

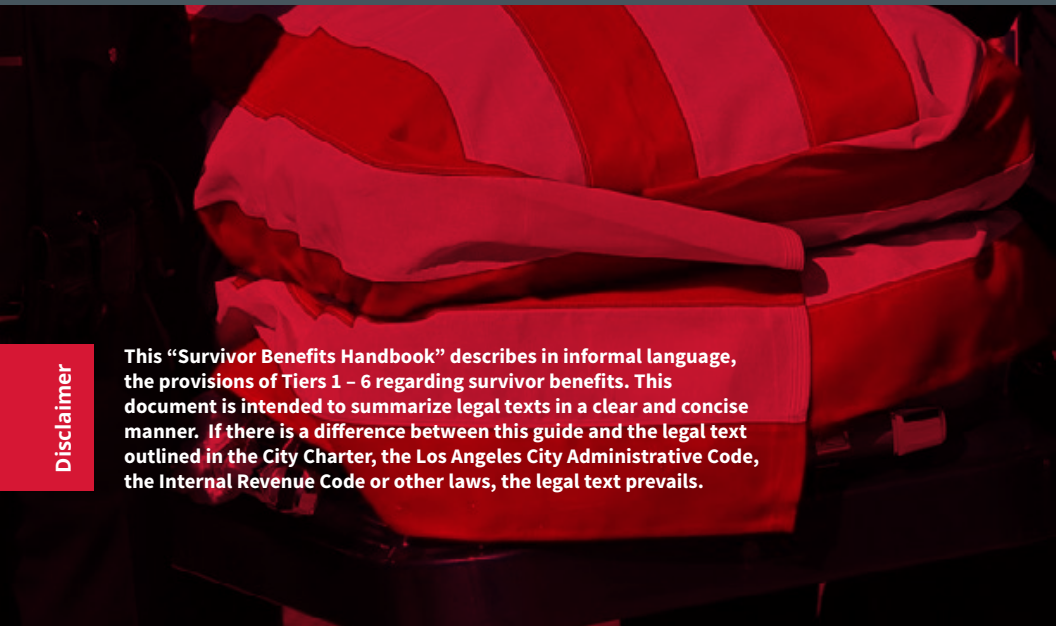
Survivor Benefits Handbook

JANUARY 2021



Losing a loved one is a traumatic experience and there are many financial concerns to be addressed while coping with the death of a family member or friend. This handbook is intended to assist survivors at a most difficult time. It describes the benefits available and the steps survivors should take in order to claim them.

If you have questions or need assistance, please contact our office at (213) 279-3000 or (844) 88-LAFPP (52377), or email at Pensions@lafpp.com.



Disclaimer

This “Survivor Benefits Handbook” describes in informal language, the provisions of Tiers 1 – 6 regarding survivor benefits. This document is intended to summarize legal texts in a clear and concise manner. If there is a difference between this guide and the legal text outlined in the City Charter, the Los Angeles City Administrative Code, the Internal Revenue Code or other laws, the legal text prevails.

TABLE OF CONTENTS

ELIGIBILITY FOR SURVIVOR BENEFITS	04
SURVIVOR PENSION BENEFITS FOR A QUALIFIED SURVIVING SPOUSE/ DOMESTIC PARTNER	06
Active Member Death	06
Service-Connected Death.....	06
Nonservice-Connected Death	06
Retired Member Death	07
Death After Service Retirement	07
Death After Service-Connected Disability.....	08
Death After Nonservice-Connected Disability.....	08
DROP Member Death	09
SURVIVOR PENSION BENEFITS FOR QUALIFIED CHILDREN AND DEPENDENT PARENTS	09
OTHER LAFPP SURVIVOR BENEFITS	10
Basic Death Benefit	10
Optional Survivor Benefit	10
Survivor Benefit Purchase Program	11
COST OF LIVING ADJUSTMENTS	12
HEALTH INSURANCE SUBSIDY FOR A QUALIFIED SURVIVING SPOUSE/ DOMESTIC PARTNER	12
OTHER BENEFITS FOR SURVIVORS	14
Public Safety Officers’ Benefits Program	14
State of California Death Benefits	14
Deferred Compensation Plan Benefits	14
Social Security Benefits.....	15
HOW TO REPORT A MEMBER’S DEATH	16
APPLYING FOR SURVIVOR PENSION BENEFITS	17
OTHER ACTIONS TO BE TAKEN	18
IMPORTANT CONTACTS	19

ELIGIBILITY FOR SURVIVOR BENEFITS

As a survivor of a deceased active or retired member, you may be eligible for various benefits from Los Angeles Fire and Police Pensions (LAFPP). The following describes the requirements that establish one's eligibility to receive survivor benefits.

