Ohio Police & Fire Pension Fund

Member's Guide to:

Survivor Benefits



Whether a police officer or firefighter dies before or after retirement, their survivors may be eligible to receive survivor benefits from OP&F. These benefits are generally described in this guide and instructions are given on how to apply for the various benefits.

This publication summarizes the most important provisions of the governing law and administrative rules related to survivor benefits offered by OP&F to eligible benefit recipients. This summary cannot sufficiently represent all of the details applicable to this guide. Nothing contained in this summary is meant to interpret, extend or change, in any way, the governing statute, administrative rules or policies. As a result, your rights can only be determined by the provisions of OP&F's governing documents, which are subject to change.

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Ohio Police & Fire Pension Fund

www.op–f.org

Statutory survivor benefits

Survivor benefits are available to:

- eligible survivors of an active or retired police officer or firefighter who was a member of OP&F; and
- eligible survivors of a member who, within one year of the member's resignation, dismissal or leave of absence, dies and still has the funds previously deducted from their salary on deposit with OP&F.

Eligible survivors

The following survivors of a police officer or firefighter who dies before or after retirement can qualify for statutory survivor pensions.

Spouse

A surviving spouse is eligible to receive a monthly benefit plus any cost of living allowance (COLA) paid until death. A COLA will be added to the monthly benefit amount on a cumulative basis in July of each year. Surviving spouses who remarry will continue to be eligible for the monthly benefit.

Unmarried child under age 22

Except for disabled children, a member's unmarried child who has not attained the age of 22 is eligible to receive a monthly benefit plus any COLAs until the attainment of age 22, marriage or death. In July of each year, a COLA will be added, on a cumulative basis, to the surviving child's monthly benefit amount.

Dependent disabled child

A surviving child of any age who is mentally or physically disabled so that he or she was totally dependent on an OP&F member for support at the time of the member's death may receive a monthly benefit, plus any COLAs until death or the recovery from the disability. In July of each year, a COLA will be added, on a cumulative basis, to the child's monthly benefit amount.

To be considered totally dependent, the child must have met at least one of the following criteria at the time of the OP&F member's death:

- has a mental or physical disabling condition and was claimed as an exemption for federal income tax return purposes for the year preceding the member's death;
- determined disabled by a court of competent jurisdiction;
- attends an adult workshop or mental retardation and developmental disabilities school; or
- has a mental or physical disability and is incapable of earning at least $16,000 annually, as determined by a recommendation from the OP&F disability evaluation physician and vocational advisor.

Dependent parent(s)

If there is no surviving spouse or there are no children, then one or both dependent parents may receive a monthly benefit until the termination of dependency, remarriage or death. If there is only one dependent parent, the parent receives the entire statutory dependent amount monthly. If there are two dependent parents, each parent receives half of the statutory dependent parent amount per month. In July of each year, a COLA will be added, on a cumulative basis, to the parent monthly benefit amount.

Statutory survivor benefits chart

This chart indicates the statutory survivor benefit that eligible survivors can receive if a police officer or firefighter dies before or after retirement.

Survivors	Monthly Pension	Causes of Termination
Spouse	current amount + future COLA	• Death
Child	current amount + future COLA	• Death • Marriage • Attainment of age 22
Dependent disabled child	current amount + future COLA	• Death • Recovery from disability
One dependent parent Two dependent parents	current amount + future COLA 1/2 current amount (each) + future COLA	• Death • Re-marriage • Termination of dependency

Other survivor benefits

Annuity Payment Plan

At the time of retirement, or upon a post–retirement marriage if certain conditions are met, the OP&F member may select from among several annuity payment plans that fits their personal circumstances. Payments will begin to their designated beneficiary, if any, upon receipt of a death certificate. For more information on annuity payment plans, please refer to the *Members' Guide to Annuity Payment Plans.*

Pre–Retirement Survivor Annuity

If an active member of OP&F has not retired, but is eligible to retire and receive a pension or benefit at the time of their death, their surviving spouse or contingent dependent beneficiary is entitled to receive an annual retirement allowance.

The allowance equals what would have been paid to the surviving spouse or contingent dependent beneficiary had the member retired effective the day following the date of death and had selected a 50 percent JSA plan. Benefit payments under this section are payable effective the first day of the first month following the member's death.

A contingent dependent beneficiary is someone who is dependent on the member for at least 50 percent of his or her annual income and who is not the member's spouse, and meets the criteria established by OP&F's Board of Trustees. The designation can only be made within 12 months of qualifying for retirement and must be designated on OP&F's approved form. In any event, a contingent dependent beneficiary is not entitled to a benefit if the member is survived by his or her spouse.

$1,000 lump sum benefit

If an OP&F member had been receiving a pension benefit at the time of death, their surviving spouse is entitled to receive a one–time lump sum payment of $1,000. If the member is not married, then the $1,000 payment is made to the beneficiary designated by the member on the *Designation of Beneficiary for $1,000 Lump Sum Death Benefit* form. If there is no designated beneficiary, the payment is made to the member's estate.

