**Section 1650.272 Eligible Child Dependent By Reason of a Physical or Mental Disability**

a) To establish eligibility for a survivor benefit as an *eligible child dependent by reason of a physical or mental disability* under the provisions of Section 16‑140(4) of the Act, a claimant or his or her duly authorized representative shall furnish the following to the System:

1) A copy of the member's federal income tax return filed for the tax year preceding the death, evidencing that the deceased member provided over 50% of the support of the eligible disabled child; and

2) Written reports by two or more licensed physicians certifying that the claimant is physically or mentally unable to engage in substantial gainful activity as defined in Section 1650.250(c) and will remain disabled for a period of not less than twelve months. Claimant physician reports are subject to review by the System, and the claimant may be required to be examined by a physician or physicians selected by the System to verify eligibility.

b) Unless the claimant's disability has been determined to be permanent or expected to result in death within two years by the claimant's examining physicians, the claimant shall be required to furnish the System annual physician certifications of disability. Recertifications are due to the System 30 days prior to the annual anniversary of the claimant's survivor benefits start date.

(Source: Amended at 39 Ill. Reg. 14989, effective October 30, 2015)