



Board of Administration

Agenda Item 8a6

November 19, 2025

Item Name: Proposed Decision – In the Matter of the Appeal from Denial of a Post-Retirement Survivor Allowance Benefit by: ANGELA Y. LOGAN, Respondent.

Program: Disability and Survivor Benefits Division

Item Type: Action

Parties' Positions

Staff argues that the Board of Administration should adopt the Proposed Decision, as modified. Respondent Angela Y. Logan's (Respondent) position is included in Attachment C, if any.

Strategic Plan

This item is not a specific product of either the Strategic or Annual Plans. The determination of administrative appeals is a power reserved to the Board of Administration.

Procedural Summary

Respondent is the adult daughter of Lee Thomas (Decedent), a miscellaneous member who passed away in 2020 without a surviving spouse. Shortly after Decedent's death, Respondent applied to CalPERS for retired member survivor benefits, seeking a lifetime Post-Retirement Survivor Allowance (PRSA) based on her status as Decedent's disabled adult child. Between August and December 2020, Respondent and her treating clinicians submitted documentation to CalPERS concerning her employment status and disability, specifically Stargardt's disease resulting in legal blindness, in support of her PRSA claim.

On February 11, 2021, CalPERS denied the claim on the grounds that Respondent did not meet the statutory requirement of being unable to engage in a "substantial gainful occupation" due to her disability. CalPERS based its decision on Respondent's employment as a Cafeteria Assistant, working 30 hours per week, nine months per year, under a school schedule, with earnings above the applicable minimum wage in her state of residence, Oklahoma. CalPERS further concluded that Respondent had not established an inability to work an additional 10 hours per week due to her visual impairment.

Respondent timely appealed CalPERS denial. In response to her representations that additional medical evidence could be provided, CalPERS permitted her to submit further documentation, including responses to CalPERS' detailed medical questionnaires by her treating ophthalmologists. However, the additional evidence did not establish that Respondent was medically precluded from working 40 hours per week, year-round, during the relevant period of

employment. As a result, CalPERS affirmed its denial of the PRSA claim on May 22, 2024. Respondent filed a second timely appeal.

The matter was heard before the Office of Administrative Hearings on August 16, 2025. The record was held open until September 4, 2025, for the parties to submit written closing and rebuttal briefs. A proposed decision was issued on September 25, 2025, upholding CalPERS' denial of Respondent's PRSA claim.

Alternatives

- A. For use if the Board decides to modify and adopt the Proposed Decision as its own Decision:

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System, pursuant to Government Code section 11517, subdivision (c)(2)(C), which authorizes the Board to "make technical or other minor changes in the proposed decision," hereby modifies the Proposed Decision, by replacing "...during 2013 through 2021..." with "...during 2012 through 2021..." on page 3, paragraph 10; and page 6, paragraphs 18 and 19 of the Proposed Decision, and hereby adopts as its own Decision the Proposed Decision dated September 25, 2025, as modified, concerning the appeal of Angela Logan; RESOLVED FURTHER that this Board Decision shall be effective 30 days following mailing of the Decision.

- B. For use if the Board decides to adopt the Proposed Decision as its own Decision:

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System hereby adopts as its own Decision the Proposed Decision dated September 25, 2025, concerning the appeal of Angela Logan; RESOLVED FURTHER that this Board Decision shall be effective 30 days following mailing of the Decision.

- C. For use if the Board decides not to adopt the Proposed Decision, and to decide the case upon the record:

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System, after consideration of the Proposed Decision dated September 25, 2025, concerning the appeal of Angela Logan, hereby rejects the Proposed Decision and determines to decide the matter itself, based upon the record produced before the Administrative Law Judge and such additional evidence and arguments that are presented by the parties and accepted by the Board; RESOLVED FURTHER that the Board's Decision shall be made after notice is given to all parties.

- D. For use if the Board decides to remand the matter back to the Office of Administrative Hearings for the taking of further evidence:

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System, after consideration of the Proposed Decision dated September 25, 2025, concerning the appeal of Angela Logan, hereby rejects the Proposed Decision and refers the matter back to the Administrative Law Judge for the taking of additional evidence as specified by the Board at its meeting.

E. Precedential Nature of Decision (two alternatives; either may be used):

1. For use if the Board wants further argument on the issue of whether to designate its Decision as precedential:

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System requests the parties in the matter concerning the appeal of Angela Logan, as well as interested parties, to submit written argument regarding whether the Board's Decision in this matter should be designated as precedential, and that the Board will consider the issue whether to designate its Decision as precedential at a time to be determined.

2. For use if the Board decides to designate its Decision as precedential, without further argument from the parties.

RESOLVED, that the Board of Administration of the California Public Employees' Retirement System, hereby designates as precedential its Decision concerning the appeal of Angela Logan.

Budget and Fiscal Impacts: Not applicable

Attachments

Attachment A: Proposed Decision

Attachment B: Staff's Argument

Attachment C: Respondent(s) Argument(s)

Kimberly A. Malm
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