Designating a trust as beneficiary

An OP&F member may designate a trust as their beneficiary for purposes of receiving the $1,000 lump sum death benefit and for purposes of paying out a Deferred Retirement Option Plan (DROP) accrual in the event of the member's death while participating in DROP. A trust designated as beneficiary would only be paid in the event that the member did not have a surviving spouse.

To designate a trust as beneficiary, the member must submit a copy of the first page and signature page of the trust instrument, along with the *Designation of Beneficiary for $1,000 Lump Sum Death Benefit* form or the *Designation of DROP Beneficiary* form. A complete copy of the trust is required before funds can be distributed. OP&F may also request additional documentation before funds are distributed.

Return of contributions

If a member passes away before receiving pension or disability benefits from OP&F, the contributions on deposit will be distributed according to law. If the member has no eligible survivors, then OP&F will pay the remaining contributions to the member's estate. If the member has survivors who are eligible for statutory survivor benefits, but the total paid all survivors is less than the member's contributions, OP&F will pay the remaining contributions to the survivors and their estates in equal shares.

How to apply for survivor benefits

OP&F should be contacted immediately when an OP&F member dies to begin the survivor benefit determination process.

When a surviving spouse reports the death of an OP&F member, OP&F will pay the spouse an interim survivor benefit payment. The benefit payment will be sent to the address on file unless the surviving spouse notifies OP&F in writing of a different address. If the survivor is a child or dependent parent, benefits will not begin until the *Survivor Benefit Application* is filed with the member's death certificate and birth certificate of the eligible child or proof of the eligible parent(s) dependency and accompanying documentation with OP&F.

If a surviving spouse remarries, they are permitted to keep their OP&F–sponsored benefit and health care coverage but their new spouse or any children resulting from the remarriage will not be covered.

Surviving spouses and eligible children under 22

Spouses of OP&F members

OP&F sends survivor application information within 48 hours after receiving a report of death and immediately begins to process interim survivor benefits. OP&F may pay interim survivor benefits to a deceased member's spouse for 90 days in order to allow them time to file the appropriate documentation with OP&F. In the event this documentation is not filed within this 90–day period, OP&F will suspend payment of the interim survivor benefits until the appropriate documentation is filed with OP&F within the time period prescribed by OP&F.

Eligible children under 22

Statutory survivor benefits will be paid to eligible children once OP&F receives the proper application and a copy of the child's birth certificate. If the child is not the member's natural child, OP&F requires a copy of documentation indicating a legal adoption as well as a copy of the member's death certificate if OP&F does not have the death certificate already on file.

Dependent disabled child

A separate application is not required for a dependent disabled child, but supporting documentation may be required as outlined below.

- Federal income tax return listing the child as a dependent for the year preceding the OP&F member's death;
- A certified copy of a court order from a court of competent jurisdiction stating that the child was disabled prior to the member's death; or
- Certificate of enrollment from an adult workshop or mental retardation and developmental disabilities school stating the type of school and verifying that the child was enrolled at the time of the member's death, or submission of the following for a determination by the OP&F disability evaluation physician and vocational advisor that the child had a mental or physical disability and was incapable of earning at least $16,000 annually at the time of the member's death:
  - discharge summary from a hospital or rehabilitation center;
  - letter from the treating physician or result of psychological testing that includes duration of disability, physical limitations and mental limitations;
  - letter from a school or report card showing placement in a mentally or physically challenged classroom;
  - any other documents requested as noted on a case–by–case basis;
  - the previous year's W2s; and/or
  - affidavit from the child's guardian stating the child's employment status and earnings for the previous calendar year.

Dependent parent(s)

The member's parent(s) must have been claimed as a dependent(s) on the member's income tax return for the year prior to the member's death in order to be eligible for a survivor benefit. The parent(s) must file a copy of the member's tax return along with the member's death certificate, birth certificate and the *Survivor Pension Application.* The application and documentation are subject to administrative review.

Annuity Payment Plan

No application is required, but supporting documentation may be requested.

Pre–Retirement Survivor Annuity

An application needs to be filed for this benefit and supporting documentation may be required. Please contact OP&F to request an application.

$1,000 lump sum payment

For a surviving spouse, no application is required. If there is no surviving spouse, an application is required and supporting documentation may be requested.

Return of contributions

No application is required for return of contributions, but supporting documentation may be requested.

Materials to be received

Once OP&F is contacted regarding the death of a member, a packet of materials and forms will be mailed to the member's survivor. Below is a list of the materials that an OP&F member's survivor will receive from OP&F to assist in the transition of the OP&F–sponsored benefits.