QUALIFIED SURVIVING SPOUSE OR DOMESTIC PARTNER

There are certain criteria that must be fulfilled in order for a surviving spouse or domestic partner to qualify for a **lifelong** survivor's pension benefit. The requirements are as follows:

Member Death Occurrence:	Marriage or Domestic Partnership Effective Date must be:
Service-Connected Death	On the date of member's death.
Nonservice-Connected Death	On the date of member's death, <u>and</u> At least one year prior to member's death.
Service Retirement	On the date of member's death, <u>and</u> At least one year prior to the effective date of member's pension or entering the Deferred Retirement Option Plan (DROP).
Service-Connected Disability Pension	On the date of member's death, <u>and</u> On the effective date of member's pension.
Nonservice-Connected Disability Pension	On the date of member's death, <u>and</u> At least one year prior to the effective date of member's pension.

QUALIFIED MINOR CHILD

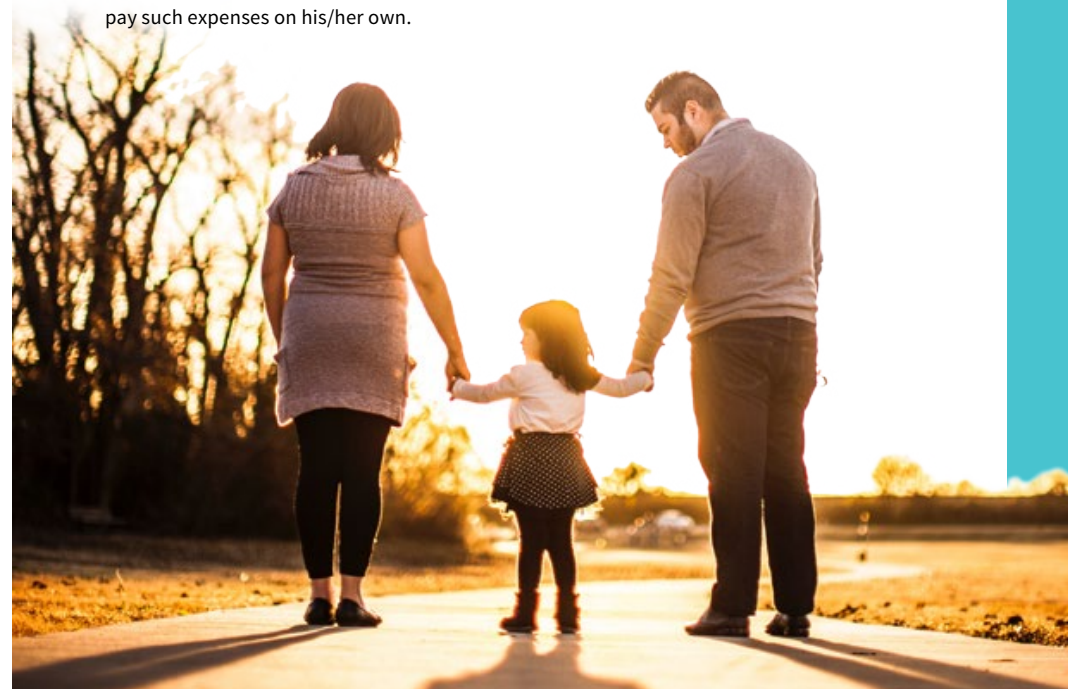
A child or adopted child of a deceased member is considered a "minor child" for purposes of receiving a pension benefit until the child reaches age 18 or marries, whichever comes first. In addition, children of members in Tiers 3 – 6 may receive a benefit until age 22 if they are unmarried and enrolled in school on a full-time basis.

