **Governing rules.** The rules set forth in this Subchapter shall govern all contested proceedings before the System or its delegated Hearing Examiner. These rules shall be given the most reasonable meaning, taken in their total context, and will be construed to secure due process in the proper resolution of each controversy.

590:1-3-2. Definitions

For purposes of this Subchapter:

"Claimant" means the member, ~~joint annuitant, beneficiary~~ or participating employer, or in the case of a deceased member a joint annuitant or beneficiary, filing an appeal with the System.

"System" means the Oklahoma Public Employees Retirement System, the Uniform Retirement System for Justices and Judges, the Oklahoma State Employees Deferred Compensation Plan, and the Oklahoma State Employees Deferred Savings Incentive Plan.