

# Overview of LODA Related Bills Continued to 2019 (2018 Session)

October 25, 2018

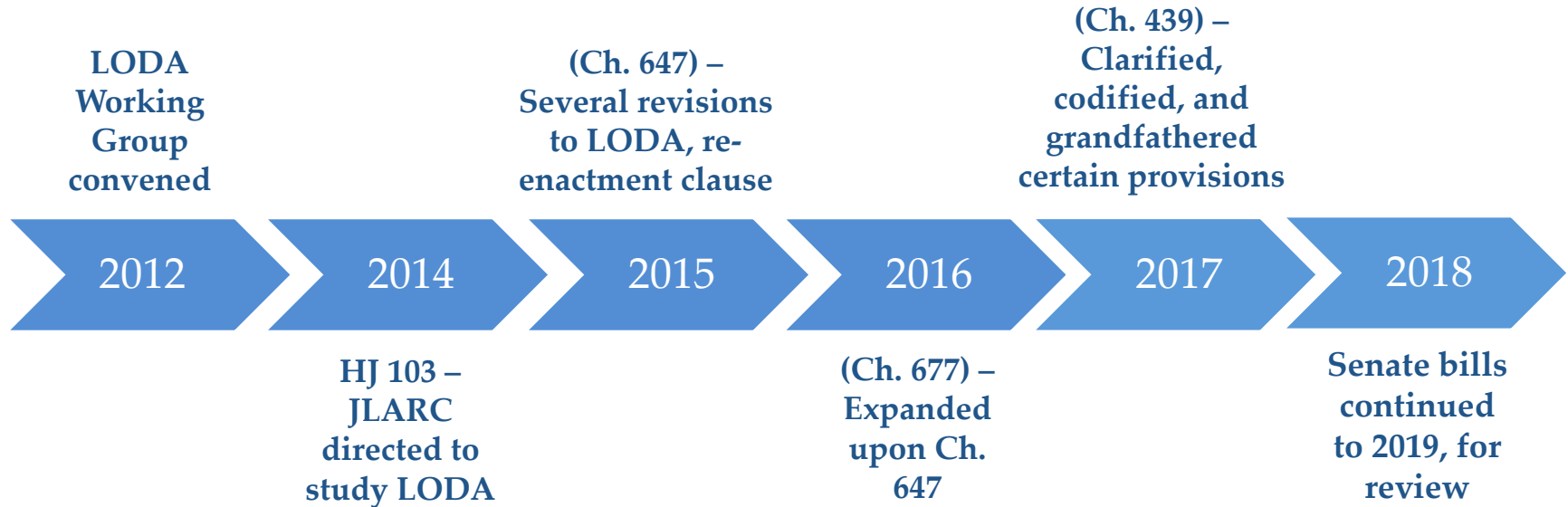
# Line of Duty Act

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- The Line of Duty Act (LODA) provides a lump-sum death benefit and health insurance benefits to the individuals and families of public safety personnel who are killed or permanently disabled in the line of duty.
  - **Health Insurance Coverage**
    - Disabled employee; Dependent Children; Spouse (Surviving/or of Disabled employee).
  - **Death Benefit**
    - \$100,000 if occurred as a result of direct or proximate cause.
    - \$25,000 if cause is presumptive or within five years of retirement.

# Timeline of Recent LODA Activity

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# Bills Continued to 2019

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- Ch. 677 (2016) made a number of changes to the Line of Duty Act (LODA) program with respect to eligibility determination, program administration and benefits provided.
- The six LODA related bills carried over until 2019 have to do with the following issues:
  - Adding eligible employee groups (Reeves)
  - Access to healthcare coverage for ineligible dependents of LODA beneficiaries; Maintaining healthcare coverage, prior to consolidation of benefits (Petersen, DeSteph, Carrico)
  - Qualifying presumptive causes (McPike, Peake)

# SB 468 (Reeves)

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- Would confer eligibility to all Department of Military Affairs Employees
  - Currently, members of Virginia National Guard, Virginia Defense Force and fire company members (facility fire protection) are eligible for LODA in the event of a declared disaster or emergency.
  - Would add eligibility for all employees on official duty during a declared disaster or emergency.
- Fiscal Impact: Indeterminate
  - Adding additional covered positions has the potential to increase costs for the entire LODA population.

# SB 904 (Petersen)

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- Would provide that LODA members may continue to receive coverage through their prior state or local health plan; and
- Children dependents would be eligible for benefits, regardless of date of birth or adoption.
  - **Currently, the natural birth or adoption must occur on or before the date of death or disability.**
- **Fiscal Impact: Indeterminate**
  - **Fiscal impact associated with allowing beneficiaries access to prior health plans.**
  - **Consolidation of health benefits under the state administered LODA Health Benefits Plans was estimated to generate savings of \$39 million.**

# SB 56 (DeSteph)

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- Would provide that dependent children born after death or disability of a LODA covered employee are eligible for health insurance coverage, if it doesn't result in an increase in premiums.
  - The state administered LODA Health Benefits Plans were designed to only accept eligible dependents, and as a result, some dependents lost access to health insurance coverage.
- Fiscal Impact: Indeterminate
  - At the time of eligibility, it's impossible to know if additional covered lives will increase premium costs.
  - Adding additional members has the potential to increase claims experience, and thereby could increase premiums.

# SB 494 (Carrico)

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- Would provide that the eligible spouse of a deceased LODA member may continue to receive health insurance if remarried.
  - The spouse would be required to pay the premium.
- Fiscal Impact: Indeterminate
  - While the spouse would be required to pay the premium, adding additional members has the potential to increase claims experience, and thereby could increase premiums.



# SB 642 (McPike)

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- Would add colon cancer to list of those that are presumed to be an occupational disease covered by the Workers' Compensation Act; and
- Would remove compensability requirement that contact with toxic substance was encountered in the line of duty.
  - **LODA uses certain workers' compensation presumptions when making eligibility determinations.**
- **Fiscal Impact: Indeterminate**
  - **There is the potential for increased medical and death benefit claims from added presumptive causes and eliminating the toxic substance requirement for all cancers covered by the Act, as well as under LODA.**

# SB 352 (Peake)

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- Would add additional cancers to the list of those presumed to be an occupational disease under the Workers' Compensation Act; and
- Would reduce from 12 years to five years of continuous service firefighters and other employees must have in order to qualify for a presumption.
  - LODA uses certain workers' compensation presumptions when making eligibility determinations.
- Fiscal Impact: Indeterminate
  - There is the potential for increased medical and death benefit claims from added presumptive causes and increasing eligibility for those with fewer years of service.