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**Rules of**  
**Retirement Systems**  
**Division 40–Highways and Transportation**  
**Employees and Highway Patrol Retirement System**  
**Chapter 4–Survivor Benefits**

<b>Title</b>	<b>Page</b>
<b>16 CSR 40-4.010</b> Survivor Benefits .....	<b>3</b>

**Title 16—RETIREMENT  
SYSTEMS**

**Division 40—Highways and  
Transportation Employees and Highway  
Patrol Retirement System  
Chapter 4—Survivor Benefits**

**16 CSR 40-4.010 Survivor Benefits**

*PURPOSE: This rule establishes the policy regarding survivor benefits when the member was receiving work-related or long-term disability benefits at the time of death.*

Should any member receiving work-related or long-term disability benefits die while receiving such benefits, the survivor may elect to receive benefits pursuant to the applicable provisions of either section 104.095, RSMo or section 104.140, RSMo, relating to survivor benefits. In computing any such survivor benefits, or the eligibility of the survivor for the benefits, all service credited to the member during the receipt of disability benefits, as well as credited service prior to disability, shall be considered in the computation.

*AUTHORITY: sections 104.110.15., RSMo (Supp. 1995) and 104.210.2. and 536.023.3., RSMo (1994). \* Original rule filed Feb. 16, 1988, effective May 12, 1988. Emergency Amendment filed Aug. 18, 1995, effective Aug. 28, 1995, expired Feb. 23, 1996. Amended: Filed Aug. 18, 1995, effective Feb. 25, 1996.*

*\*Original authority: 104.110, RSMo (1995), amended 1961, 1969, 1972, 1976, 1979, 1984, 1986, 1988, 1995; 104.210, RSMo (1956), amended 1983, 1988; and 536.023, RSMo (1975), amended 1976.*