QUALIFIED DEPENDENT CHILD

A "Dependent Child" is the child or adopted child of a deceased member. A Dependent Child must have become mentally or physically disabled before turning age 21 and is not capable of earning a living. A child whose disability ends is no longer considered a Dependent Child for pension purposes.

QUALIFIED DEPENDENT PARENT

A Dependent Parent is eligible for a benefit **only if** there are no other Qualified Survivors (i.e., Qualified Surviving Spouse/Domestic Partner or Minor/Dependent Children) at the time of the member's death. He/she must be the parent of the deceased member and had at least one-half of his/her necessary living expenses covered by the member for one year or more prior to the member's death. The pension ceases once the Dependent Parent can pay such expenses on his/her own.



SURVIVOR PENSION BENEFITS FOR A QUALIFIED SURVIVING SPOUSE/ DOMESTIC PARTNER

The monthly survivor pension benefit for a Qualified Surviving Spouse/Domestic Partner varies according to the member's tier (1 – 6) and his/her status at the time of death – active or retired.

ACTIVE MEMBER DEATH

In the case of an active member death, the survivor pension benefit will depend on whether the death was service-connected or nonservice-connected.

Service-Connected Death

The member does not need to meet age or years of service requirements for the Qualified Survivor to be eligible for this benefit.

	Tier 2 ¹	Tiers 3 & 4	Tier 5	Tier 6
Survivor's Benefit	55% of NPB ²	75% of FAS ³	75% of FAS ³	80% of FAS ³
			Former Tier 2: 75% of NPB ²	

Nonservice-Connected Death

The member must have had at least five years of service in order for the survivor to qualify for this benefit. Otherwise, the Basic Death Benefit is payable – see page 10.

	Tier 2 ¹	Tiers 3 & 4	Tier 5	Tier 6
Survivor's Benefit	Same pension member would have received, not to exceed 55% of NPB ²	30% of FAS, <u>or</u> If Tier 3 member had 10+ years of service, or Tier 4 member had 20+ years of service, 80% of the pension the member would have received, not to exceed 40% of FAS ³	30% of FAS, <u>or</u> 40% of FAS if member had 20+ years of service ³	50% of FAS ³
			Former Tier 2: Same as Tier 2	Note: Same benefit applies if member's death occurs while on military leave and is a result of his/her military duties.

¹**Tier 2** – Since all remaining active members of Tier 2 have 25+ years of service, the survivor benefit that would be payable for the death of an active Tier 2 member with fewer years of service is not listed.

²**NPB** – Normal Pension Base is the monthly salary rate of the member at the date of death or effective date of retirement.

³**FAS** – Final Average Salary is the average monthly salary a Tier 3 – 5 member received for 12 consecutive months; or 24 consecutive months for a Tier 6 member.

RETIRED MEMBER DEATH

In the case of a retired member's death, the survivor pension benefit will depend on the type of retirement allowance received by the member at the time of death.*

Death After Service Retirement

	Tiers 1 & 2	Tiers 3 & 4	Tier 5	Tier 6
Survivor's Benefits	Tier 1: Same as member's pension, up to 50% of NPB ¹	60% of member's pension	60% of member's pension	70% of member's pension
	Tier 2: Same as member's pension, up to 55% of NPB ¹		Former Tier 2: Same as Tier 2	

Death After Service-Connected Disability

	Tiers 1 & 2	Tiers 3 & 4	Tier 5	Tier 6
Survivor's Benefit	Tier 1: 50% of NPB ¹ Tier 2: 50% of NPB, or 55% of NPB if member had 25+ years of service ¹	60% of member's pension, <u>or</u> 75% of FAS if death occurs within 3 years of pension effective date and is due to service-connected disability ²	60% of member's pension, <u>or</u> 75% of FAS if death occurs within 3 years of pension effective date and is due to service-connected disability ²	80% of member's pension, <u>or</u> 80% of FAS if death occurs within 3 years of pension effective date and is due to service-connected disability ²
			Former Tier 2: Same as Tier 2	

Death After Nonservice-Connected Disability

	Tiers 1 & 2	Tiers 3 & 4	Tier 5	Tier 6
Survivor's Benefit	40% of highest monthly salary as of member's retirement for basic rank of PO III or FF III, and the highest length of service pay	60% of member's pension	60% of member's pension	70% of member's pension
			Former Tier 2: Same as Tier 2	

***Note** – Prior to retirement, a Tier 3 – 6 member may elect to increase the benefit percentage for his/her surviving spouse/domestic partner – see the Optional Survivor Benefit on page 10.

