



Line of Duty Act (LODA) Overview

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The Virginia Line of Duty Act (LODA):

- Established in Title 9.1 of the *Code of Virginia*, enacted in 1972
- Provides benefits to the following persons:
 - Eligible family members of eligible employees killed in the line of duty
 - Eligible employees disabled in the line of duty and their eligible family members



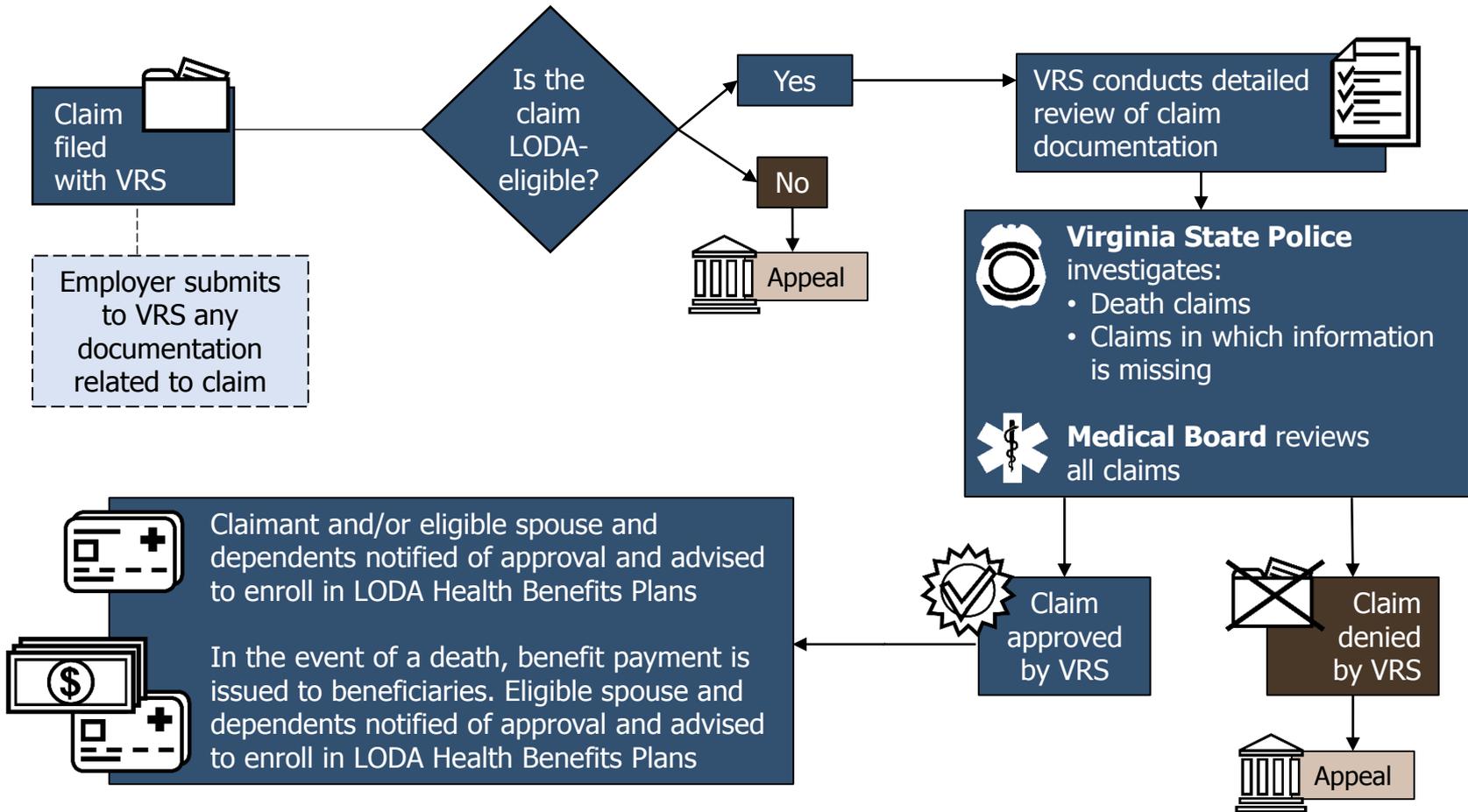
VRS	DHRM
<ul style="list-style-type: none">• Determines line of duty eligibility• Issues benefit payments on behalf of LODA Fund participating employers• Issues notification for benefit payments for LODA Fund non-participating employers	<ul style="list-style-type: none">• Administers continuous LODA Health Benefits Plans<ul style="list-style-type: none">○ Eligible spouse and eligible children in case of death (line of duty or presumption)○ Disabled person and eligible family members in case of disability

