

Commonwealth of Virginia

Line of Duty Benefits Program

*Administered by the Virginia
Department of Accounts*

Town of Vienna

Administrative Services Presentation

As of February 27, 2013



Virginia Department of Accounts

Virginia Line of Duty Act

- ❖ Code
- ❖ Payment History
- ❖ Claim Processing
- ❖ Questions

*All Benefits under the LODA program are granted by the Virginia General Assembly and as such, can be changed by them at any time.

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

*Applies on a case by case basis for events that occur ***outside*** of the regular work day. Every case that occurs ***off duty*** or while moonlighting is evaluated for eligibility of benefits.

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.

*Presumptive coverage's under 51.1-813 and 65.2-402: Covered while actively employed and during the first five years of retirement. Presumptive coverage for LODA benefits determined by LODA and not by the Town's workers compensation carrier (separate and unrelated determinations that use different criteria).

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.¹
 - One-time death benefit payment to beneficiary
 - Health Insurance coverage for officer, spouse & dependent children (locality disabilities occurring after July 1, 2000)²

1. Beneficiary: LODA does not use beneficiaries named in VRS policies. LODA uses the beneficiaries named in a will. If no will, then follows the Code of Virginia 64.1-1 class and beneficiaries.
2. LODA provides coverage for Health, Dental and Vision insurance only. Insurance for the spouse continues regardless of any future change in marital status. Dependent coverage is as indicated in the handout.



State Funded Line of Duty Benefits

Benefit	Death	Disability
\$100,000 Payment to Beneficiary (death due to unnatural cause)	X	
\$25,000 Payment to Beneficiary (if death due to a presumptive clause or is within 5 years of retirement)	X	
Payment of Health Insurance for Officer		X
Payment of Health Insurance for Surviving Spouse and Dependent Children		X

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 Disability Claims Processed

	Fiscal Year	# Claims Processed
Actual	2009	81
Actual	2008	90
Actual	2007	72
Actual	2006	171
Actual	2005	47
Actual	2004	81
Actual	2003	80
Actual	2002	45

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

For further information

- ❖ Line of Duty Act Handout
- ❖ Dependent Benefits Handout
- ❖ Visit the [LODA Website](#)