IPERS DISABILITY

Special Service Members

IPERS

What disability benefits are provided by your state's pension plan for (Police/Sheriff/Firefighters/EMS/Corrections)

- Ordinary - permanent disability, resulting in mental or physical incapacity, that prevents the member from performing the assigned duties of the job. It is 50% of the member's highest three-year average salary and there is no reduction for retiring before the normal retirement age. This benefit is taxable.
- In-service – permanent disability resulting from an on-the-job injury/illness, disease or exposure that occurred in a specific time and place. It is presumed that medical conditions including hear ailments, lung ailments, infectious diseases, and cancer are job related. It is 60% of the member's highest 3-year average salary without reduction for retiring before the normal retirement age. This benefit is non-taxable.

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Does whether the injury occurred on-duty or off-duty affect the benefit? If yes, how?

- Yes, as noted, the injury/illness must be at a specific time and place to be considered in-service except for heart/lung/infectious disease/cancer. Those are presumed. Cancers at one time were specific however there is no longer any type specified for in-service.

- Also, if the member receives payment from other sources regarding the disability such as social security, long term disability insurance, worker's compensation, unemployment insurance, lawsuits, etc., there will be a permanent offset based on the amount received.

IPERS

What are the eligibility criteria for on-the-job (or “duty”) disability pension benefits?

- There must be a specific time and place where the injury/illness occurred to be considered in-service. IPERS does not accept cumulative injury/illness as in-service.

IPERS

Are there any special eligibility requirements for disability benefits when the disability is based on a psychological condition (e.g., a treatment requirement)? For example, in MN, we require up to 6 months of psychological condition treatment before a member can be approved for a disability pension. If yes, do you have any data showing that those requirements have resulted in more members returning to work rather than having to take leave for the disability?

- No, we have no specific requirements. IPERS contracts with MMRO (Managed Medical Review Organization) to review all special service disability cases and make a determination of in-service versus ordinary versus outright denial of benefits (such as in a preexisting condition). We are required by statute to send all special service disability cases to the University of Iowa Hospitals and Clinics (UIHC) medical board for review by 3 occupational medical physicians to determine if the member meets the criteria for permanent disability.

IPERS

Who makes the disability determination? Is there an appeal process and, if so, how frequently is that used?

- MMRO makes the disability determination as far as in-service versus ordinary versus outright denial. A nurse case manager is assigned who collects the pertinent medical records to be forwarded to a physician(s) for determination in that specific field of practice of the illness/injury.

- Appeals must be filed in writing within 30 days of determination and sent to our legal department. The appeal will be reviewed internally, and the member will be sent a final agency determination. If the member is unhappy with the results, they must file a case to go before an administrative law judge.

IPERS

Does your state's pension plan have any communication with your state's workers' compensation system as a disability case moves through each system? If yes, what does that look like?

- We do not share information. IPRES relies on our legal department to monitor decisions made by the state for worker's compensation.

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Is it common for police officers and firefighters to retain legal counsel to represent them in seeking disability benefits or appealing a determination?

- Yes, it is very common.

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What is the average normal cost to the pension plan of providing disability benefits to a police officer or firefighter?

- I don’t have an average cost as each special service member’s benefit is based on individual circumstances.

- IPERS budgets up to $500,000 annually for MMRO however it usually doesn’t exceed half of that and UIHC is a per case/per test basis. Once a member is on special service disability, there is usually no reevaluation of their case.

IPERS

Unrelated to disability, is health insurance coverage provided for police officers and firefighters who retire before age 65?

- Not by IPERS.

IPERS

Has your state's pension plan experienced what you might consider an excessive rate of disability leaves and as a consequence greater liability for disability benefits than anticipated? If so, have you put in place any measures to address that?

- No. Iowa has a very low rate of special service disability cases as compared to other states. We currently have 117 special service members on disability.

- IPERS currently covers 9,770 special service members between active and retired.

IPERS

As a follow-on to the foregoing question, has this been particularly a concern with police officers and firefighters claiming disability benefits due to PTSD? If so, have you put in place any measures to address that?

- No. In my time here we have only experienced the very occasional questionable disability claims and those were not PTSD related. It has been the long-standing opinion of IPERS and UIHC that PTSD related issues are not only expected but specifically related to work in the special service field and, to my knowledge, have never been considered abused.

- As a side note, our regular members who are on disability do not have to go through any screening for disability determination and the process is simple. If the member qualifies for disability from social security or railroad disability, they automatically qualify for IPERS disability.