Employee or volunteer must serve in an eligible position for state or local government in Virginia as defined in the *Code of Virginia* § 9.1-400

Death or disability must occur in the line of duty as the direct or proximate result of performance of duty, including presumptions (respiratory diseases, hypertension, infectious diseases, certain cancers and heart disease)

A member of any **fire company or department or emergency medical services agency** that has been **recognized by an ordinance or a resolution** of the governing body of any county, city or town of the Commonwealth as an integral part of the official safety program

LODA Claims Flow

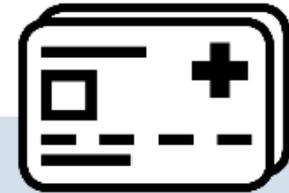


What happens if the claim is approved?



Disability

Claimant and/or eligible spouse and eligible children notified of approval and advised to enroll in LODA Health Benefits Plans.



Death Benefit

In the event of a death, benefit payment is issued to beneficiaries. Eligible spouse and eligible children notified of approval and advised to enroll in LODA Health Benefits Plans.





Information for Employers

LODA Fund Employer Participation



Employers had an opportunity to elect not to participate in the LODA Fund during an opt-out period in 2012.

LODA Fund Non-Participating Employers	LODA Fund Participating Employers
<ul style="list-style-type: none">• Political subdivision of the Commonwealth	<ul style="list-style-type: none">• State agency or political subdivision of the Commonwealth
<ul style="list-style-type: none">• Directly fund the cost of benefits provided under LODA	<ul style="list-style-type: none">• Contribute to the LODA Fund and the LODA Fund will cover the cost of benefits provided under LODA
<ul style="list-style-type: none">• Elected not to participate in the LODA Fund	<ul style="list-style-type: none">• Did not elect to become non-participating

A list of LODA Fund non-participating employers is available at valoda.org (select Employers).
If you are not listed, you are a LODA Fund participating employer.

Employer Responsibilities



Employers are responsible for the following actions:

- Completing part of the application, providing evidence related to the claim and submitting the claim to VRS.
- Funding the LODA benefit once VRS approves the claim:

LODA Fund Non-Participating Employers	LODA Fund Participating Employers
Fund the LODA benefit, <i>if not participating in the LODA Fund</i> , by paying death benefits, paying LODA Health Benefits Plans premiums to DHRM and making retroactive health insurance premium reimbursements as applicable.	Fund the LODA benefit <i>by making contributions to the LODA Fund</i> , which pays death benefits, LODA Health Benefits Plans premiums and retroactive health insurance premium reimbursements as applicable.

Employer Responsibilities



Employers are required by law to train LODA-eligible employees and volunteers:



Training material, available on the LODA website at valoda.org/employers, has been developed by VRS and DHRM in consultation with the Secretary of Public Safety and Homeland Security.

Training includes the importance of having a will and submitting a claim.



LODA Fund Non-Participating Employers	LODA Fund Participating Employers
Employer pays:	LODA Fund pays:
<ul style="list-style-type: none">• LODA Health Benefits Plans premiums (DHRM)	<ul style="list-style-type: none">• LODA Health Benefits Plans premiums (DHRM)
<ul style="list-style-type: none">• Death benefit payments (individuals)	<ul style="list-style-type: none">• Death benefit payments (individuals)
<ul style="list-style-type: none">• Funeral benefit payment, if requested (funeral home)	<ul style="list-style-type: none">• Funeral benefit payment, if requested (funeral home)
<ul style="list-style-type: none">• Retro health insurance reimbursements as applicable (individuals)	<ul style="list-style-type: none">• Retro health insurance reimbursements as applicable (individuals)
<ul style="list-style-type: none">• Administrative fee (VRS)	<ul style="list-style-type: none">• Administrative fee (VRS)
<ul style="list-style-type: none">• Virginia State Police investigation fee (VSP)	<ul style="list-style-type: none">• Virginia State Police investigation fee (VSP)

Implementation Costs



- VRS collected data so that fees will be based on actual headcounts as reported
- Fees will be paid pro rata, based on data submitted to VRS earlier this year

LODA Fund Non-Participating Employers	LODA Fund Participating Employers
<ul style="list-style-type: none">• VRS will bill the employer directly for reimbursement based on the headcount of LODA-eligible employees and volunteers that VRS had on file as of June 30, 2017• You should have received an invoice	<ul style="list-style-type: none">• VRS will bill the fund for reimbursement• Participating employers will not receive an invoice

Administrative Fees



VRS will assess an administrative fee to review LODA claims ([§ 9.1-403 Code of Virginia](#)).

