

**TITLE 270. OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

270:1-1-2. Description of organization

(a) The System is a body corporate and an instrumentality of the State of Oklahoma, vested with the powers and duties specified in 11 O.S. Sections 49-100.1 through 49-143.36, and other such powers and duties necessary to carry out the purposes and intent of these provisions.

(b) The State Board shall be responsible for the operation, administration and management of the System, and has such powers and authority expressly conferred upon it by, or reasonably implied from the provisions of 11 O.S. Sections 49-100.1 through 49-143.36. The State Board is composed of thirteen (13) members appointed as follows:

- (1) Five (5) members shall be the Board of Trustees of the Oklahoma Firefighters Association;
- (2) One member shall be the President of the Professional Firefighters of Oklahoma or his designee. The designee shall be a member of the Professional Firefighters of Oklahoma;
- (3) One member shall be the President of the Oklahoma State Retired Firefighters Association or his designee. The designee shall be a member of the Oklahoma State Retired Firefighters Association;
- (4) One member shall be appointed by the Speaker of the House of Representatives;
- (5) One member shall be appointed by the President Pro Tempore of the Senate;
- (6) Two (2) members shall be appointed by the President of the Oklahoma Municipal League;
- (7) One member shall be the State Insurance Commissioner or his designee;
- (8) One member shall be the Director of ~~State Finance~~the Office of Management and Enterprise Services or his designee. ~~(Refer to 75:251(B)(2)(b) in APA and 10:10-5-12 in ARR.)~~

(c) The State Board shall appoint an Executive Director, who shall be the managing and administrative officer of the System:

- (1) The Executive Director shall perform the duties and services as may, from time to time, be requested or directed by the State Board, and who shall attend all regular meetings of the State Board.
- (2) The Executive Director shall be responsible to the State Board for the day-to-day operation of the System, and shall on behalf of the State Board:
 - (A) Be responsible for the transmittal of communications from the State Board to the existing local boards of participating municipalities;
 - (B) Receive payroll and employment reports from participating municipalities and maintain current employment earnings and contribution data on each covered member of each participating municipality;
 - (C) Coordinate the activities of all other advisors, consultants, agents or employees appointed by the State Board;
 - (D) Maintain all necessary records reflecting the operation and administration of the System and submit detailed reports

thereof to the State Board at each regular meeting of the State Board and such other time or times as requested by the State Board;

(E) Process all claims for payment of benefits or expenses for approval by the State Board; and

(F) File on behalf of the State Board such reports or other information as shall be required by any state or federal law or regulations.

270:1-1-3. Methods whereby the public may obtain information or make submissions or requests

(a) Information regarding pension matters within the purview of 11 O.S., Sections 49-100.1 through 49-143.6, which statues define the State Board's jurisdiction, may be secured by oral or written communication addressed to the State Board at its offices located at: Oklahoma Firefighters Pension and Retirement System, ~~4545 N. Lincoln Blvd.,~~ 6601 Broadway Extension, Suite ~~265100~~, Oklahoma City, Oklahoma ~~73105-341473116~~ (405) 522-4600.

(b) The Executive Secretary of the State Board maintains in permanent form as public record and open to public inspection, records of the official proceedings of the State Board, as well as all rules, final orders or decisions of the State Board, such records being located in the State Board offices and shall be available upon request. All information, documents and copies contained in a member's file shall be given confidential treatment and shall not be made public without prior written consent of the member, or by ~~supena~~subpoena or court order. Offices of the State Board are open daily Monday through Friday from ~~7:30~~8:00 a.m. until 4:30 p.m.

270:1-1-5. Hearing procedures

(a) The State Board may conduct examinations and investigations of pension matters within the scope of its jurisdiction and authority as it deems appropriate to secure information useful in the lawful administration of these provisions. The State Board may compel witnesses to appear and testify upon all matters connected with these provisions in the same manner as provided by law for the taking of testimony.

(b) Any person, existing local board or participating municipality aggrieved by a decision of the Executive Director or the State Board on any matter concerning rights or benefits available under these provisions, may request a hearing before the State Board to review or reconsider those decisions.

(1) The request for hearing shall be mailed or delivered to the office of the System, located at Oklahoma Firefighters Pension and Retirement System, ~~4545 N. Lincoln Blvd.,~~ 6601 Broadway Extension, Suite ~~265100~~, Oklahoma City, Oklahoma ~~73105-341473116~~.

(2) Upon receipt of the request for hearing, the State Board shall assign a hearing number thereto and shall notify the requesting party of the date of the hearing by mail. The appropriate existing local pension board of the participating municipality shall also be given notice of the hearing date by mail.

(3) Formal Hearing Procedures.

(A) All hearings shall be public except that all information, documents and copies contained in a member's file shall be given confidential treatment and shall not be made public without prior written consent of the member. The State Board may hold any part of the hearing in Executive Session as allowed by 25 O.S. Section 307, if the State Board determines that disclosure of confidential communication or information would seriously impair the ability of the public body to conduct the hearing or would violate confidentiality requirements of state or federal law. Upon a motion of any party, witnesses may be excluded from the hearing room when such witness is not testifying.

(B) The hearing shall be presided by the Chairman of the State Board, or the Chairman's designee, with the assistance of the legal counsel for the State Board.

(C) The order of procedure for the hearing shall be as follows:

(i) The presiding officer, or the legal counsel for the State Board, shall present a recitation of the matters before the State Board;

(ii) Opening statement by the requesting party;

(iii) Presentation of evidence by the requesting party followed by questioning by the presiding officer, legal counsel for the State Board, or any member of the State Board;

(iv) Presentation of evidence by the legal counsel for the State Board, if necessary, followed by questioning by the requesting party or any member of the State Board;

(v) Opportunity for rebuttal testimony or additional evidence and questioning by interested parties may be allowed at the discretion of the presiding officer;

(vi) Closing arguments by the requesting party.

(4) If the requesting party desires a certified court reporter at the hearing, the State Board will arrange for a certified court reporter upon request of the party. The cost of a certified court reporter shall be paid by the requesting party. Such a request should be in writing but will not be considered if received less than ten (10) days before the hearing date.

(5) Requests for continuances received prior to the hearing date may be granted by the Chairman of the State Board for good cause shown.

(6) The State Board may in its discretion assign any matter to a hearing examiner to conduct a hearing and receive all evidence. The hearing examiner shall prepare a proposed order to be submitted to the State Board within ten (10) days after the hearing at a place convenient for the parties and/or witnesses. The State Board shall consider the proposed order of the hearing examiner at the next scheduled public meeting of the State Board.

(7) All decisions of the State Board shall be in writing and shall be mailed to all parties or their attorney of record.

(8) Any person who deems himself or herself aggrieved by a decision of the State Board on a claim for pension benefits shall appeal the decision of the State Board to the Oklahoma County District Court, as provided in 11 O.S. Section 49-128.