¹**NPB** – Normal Pension Base is the monthly salary rate of the member at the date of death or effective date of retirement.

²**FAS** – Final Average Salary is the average monthly salary a Tier 3 – 5 member received for 12 consecutive months; or 24 consecutive months for a Tier 6 member.

DROP MEMBER DEATH

Deferred Retirement Option Plan (“DROP”) members are considered retired for determining survivor benefits. Qualified Survivors of DROP members are entitled to the benefits listed in the table titled *Death After Service Retirement* on page 7. In addition, the member's DROP account will be paid to the named DROP beneficiary.

If the DROP member's death is service-connected, the Qualified Surviving Spouse/Domestic Partner may instead elect the option to forfeit payment of the DROP account and collect a monthly benefit equal to a percentage of the member's pension base – see the table titled *Service-Connected Death* on page 6.

SURVIVOR PENSION BENEFITS FOR QUALIFIED CHILDREN AND DEPENDENT PARENTS

QUALIFIED CHILDREN

Minor and Dependent Children receive a monthly benefit in addition to the benefit paid to the Qualified Surviving Spouse/Domestic Partner, provided that the total combined benefit does not exceed 100% of the member's pension base.

The additional benefits for children are as follows:

1 Child	An additional 25% of the amount paid to spouse/domestic partner.
2 Children	An additional 40% of the amount paid to spouse/domestic partner.
3+ Children	An additional 50% of the amount paid to spouse/domestic partner.

Benefits for Minor/Dependent Children are paid to the Qualified Surviving Spouse/Domestic Partner until the child ceases to be eligible – see page 5.

If there is no Qualified Surviving Spouse/Domestic Partner, the Minor or Dependent Child will receive the same monthly benefit that the Qualified Surviving Spouse/Domestic Partner

would have received. If there are multiple Qualified Children, the survivor pension benefit is split into equal portions.

QUALIFIED DEPENDENT PARENTS

If there is no Qualified Surviving Spouse/Domestic Partner or Minor/Dependent Children, but there is a Qualified Dependent Parent, he/she will receive the same monthly benefit that the Qualified Surviving Spouse/Domestic Partner would have received for as long as he/she remains eligible.

OTHER LAFPP SURVIVOR BENEFITS

BASIC DEATH BENEFIT

The Basic Death Benefit is generally payable in the event an active member in Tiers 3 – 6 has less than five years of service at the time of his/her nonservice-connected death. However, the Qualified Survivor of an active member in Tiers 3 – 6 may elect to receive this benefit in lieu of the applicable active member service- or nonservice-connected death benefit (see page 6), regardless of the member's years of service.

This benefit is paid as follows:

- The member's pension contributions and accrued interest are refunded to the *designated beneficiary*; and
- If the member had at least one year of service, a limited monthly pension is paid to the *Qualified Survivor* for a maximum period of one year.

Please note that in the absence of a designated beneficiary, the refund of contributions portion will be paid to the qualified survivor.

OPTIONAL SURVIVOR BENEFIT

Prior to entering DROP or the receipt of the first payment of a service pension, a service-connected disability pension, or a nonservice-connected disability pension, a member of Tiers 3 – 6 may elect the Optional Survivor Benefit for his/her Qualified Surviving Spouse/Domestic Partner. In this case, the member elects to receive an actuarially reduced pension

benefit in order to provide his/her Qualified Surviving Spouse/Domestic Partner with a greater survivor benefit percentage than those listed in the applicable tables on pages 7 and 8. If the member survives the Qualified Surviving Spouse/Domestic Partner, the Member's monthly benefit does not adjust to the original pension amount.

