

Statewide Death & Disability Plan:

Supplemental Social Security Component (SWD&D-SS)



The Statewide Death & Disability Plan: Supplemental Social Security Component (SWD&D-SS) provides 24-hour coverage, both on and off duty. Death & Disability Plan benefits are available for members not eligible for normal retirement under a defined benefit plan.

In the case of an on-duty death, benefits may be payable to the surviving spouse and/or dependent children of active members who were eligible to retire, but were still working. See details under Survivor Benefits on page 6.

On-duty death and disability benefits are free from state and federal taxes.

Local revenue sources are responsible for funding of the benefits.

The disability information listed in this handout applies to benefits granted after October 1, 2002.

FPPA
provides the
police officers
and firefighters
of Colorado
two types of
disability:

**Occupational
and Total**

Occupational Disability

Occupational Disability means a member is unable to perform their assigned duties due to a medical condition that is expected to last at least one year. Assigned duties are those specific tasks or jobs that a member is required to regularly perform.

Within the Occupational Disability category, there are two sub-categories:

- **Temporary Occupational Disability** and
- **Permanent Occupational Disability**.

Temporary Occupational Disability

An occupational disability for which there is prognosis for improvement or recovery through surgical treatment, counseling, medication, therapy or other means.

Permanent Occupational Disability

An occupational disability caused by a condition that is permanent or degenerative and for which there is no prognosis for improvement or recovery through surgical treatment, counseling, medication, therapy or other means.

Total Disability

Total Disability means the member is unable to perform any substantial gainful activity due to a medically determined physical or mental impairment that may be expected to result in death or that has lasted or is expected to last at least one year.

Statewide Death & Disability Plan: Supplemental Social Security Component

| Disability Benefit Comparison | Occupational Disability | | Total Disability |
|--|--|---|---|
| | <i>Temporary Occupational Disability</i> | <i>Permanent Occupational Disability</i> | |
| Basic Benefit Amount <i>(Before offsets or benefit options are calculated)</i> | 40% of base salary | 50% of base salary | 70% of base salary |
| Benefit Start Date & Social Security Offset | <p>Once granted, benefits are payable from the day following the member's last day on the employer's payroll.</p> <p>However, the disability benefit is reduced by the pro rata amount of any Social Security benefit. See page 5 for details.</p> | Same | Same |
| Duration Of Benefits | <p>Maximum of five years. At the end of five years, the member either returns to department, unless prior to the end of the five year period the member's disability status has been changed to Permanent Occupational or Total Disability, or benefits are discontinued.</p> <p>If the member is restored to active service with his or her former employer, FPPA will transfer from the Statewide Death & Disability fund the contributions required to fund the service credit under the defined benefit plan while the member was on Temporary Disability.</p> | <p>May be payable as long as the disability exists, and as long as the member remains eligible.</p> <p>An annual verification of eligibility process applies.</p> | <p>May be payable as long as the disability exists, and as long as the member remains eligible.</p> <p>An annual verification of eligibility process applies.</p> |

Chart continues on next page.

Statewide Death & Disability Plan: Supplemental Social Security Component

| Disability Benefit Comparison <i>continued</i> | Occupational Disability | | Total Disability |
|--|---|---|---|
| | <i>Temporary Occupational Disability</i> | <i>Permanent Occupational Disability</i> | |
| Periodic Reexaminations | Required. FPPA will also require treatment, counseling and therapy necessary to rehabilitate the applicant for return to work. | Generally not required. | Generally not required. |
| Change in Disability Status | The member's benefit may be changed to Permanent Occupational or Total Disability anytime within five years from his/her retirement date. A complete application must be filed no later than 180 days prior to the expiration of the five-year deadline. | The member's benefit may be changed to Total Disability anytime within five years from his/her retirement date. A complete application must be filed with FPPA no later than the last day of the five-year deadline. | The member's benefit may be changed to Permanent Occupational disability when FPPA receives evidence that the member is no longer Totally disabled. |
| Does this benefit ever revert to a Normal Retirement? | Yes, if the member reaches age and service, including time on disability under the Statewide Defined Benefit Plan: Supplemental Social Security Component, FPPA will transfer from the Statewide Death & Disability fund the defined benefit contributions necessary for full service credits and the member will be granted a normal retirement in lieu of a continued disability. | No | No |

Chart continues on next page.

