

SS SCS HCS HB 664 -- FIRE FIGHTER BENEFITS

This bill changes the laws regarding benefits for a fire fighter incurring an infectious disease in the line of duty and the Firemen's Retirement System of St. Louis.

BENEFITS FOR A FIRE FIGHTER INCURRING AN INFECTIOUS DISEASE IN THE LINE OF DUTY

Any infectious disease, as defined in the bill, which causes a condition of impaired health that results in a disability or death of a fire fighter who has at least five years of service, will be presumed to have been incurred by the fire fighter in the line of duty in certain circumstances, unless the contrary is shown by competent evidence, as it relates to a claim for disability or death or for retirement benefits. The fire fighter must submit to an annual physical examination which includes a blood test.

FIREMEN'S RETIREMENT SYSTEM OF ST. LOUIS

The bill:

(1) Specifies that the retirement plan of the Firemen's Retirement System of St. Louis is intended to be a qualified governmental plan under applicable federal law and requires the benefits and conditions of the plan to be interpreted and the system to be operated to ensure that the system meets the federal qualification requirements; and

(2) Changes the laws regarding a member of the system who retires on or after August 28, 2011, because of accidental disability as follows:

(a) Any member retiring because of accidental disability based on a condition of the heart, lungs, or cancer or based on a permanent and total disability which will prevent the member from obtaining employment elsewhere, as determined by the board of trustees of the retirement system, based on medical evidence presented by the system's physicians will receive, regardless of his or her years of credible service, 75% of the earnable compensation then provided for the step in range of salary for the title or rank held by the member at the time of his or her retirement;

(b) Any member retiring because of accidental disability for a condition not stated above will receive a base pension equal to 25% of his or her salary at the time of retirement. If a member has 25 years or less of creditable service at retirement, he or she will receive an additional 2.75% for each year of creditable

service equal to or greater than 10 years but not more than 25 years. A member with more than 25 years of creditable service will receive an additional pension equal to 50% of his or her salary;

(c) A member retiring because of accidental disability other than on a condition of the heart, lungs, or cancer or based on a permanent and total disability which will prevent the member from obtaining employment elsewhere can elect to receive an education allowance in an amount not to exceed the tuition for a state resident at the University of Missouri-St. Louis. The member must enroll in a college, university, community college, or vocational or technical school at the first opportunity after retirement, and the member will be reimbursed upon proof of payment to the institution. The education allowance must cease if the member is no longer a full-time student, fails to provide proof of achievement of a grade point average of two on a four-point scale or the equivalent on another scale for each academic term, or is restored to active service as a firefighter. The education allowance cannot be available for more than five years after the member retires. A member with 25 years or less of creditable service electing to receive the education allowance who is a full-time student will also receive an additional supplemental disability retirement pension in an amount that will pay him or her 100% of the member's active duty salary, excluding the education allowance, for up to five years;

(d) A member who retired due to accidental disability for a reason other than based on a condition of the heart, lungs, or cancer or based on a permanent and total disability which prevents the member from obtaining employment elsewhere with more than 20 years but not more than 25 years of creditable service may waive the right to receive the education allowance, the additional pension allowance, and the supplemental disability retirement pension and may elect instead to receive in addition to the accidental disability retirement base pension an additional pension equal to 40% of the member's salary at the time of retirement if the election is made prior to receiving his or her first accidental disability pension payment; and

(e) The retirement allowance will be increased annually in October for a member who retired due to accidental disability for a reason other than based on a condition of the heart, lungs, or cancer or based on a permanent and total disability which prevents the member from obtaining employment elsewhere, unless a member has more than 25 years of creditable service, the accidental disability allowance can only increase at a rate of 1% per year, compounded each year, up to age 60, then 5% per year for five years. For a member having more than 25 years of creditable service, the accidental disability allowance can only

increase at a rate of 2.25% per year, compounded each year, up to age 60, then 5% per year for five years.