Note: Election of this benefit does not increase the benefit paid to any other Qualified Survivor (e.g., a Qualified Minor/Dependent Child).

SURVIVOR BENEFIT PURCHASE PROGRAM

After retirement/DROP exit, a member has the option to make a one-time, irrevocable election to provide a survivor pension benefit to a spouse married in retirement, or a domestic partner declared in retirement, under the Survivor Benefit Purchase Program. Upon election of this benefit, the member selects a percentage of his/her pension to be paid to the spouse/domestic partner, and in exchange, pays the full actuarial cost of the survivor benefit by taking a reduction in his/her monthly pension benefit.

The following criteria must be met in order for the survivor to qualify for this lifelong benefit:

1. The survivor must be the spouse/domestic partner of the retired member at the time the member elected to provide this benefit and at the time of the member's death; and
2. The death of the retired member must be at least one year from the date he/she elected to provide this benefit, unless the death has been deemed accidental by the Board of Fire and Police Pension Commissioners.

If the retired member's death is not accidental and occurs within one year of his/her election, there is no survivor benefit payable and the amount by which his/her monthly pension benefit was reduced shall be paid as a lump sum to the spouse/domestic partner. If the spouse/domestic partner predeceases the member prior to completion of the one-year vesting period, then the lump sum shall be paid to the member's estate.

The election to purchase a survivor benefit under this program does not qualify the surviving spouse/domestic partner for the health insurance subsidy referenced below. In addition, payment of a benefit under this program does not impact the payment of other survivor benefits paid by LAFPP.

COST OF LIVING ADJUSTMENTS

A survivor’s monthly pension benefit is adjusted every July 1 to reflect the change in the Consumer Price Index (CPI). The maximum cost of living adjustment (COLA) applied to the benefit is determined by the member’s tier as indicated below:

	Tiers 1 & 2	Tiers 3 & 4	Tier 5	Tier 6
COLA	Uncapped COLA	3% cap on COLA	3% cap on COLA and COLA Bank* Former Tier 2: 3% cap on COLA and COLA Bank*	3% cap on COLA and COLA Bank*

***Note:** Tier 5 and 6 provides for a capped COLA of 3% per year, with a COLA bank. Any CPI increase over the 3% maximum is deposited into the retired member’s “COLA bank.” If, in following years, the CPI is below the 3% cap, the additional percentage in the COLA bank will be applied to the current COLA amount, up to 3%. The qualified survivor inherits the member’s COLA bank.

HEALTH INSURANCE SUBSIDY FOR A QUALIFIED SURVIVING SPOUSE/ DOMESTIC PARTNER

In addition to the monthly pension benefit, a Qualified Surviving Spouse/Domestic Partner may qualify for a health insurance subsidy. Neither Qualified Children nor Dependent Parents are entitled to this benefit. However, the Qualified Surviving Spouse/Domestic Partner may cover eligible dependents under his/her health insurance, but the subsidy will apply to the single-party premium cost only. The following three conditions must be met:

1. The deceased member had at least 10 years of service; and
2. At the time of the retired member’s death, the member was receiving a health subsidy or if the member died prior to receiving a health subsidy, the Qualified Surviving Spouse/ Domestic Partner will be eligible when the member would have been age 55; and
3. The Qualified Surviving Spouse/Domestic Partner must be enrolled in a Board-approved health plan (offered by United Firefighters of Los Angeles City (UFLAC), Los Angeles Firemen’s Relief Association (LAFRA) or Los Angeles Police Relief Association (LAPRA)).

At age 65, the Qualified Surviving Spouse/Domestic Partner is required to enroll in Medicare to the fullest extent of their entitlement to continue receiving a health insurance subsidy. If the survivor is eligible for both Part A and Part B of Medicare (he/she will automatically qualify for Part B at age 65), LAFPP will reimburse the cost of the basic Part B premium.

A Qualified Surviving Spouse/Domestic Partner may be eligible for the Health Insurance Premium Reimbursement Program. Reimbursement cannot exceed the maximum monthly health insurance subsidy allowed.