- An administrative fee of \$3,750 per claim* covers costs incurred by VRS staff, medical board reviews and other requirements under LODA
- For LODA Fund participating employers, administrative fees are paid from your annual contributions to the fund
- Employers not participating in the LODA Fund will receive an invoice for administrative fees incurred during the processing and review of claims

** Claims denied after preliminary review are assessed a \$250 fee; however, appeals of preliminary denials are assessed an additional fee of \$3,500 per claim*

Health Insurance Credit

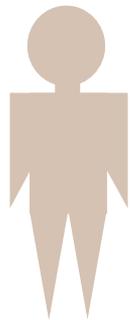


LODA Fund
Non-Participating
Employers
**Credit amount
sent to the
employer**

LODA Fund
Participating
Employers
**Credit amount
credited directly
to the LODA Fund**



- Claimant eligible for health insurance credit
- Employer does not participate in the LODA Fund



- Claimant eligible for health insurance credit
- Employer participates in the LODA Fund

Retroactive Health Insurance Reimbursement During Claim Review



- If approved for LODA benefits, a claimant may receive reimbursement for health insurance premiums paid during the period the claim was under review, dating back to when the claimant was no longer eligible for employer-subsidized health insurance coverage
- Only those who incurred costs for payment of out-of-pocket health premiums not subsidized by the employer during the claims review process are eligible for reimbursement

LODA Fund Non-Participating Employers	LODA Fund Participating Employers
<ul style="list-style-type: none">• If the approved claim is from employment with an employer that does not participate in the LODA Fund, then VRS will notify the employer to reimburse the claimant for these expenses	<ul style="list-style-type: none">• If the approved claim is from employment with a LODA Fund participating employer, then VRS will reimburse the health insurance cost from the LODA Fund.

LODA vs. VRS: Disability Benefits



Some employers participate in the LODA Fund, but **do not** participate in VRS



Some employers participate in VRS, but **do not** participate in the LODA Fund

- If you're a **VRS-participating employer**, your employees may be eligible for additional benefits, such as VRS disability benefits
- Applying for LODA benefits and applying for VRS disability retirement are **two different processes**
- The decisions will be made **independently**
- If eligible, the employee must apply for both **separately**

LODA vs. VRS: Hazardous Duty Benefits



LODA benefits and VRS hazardous duty benefits are separate.



LODA benefits are different

from hazardous duty benefits offered by certain VRS-participating employers

Some of the terms are defined differently

in LODA and VRS hazardous duty benefits

If you are a VRS-participating employer,

direct your employees to

www.varetire.org

for more information about VRS hazardous duty benefits



More LODA Information



- **Dedicated page at DHRM website:**
www.dhrm.virginia.gov/loda
 - **Line of Duty Act** (§ 9.1-400 of the *Code of Virginia*)
 - **LODA Health Benefits Plans – Presentation to Stakeholders**
 - **LODA Communications**
 - March 27, 2017 – transition information to existing LODA participants
 - March 27, 2017 – introduction to employers that do not participate in the Line of Duty Death and Health Benefits Trust Fund
 - June 16, 2017 – benefits summaries sent to enrollees for their plan(s)
 - **Questions and Answers for LODA Participants and Employers**

Websites & Email Addresses



[Website: www.valoda.org](http://www.valoda.org)

[Email: loda@varetire.org](mailto:loda@varetire.org)

[Website: www.dhrm.virginia.gov/loda](http://www.dhrm.virginia.gov/loda)

[Email: loda@dhrm.virginia.gov](mailto:loda@dhrm.virginia.gov)

We're Here to Help



Employer Resources:

- Welcome Video
- LODA Overview for Employers

Participant Resources:

- Welcome Video
- Tutorial: How to Apply for LODA Benefits
- Virginia LODA Participant Guide
- LODA Overview for Participants