Statewide Death & Disability Plan: Supplemental Social Security Component

| Disability Benefit Comparison <i>continued</i> | Occupational Disability | | Total Disability |
|---|--|--|--|
| | Temporary Occupational Disability | Permanent Occupational Disability | |
| What benefit payment options are available? | The member does not elect a benefit payment option. Normal unreduced benefits are paid to the member. If they should die while receiving Temporary Disability, the Survivor Benefits explained on page 6 would apply. | Upon disability retirement, the disabled member elects one of the payment options listed below. This payment option determines what is payable to a beneficiary. | Upon disability retirement, the disabled member elects one of the payment options listed below. This payment option determines what is payable to a beneficiary. |
| Benefit Adjustments (Commonly known as COLA) | A benefit adjustment of up to 3% may be granted by the FPPA Board annually. The benefit adjustment is effective October 1 st . Benefit adjustments may begin after receiving disability retirement benefits for at least 12 calendar months prior to October 1. | A benefit adjustment of up to 3% may be granted by the FPPA Board annually. The benefit adjustment is effective October 1 st . Benefit adjustments may begin after receiving disability retirement benefits for at least 12 calendar months prior to October 1. | A 3% benefit adjustment will be granted by the FPPA Board annually. The benefit adjustment is effective October 1 st . Benefit adjustments may begin after receiving disability retirement benefits for at least 12 calendar months prior to October 1. |

Benefit Payment Options

The benefit payment options listed here apply to Permanent Occupational Disability and Total Disability only.

The benefit amounts shown on page 2 are used to calculate these payment options.

** Per FPPA Rule 402.10(c) 'Spouse' for the purposes of payment Option 3 means the Member's spouse at the time the first benefit payment is negotiated. If the spouse beneficiary is removed by the Member or dies, the Member is not permitted to add a subsequent spouse.*

The Statewide Death & Disability Plan provides **four choices** for receipt of the Permanent Occupational and Total Disability benefits.

Normal Option – The disability retiree receives an unreduced benefit payable for as long as the disability exists and as long as the member remains eligible. Upon the retiree's death, the benefit is **discontinued**.

The following options provide a reduced benefit, payable to a designated beneficiary upon the death of the member. The amount of the reduction is based on the age of a member and the age of their designated beneficiary.

Option 1 - The disabled retiree's benefit amount is reduced, payable for as long as the disability exists and as long as the member remains eligible. Upon the death of the retiree, the designated beneficiary receives 100% of the retiree's reduced benefit for life.

Option 2 - The disabled retiree's benefit amount is reduced, payable for as long as the disability exists and as long as the member remains eligible. Upon the death of the retiree, the designated beneficiary receives 50% of the retiree's reduced benefit for life.

Option 3 - The disabled retiree's benefit amount is reduced, payable for as long as the disability exists and as long as the member remains eligible. Upon the death of the retiree, the reduced benefit amount is paid to the surviving spouse* and dependent children, if any, until the death of the surviving spouse, the death of any incapacitated child, or until the youngest child reaches age 23, whichever is later.

Disability or Survivor Benefit Offsets

The offsets listed here apply to those receiving Permanent Occupational, Total Disability or Survivor Benefits.

Social Security Offset

If a member or survivor of a member is awarded a disability or survivor benefit, the benefit is payable immediately. However, a reduction to the disability benefit is made when the member receives a Social Security benefit. Offsets to benefits payable from the Statewide Death & Disability Plan are applied as follows:

Disability

- If the member does qualify for a disability benefit from Social Security, FPPA will offset pro rata the actual Social Security disability benefit when payable. FPPA will also recalculate the offset when the Social Security disability benefit ceases and reverts to a Social Security retirement benefit.
- If the member does not qualify for the disability benefit from Social Security, FPPA will offset pro rata the estimated Social Security retirement pension when the member turns age 62.

Active Member Death - Survivor Benefit

- No offset for a death benefit from Social Security will be made to the SWD&D-SS active member death benefit.

