

# VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

## CHAPTER 97

*An Act to amend and reenact §§ 51.1-1113 and 51.1-1124 of the Code of Virginia, relating to the Sickness and Disability Program for state employees.*

[H 701]

Approved March 12, 2004

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 51.1-1113 and 51.1-1124 of the Code of Virginia are amended and reenacted as follows:**

§ 51.1-1113. Successive periods of long-term disability.

A. A participating employee's disability which is related or due to the same cause or causes as a prior disability for which long-term disability benefits were paid shall be deemed to be a continuation of the prior disability if the employee returns to ~~his~~ *a* position on an active employment basis for less than 180 consecutive calendar days. Days of work arranged pursuant to vocational, rehabilitation, or return-to-work programs shall not be counted in determining the duration of the period of the employee's return to work.

B. If a participating employee returns to ~~his~~ *a* position on an active employment basis for 180 consecutive calendar days or longer, any succeeding period of disability shall constitute a new period of disability.

§ 51.1-1124. Successive periods of long-term disability.

A. A participating employee's disability which is related or due to the same cause or causes as a prior disability for which supplemental long-term disability benefits were paid shall be deemed to be a continuation of the prior disability if the employee is eligible for benefits payable under the Act, whether or not he is receiving such benefits, and returns to ~~his~~ *a* position on an active employment basis for less than 180 consecutive calendar days. Days of work arranged pursuant to vocational, rehabilitation, or return-to-work programs shall not be counted in determining the duration of the period of the employee's return to work.

B. If a participating employee returns to ~~his~~ *a* position on an active employment basis for 180 consecutive calendar days or longer, any succeeding period of disability shall constitute a new period of disability.