For more information on the Health Insurance Subsidy or the Health Insurance Premium Reimbursement Program, please contact the Medical & Dental Benefits Section at (213) 279-3115.

For information on continuing health coverage, please contact the appropriate health plan administrator:

Fire	Police	Port & Airport
Los Angeles Firemen’s Relief Association (LAFRA) or United Firefighters of Los Angeles City (UFLAC)	Los Angeles Police Relief Association (LAPRA)	Los Angeles Police Relief Association (LAPRA), and United Firefighters of Los Angeles City (UFLAC)
<i>Refer to page 20 for contact information.</i>		

OTHER BENEFITS FOR SURVIVORS

In addition to the LAFPP benefits described, surviving family members and beneficiaries may qualify for other benefits.

PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM

Survivors of LAFPP members whose deaths are the direct result of a traumatic injury sustained in the line of duty may qualify to receive a one-time financial benefit from the Public Safety Officers' Benefits (PSOB) Program. The PSOB Program provides death and education benefits to survivors of fallen law enforcement officers, firefighters, and other first responders. These benefits are provided by the U.S. Department of Justice in partnership with other public safety agencies and national organizations.

Receipt of PSOB benefits will not reduce survivor benefits received from LAFPP. Eligible survivors may file claims with the Bureau of Justice Assistance, or through the member's employing department. More information can be found online at www.psob.gov, or by calling (888) 744-6513.



STATE OF CALIFORNIA DEATH BENEFITS

California law requires that the City of Los Angeles carry workers' compensation insurance. This coverage benefits LAFPP members who sustain a work-related illness or injury. In addition, survivors may be entitled to benefits in the event the member's death is work-related.

Please note that the determination of whether a survivor qualifies for the workers' compensation death benefit is determined by the California Labor Code. In addition, this benefit **will** impact the spouse's portion of

a LAFPP survivor pension, while the survivor benefit paid for a qualifying child will **not** be affected. However, the burial expense benefit does not impact any LAFPP survivor's pension.



For more information on the state of California's death benefits, you may call the California Department of Industrial Relations, Division of Workers' Compensation at (800) 794-6900, or visit their website at https://www.dir.ca.gov/dwc/dwc_home_page.htm.

DEFERRED COMPENSATION PLAN BENEFITS

Benefits may also be available if the deceased member participated in the City's Deferred Compensation Plan. For more information, contact Voya Financial, the plan administrator, at (213) 978-1601.

SOCIAL SECURITY BENEFITS

LAFPP members do not contribute to, nor receive credit for Social Security during City service. However, a lump sum death benefit and/or monthly benefits may be available to survivors if the deceased member earned sufficient credits through other employment outside of the City. More information is available on the Social Security Administration's website at www.ssa.gov, or by calling (800) 772-1213.

OTHER BENEFITS

Survivors may also be eligible to collect life insurance proceeds through the various Fire and Police associations – see page 20 for contact information. In addition, survivors should check to see if benefits are available from retirement systems or other savings and investment plans to which the member may have contributed.

HOW TO REPORT A MEMBER'S DEATH

1. Notify LAFPP When a Member Dies

When the death of a member occurs, it is necessary that Los Angeles Fire and Police Pensions be contacted immediately.

Active and DROP member deaths should be reported to the Disability Pensions Section, (213) 279-3165, Email: disability@lafpp.com.

Retired member deaths should be reported to the Retirement Services Section, (213) 279-3125, Email: rs@lafpp.com.

2. Provide Supporting Documentation (paper or scanned electronic copies)

- A certified copy of the member's death certificate.
- A certified copy of the marriage certificate as proof of marriage to our member (or copy of the state certificate of registration of domestic partnership), if not already in the member's file.
- If the designated beneficiary is deceased, then we require a death certificate of the beneficiary or letters of addition or testamentary.
- Birth certificates for all minor/dependent children.
- Guardianship documents for minors, where applicable.

Additional information may be requested to establish survivor eligibility.