Information from OP&F

- ☐ ***Survivor letter***
  Describes materials available for OP&F–sponsored benefits.
- ☐ ***Federal tax reporting information***
  Assists with completing taxes.
- ☐ ***Member's Guide to Survivor Benefits***

Health Care Stipend Eligibility

If the deceased member and spouse were eligible and participating in OP&F's health care plan, the survivor will automatically assume the same status as the deceased member in terms of eligibility for the OP&F health care plan. The Health Reimbursement Arrangement (HRA) and associated stipends will automatically rollover to be in the survivor's name. However, if the survivor has access to other group health care coverage, they

are not eligible for the OP&F plan. If you leave your job and no longer have access to health care, it can be considered a Qualifying Life Event and you may then be eligible for the OP&F health care plan. Additional health care information is available at op-f.org.

Forms to file regarding OP&F–sponsored benefits

To make the transition of benefits go smoothly, the survivor will be asked to complete and file a series of forms with OP&F to ensure all information is captured and that the survivor receives the most appropriate survivor benefits. A tear–out checklist of these forms can be found in the back of this guide for your convenience. Some of the forms the survivor will receive and be asked to complete include:

Forms sent by, and should be filed with, OP&F

- ☐ ***Direct Deposit Application***
  Authorizes OP&F to transfer funds electronically into the survivor's bank account for availability the first business day of the month. Submission of a voided check or voided bank deposit slip with the form is necessary.

- ☐ ***Health Care Stipend Eligibility Form***
  If a surviving spouse would like to participate in OP&F's health care stipend program they should use this form to determine eligibility. The information provided will help determine if they are eligible to receive a Health Reimbursement Account (HRA) funded by a stipend from OP&F.

- ☐ ***Low-Income Stipend Increase Application***
  Requests from the survivor who has a qualifying household income as described on the form, to receive a 30 percent increase to their OP&F health care stipend.

- ☐ ***Medicare Part B Reimbursement Statement***
  Proves the survivor is enrolled in Medicare Part B. The survivor must file a copy of their Medicare card with this form. Benefit recipients eligible to receive Medicare Part B reimbursement from another Ohio retirement system or from another source are not eligible for reimbursement from OP&F. Also, no retroactive reimbursements will be made.

- ☐ ***Survivor Benefit Application***

- ☐ ***W–4P Withholding Certificate for Pension and Annuity Payments***
  Directs OP&F to deduct the amount the survivor wants from their monthly benefit to cover federal income taxes. If no withholding form is received, OP&F deducts for married plus three dependents. Please seek tax advice on the taxability of benefits.

- ☐ ***Withholding Certificate for Ohio State Income Tax***
  Directs OP&F to deduct the amount the survivor wants from their monthly benefit to cover state of Ohio taxes.

Payment of statutory survivor benefits

Survivors of retired members

The effective date of the statutory survivor benefit is the first day of the month following the month in which the retired OP&F member died. Survivor benefits are paid at the first of the month for the entire month.

Survivors of active members

The effective date of the statutory survivor benefit is the day following the day the member died, and the first payment will include any benefits due from that date. Thereafter, benefits are paid at the first of the month for the entire month.

Survivors of Deferred Retirement Option Plan participants

Upon the death of a Deferred Retirement Option Plan (DROP) participant, the surviving spouse is entitled to receive the full balance of the DROP benefits accrued for the member. If there is no spouse, DROP benefits will be payable to the most current designated beneficiary the member indicated on the *Designation of DROP Beneficiary* form on file with OP&F. If there is no spouse or beneficiary, the benefits will be paid to the estate. Please refer to the *Members' Guide to DROP* for more information.

Annuity payment plans

The effective date of the annuity benefit is the first day of the month following the month in which the member died. Annuities are paid at the first of the month for the entire month.

Pre–Retirement Survivor Annuity

The effective date of the Pre–Retirement Survivor Annuity is the first day of the month following the month in which the member died. Annuities are paid at the first of the month for the entire month.

Return of contributions

Contribution returns will generally be paid 45 days from either the receipt of supporting documentation or OP&F's receipt of the last employer payroll in which the member's contributions appeared. The payment will be made 45 days after whichever event occurs the latest.

Overpayment of pension or benefit payments

Pension or benefit payments are issued at the beginning of the month for that month. Overpayments can occur due to the death of the member or survivor. An overpayment may occur if the payment has been issued or, it is too late to stop the payment from being issued following one of the above events. The payment for the month in which the event occurs is not to be returned to OP&F. However, any benefits payable to the recipient dated after the month in which one of the above events occurs must be returned to OP&F or reimbursed. If the overpayment is a result of a pension benefit being issued to the member, the overpayment may be offset against any survivor benefits due the survivors. Please notify OP&F immediately should one of the above events occur.

Tax liens and court orders

The payment of statutory survivor benefits may be subject to federal tax liens and court ordered deductions, such as Division of Property Orders, withholding orders for child or spousal support and restitution orders.



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Prudence • Integrity • Empathy

Securing the future for Ohio's police and firefighters.