Separate Retirement Account (SRA)

The SRA funds are available to the member or survivor at the time disability or survivor benefits are awarded.

The SRA offset is calculated based on the member's age and SRA account balance at the time of disability retirement or the survivor's age and member's account balance at the time of the member's death.

DROP Account

DROP funds are available to the member or survivor at the time disability or survivor benefits are awarded.

The offset amount is calculated in the same manner as the SRA offset (described above).

Other Income and Investments

Spousal income, IRAs, insurance benefits, legal awards, deferred compensation accounts, and other investment incomes are not subject to any offset.

Other Procedures

Verification of Eligibility

FPPA is required by law to monitor certain benefit eligibility requirements. Annually, disability/survivor benefit recipients may receive a *Verification of Eligibility Affidavit* form to complete and return to FPPA. Certain supporting documents, such as tax returns may also be required. It is important that the *Verification of Eligibility Affidavit* and any required documentation be returned to FPPA in order to avoid suspension of benefits.

Military Leave

A member on military leave continues to be covered by the Statewide Death and Disability Plan upon payment of the required Statewide Death and Disability contribution by the employer. Any benefits payable under the Statewide Death and Disability Plan shall be offset by any death or disability benefits received from the military.

Survivor Benefits

An active member's spouse* and/or dependent children are eligible to receive survivor benefits from FPPA. The death of the member does not have to be duty-related to qualify for benefits.

The benefits listed below are reduced by any applicable SRA or DROP offset. Benefits may be increased by a benefit adjustment of up to 3%, effective October 1st. A benefit adjustment may begin after the survivor has been receiving benefits for at least 12 calendar months prior to October 1st.

** For purposes of this benefit, spouse also includes a partner in a civil union effective May 1, 2013 - per Colorado Revised Statutes, Title 14, Article 15 - Colorado Civil Union Act.*

Survivor Benefits On-Duty Deaths

Spouse only.
70% of base salary

*Spouse & dependent child(ren)
living in the member's household.*
70% of base salary

*No spouse.
Dependent children living in the
member's household.*
70% of base salary

*No spouse.
Dependent children **not** living in the
member's household.*
40% of base salary for the first child
15% for each additional child,
not to exceed 70% total benefit

Survivor Benefits Off-Duty Deaths

Spouse only.
40% of base salary

*Spouse and
one dependent child.*
40% of base salary

*Spouse and
two or more dependent children.*
50% of base salary

*No Spouse.
One or two dependent child(ren).*
40% of base salary

*No Spouse.
Three or more dependent children.*
50% of base salary

Basic Benefit Amount (Before offsets are calculated.)

Retirement Eligibility

If the member's death occurs after the member is eligible for normal retirement under the defined benefit plan (25 years of service and age 55), the survivor benefit paid to the surviving spouse and/or dependent children is the difference between 70% of base salary and the survivor benefit payable from the member's normal retirement plan.

If a member's death occurs after the member is eligible for normal retirement under the defined benefit plan (25 years of service and age 55), the survivor receives the benefits payable under the member's normal retirement plan. No benefit is paid from the Statewide Death and Disability Plan.

Duration of Benefits

Survivor benefits to a spouse are payable for life.

Benefits for dependent children are payable until age 23 as long as the child remains a dependent.

Benefits may be extended for an incapacitated child.

Same

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Taxability Of Benefits

Statewide Death & Disability plan benefits provide 24-hour coverage, both on and off duty.

On-Duty Disability and Survivor Benefit

On-duty disability benefits are free from state and federal income taxes in the event that a member's disability is determined by FPPA to be the result of an *on-duty* injury or an *occupational disease*.

Off-Duty Disability and Survivor Benefit

Off-duty disability and survivor benefits are subject to state and federal income taxes.

Statewide Defined Benefit Plan - Separate Retirement Account (SRA)

Members having an SRA and having been granted an *on-duty* disability status by FPPA receive their SRA distribution tax-free.



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This plain language document is intended for informational purposes only. Official interpretations or determinations are based upon the statutes and rules and regulations which govern this plan. Statutes and rules and regulations may be found at www.FPPAco.org