The email address for scanned documents is pensions@lafpp.com and the mailing address for written correspondence is:

Los Angeles Fire and Police Pensions
701 East Third Street, Suite 200
Los Angeles, CA 90013

APPLYING FOR SURVIVOR PENSION BENEFITS

Once the death of a retired member is reported, LAFPP will process documents to terminate the pension and direct deposit, if applicable. If there is a delay in reporting the death of a pensioner, any overpayment will be charged to the qualified survivor.*

The remaining steps will be taken in the event an active or retired member death is reported:

1. An Application for Survivor Pension Benefits will be mailed or emailed to the eligible survivor within 1-2 business days.
2. The application should be completed and returned with a copy of the death certificate and marriage certificate, if requested, and any other required documents. **Please note:** It can take approximately 30-90 days to receive a death certificate from the county or other agency. In order to expedite the issuance of a survivor's pension payment LAFPP will accept a letter from the attending physician or funeral home in place of the death certificate. If the death certificate is not received within 60 days of the member's date of death, the qualified survivor's pension benefit will be suspended.
3. Upon receipt of the application and all required documents, the request for a survivor pension benefit will be scheduled for review at the next available meeting of the Board of Fire and Police Pension Commissioners (Board). It is not necessary for an applicant to be present at the Board meeting. The Board normally meets on the first and third Thursdays of the month. Please visit <https://lafpp.lacity.gov/meetings> for the current Board meeting schedule.
4. Upon Board approval, the Qualified Survivor's pension will commence the following month. **Please note:** It can take approximately 30-60 days from receipt of all required documentation before the first payment is issued to the Qualified Survivor. Incomplete applications and/or missing documents will delay payment.

***Note:** The overpayment can be paid to LAFPP in a lump sum amount or may be deducted from the surviving spouse's/domestic partner's pension check. As a result, excess taxes may be remitted to the federal and state agencies, which could create an additional burden for the survivor when rectifying the problem with the IRS and state Franchise Tax Board.

OTHER ACTIONS TO BE TAKEN

In addition to notifying LAFPP, the following is a suggested list of other actions to take in the event of a member's death.

- Gather all important documents.
- Obtain certified death certificate. You can order certified copies from your local county clerk or state health department. (It is common to begin by ordering ten copies.)
- Consider calling an attorney to notify witnesses to will, if any, and schedule a meeting to handle estate settlement.
- Advise executor of estate, if known.
- Have executor adjust ownership of any insurance policies on the lives of others, owned by the deceased.
- Have executor retitle real estate that was owned by the deceased.
- Notify insurance companies or broker to modify casualty and homeowners insurance as necessary.
- Notify any clubs or organizations.
- Contact financial advisors or brokers and arrange, if necessary, retitling of investments.
- Check promptly on all debts and installment payments. Some companies may carry insurance clauses, which will cancel the debt. If there will be a delay in meeting payments, consult with creditors and ask about setting up a new repayment schedule.
- Contact the IRS and the state Franchise Tax Board to determine tax filing requirements. (You may be assisted by your attorney or financial advisor.) Decide who will compile information and file taxes.

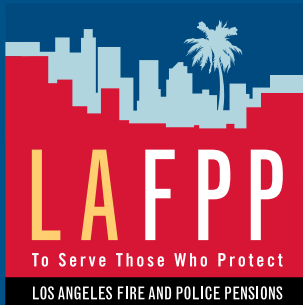
IMPORTANT CONTACTS

LOS ANGELES FIRE AND POLICE PENSIONS

Section	Phone Number	Email Address
Active or DROP Member Death: Disability Pensions	(213) 279-3165	disability@lafpp.com
Retired Member Death: Retirement Services	(213) 279-3125	rs@lafpp.com
Health Insurance Subsidy: Medical & Dental Benefits	(213) 279-3115	mdb@lafpp.com

EMPLOYING DEPARTMENTS

Department	Phone Number
Los Angeles Fire Department: Human Resources	(213) 978-3750
Los Angeles Police Department: Personnel Division	(213) 486-4650
Port of Los Angeles: Human Resources	(310) 732-3480
Los Angeles World Airports: Human Resources	(424) 646-5900



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 [@LosAngelesFireandPolicePensions](https://www.facebook.com/LosAngelesFireandPolicePensions)
 [@lafpp](https://twitter.com/lafpp)