

# The Commonwealth of Virginia

## The Line of Duty Benefits Program



Virginia Department of Accounts

Photo by Karl Steinbrenner

Financial Accountability. Reporting Excellence.



# Virginia Line of Duty Act



**Code**



**Payment History**



**Claim Processing**



**Questions**



# Virginia Line of Duty Act

**“Line of Duty” means any action the deceased or disabled person was obligated or authorized to perform by rule, regulation, condition of employment or service or law**



# Virginia Line of Duty Act

## ❖ Line of Duty Act

Code of Virginia § 9.1-400 through 9.1-407

## ❖ Referenced Presumptions

§ 27-40.1      Firefighters – respiratory,  
hypertension, heart disease

§ 51.1-813      Police – hypertension, heart disease

§ 65.2-402      Firefighters, Police, etal. - adds  
certain cancers



# Virginia Line of Duty Act

- ❖ Provides state-funded benefits for state and local public safety officers or their beneficiaries due to death or disability resulting from performance of duties
  - ❖ One-time death benefit payment to beneficiary
  - ❖ Health insurance coverage for officer, spouse and dependent children (locality disabilities occurring after July 1, 2000)



# State Funded Line of Duty Benefits

<u>Benefit</u>	<u>Death</u>	<u>Disability</u>
<b>\$100,000 Payment to Beneficiary</b> <b>(death due to unnatural cause)</b>	<b>X</b>	
<b>\$25,000 Payment to Beneficiary</b> <b>(if death due to a presumptive clause or is within 5 years of retirement)</b>	<b>X</b>	
<b>Payment of Health Insurance for Officer</b>		
<b>Payment of Health Insurance for Surviving</b>		<b>X</b>
		<b>X</b>

# Employee Groups

## Eligible for Line of Duty Benefits

❖ **Employee groups eligible for benefits under Line of Duty Act are defined in § 9.1-400 of the *Code of Virginia***

**Approximately 20 categories of employees are established as eligible for benefits**



# History of Direct and Proximate Death Claims

## ❖ Direct and proximate - \$100,000 payment (eff. 1/1/2006)

❖ FY 09 - 6 claims \$600,000

❖ FY 08 - 4 claims \$375,000

❖ FY 07 - 10 claims \$975,000

❖ FY 06 - 5 claims \$375,000

❖ FY 05 - 2 claims \$150,000

❖ FY 04 - 8 claims \$600,000

❖ FY 03 - 4 claims \$300,000

❖ FY 02 - 2 claims \$150,000

❖ FY 01 - 1 claim \$ 50,000



# History of Presumptive Cause Death Claims

## ❖ Presumption clause - \$25,000 payment

❖ FY 09 – 6 claims	\$150,000	
❖ FY 08 - 7 claims	\$175,000	
❖ FY 07 - 8 claims	\$200,000	
❖ FY 06 - 7 claims	\$165,000	includes 2 \$20K pmts. under 44-93.1 B.
❖ FY 05 - 4 claims	\$100,000	
❖ FY 04 - 4 claims	\$100,000	
❖ FY 03 - 7 claims	\$175,000	
❖ FY 02 - 5 claims	\$125,000	
❖ FY 01 - 5 claims	\$125,000	



# History of Disability Claims Processed

	<u>Fiscal</u>	<u>Year</u>	<u>#Claims Processed</u>
Actual		2009	81
Actual		2008	90
Actual			
Actual		2006	
Actual		2007	
Actual			171
Actual		2005	72
Actual		2004	
Actual		2003	47
		2002	81
		2001	80



# Processing a Claim

## Code of Virginia § 9.1-403 (D)

Within 10 business days of being notified by an employee, or an employee's representative, that such employee is permanently and totally disabled due to a work-related injury suffered in the **line of duty**, the agency or department employing the disabled person shall provide him with information about the continued health insurance coverage provided under this act and the process for initiating a claim. The employer shall assist in filing a claim, unless such assistance is waived by the employee or the employee's representative.

Death claims should be handled in the same manner.



# Processing a Claim

- ❖ Claim form is to be filled out completely, omissions may cause delay in processing.
- ❖ A cover letter documenting the investigation should be done
- ❖ Copies of all supporting documentation is to be attached to claim when submitted to the Comptroller's Office
- ❖ Include name and contact information of the person to contact if additional information is needed



# Processing a Claim

- ❖ Personal information for claimant and family (birth, marriage certificates, divorce decrees) are required to support payment for the benefits
- ❖ Pre-Employment Physical to confirm eligibility of claimant
- ❖ The Accident/Incident Report is the original cause of the claim
- ❖ Worker's Compensation information is additional support for the claim



# Processing a Claim

- ❖ Physician's letter/report and medical records to support the injury or illness and the expected duration
- ❖ Retirement information to confirm the date of eligibility
- ❖ Insurance Rate sheets
- ❖ Autopsy, Coroner's Report, Death Certificate to determine cause of death