



PSEBA POLICY

City of Des Plaines

Public Safety Employee Benefits Act (PSEBA)

Purpose:

The Public Safety Employee Benefit Act ("**PSEBA**" or the "**Act**") 820 ILCS 320/1, et seq., requires certain benefits be provided to a public safety employee covered by the Act who suffers a catastrophic injury or is killed in the line of duty. The Act defines a public safety employee to include any full time law enforcement, correctional or correctional probation officer, firefighter or licensed emergency medical technician (EMT) who is a sworn member of a public fire department. The same benefits may be extended to the spouse and eligible dependents of the catastrophically injured or deceased public safety employee, provided the conditions as established by the Act are met.

The City of Des Plaines ("**City**"), as an employer of public safety employees, may be required to pay the entire premium of the City's basic health insurance plan for a public safety employee and his/her spouse and eligible dependents for the period of time defined by the Act, if such public safety employee is eligible for benefits under the Act.

The general purpose of this Policy is to memorialize the process as it may be administratively amended from time to time for application for health insurance benefits pursuant to PSEBA. This Policy is consistent with the obligations of the City under state law to provide health insurance benefits to certain public safety employees who qualify for, and are determined by the City to be eligible to receive, certain health insurance benefits from the City pursuant to this policy and the Act.

Administrative Process:

All applications for health insurance benefits under PSEBA must be submitted and will be considered according to the following process.

1. *Application Form*

Any person seeking PSEBA benefits from the City must complete and submit to the City the standard application form prepared by the City, and all supporting documentation required by the application. The PSEBA application must be completed, sworn, and notarized as to the content of the application.

2. *Time Period for Submission of Application*

The completed application for PSEBA benefits must be submitted via certified mail to: City of Des Plaines, Director of Human Resources, 1420 Miner Street, Des Plaines, IL 60016 not later than one year after the date on which the event took place for which the applicant claims to qualify for PSEBA benefits, except as provided in Section 3(a) of this Policy. Failure to submit a timely PSEBA application may result in a waiver of the claim under this Policy

for benefits under the Act. The Director of Human Resources or the Director's designee will review the application when all of the documentation required by the City under this Policy has been received by the City.

3. *Matters Pending Before a City of Des Plaines Pension Board*

If a public safety officer files a timely application for pension benefits with a City of Des Plaines Pension Board, the following rules shall govern the submission of a PSEBA application:

- a. The submission deadline for the PSEBA application form shall be extended to the date that is 30 days after the date of any final ruling by a City of Des Plaines Pension Board concerning any duty-related disability.
- b. The applicant shall be responsible for submitting all transcripts and exhibits from a City of Des Plaines Pension Board hearing that resulted in the award of a duty-related disability pension prior to the extended PSEBA application submission deadline described in Section 3(a).

4. *Processing of Application*

Upon receipt of a timely, complete and executed application form, the City Director of Human Resources shall provide a copy of the applicant's materials to the Chief of Police, Fire Chief, Finance Director, the City's General Counsel, and any other necessary City official or employee ("**Reviewing Officials**") all of whom shall promptly review the materials and other relevant information necessary or appropriate to analyze whether the applicant is eligible for PSEBA benefits.

- a. If the Director of Human Resources determines that additional fact-finding is necessary or appropriate, the applicant will respond in writing to written requests from the City for additional information not later than 30 days after receipt of the City's request.
- b. If the applicant does not respond to or cooperate with the City's written requests for additional information, the City will send a reminder notice to the applicant explaining the duty of full cooperation in the fact-finding process.
- c. If the applicant does not provide the requested information or otherwise cooperate with the City within 21 days after receipt of such additional notice, then the City may deem the application for PSEBA benefits to be withdrawn and waived.

5. *Recommendation to the City Manager*

The Director of Human Resources will make a recommendation to the City Manager on the applicant's eligibility for PSEBA benefits after completion of the Director's review of the application, supporting materials, any related fact-finding, and after consulting with the Reviewing Officials.

6. *City Manager's Determination of Eligibility*

After receipt of the recommendation of the Director of Human Resources, the City Manager will review the facts contained in the application, supporting materials and any other information gathered through any additional fact-finding. Based on this review of the facts, the City Manager will make a final determination regarding the applicant's eligibility for PSEBA benefits.

7. Notice of City Manager's Determination

Not later than 45 days after receipt of the recommendation of the Director of Human Resources, the City Manager will advise the applicant, in writing, of the City Manager's determination.

Health Insurance Benefits During the Pendency of a PSEBA Application:

During the processing and review of the PSEBA application, the applicant may remain on the City's health insurance plan. But, the applicant may be responsible for payment of up to 100% of the health insurance premium, depending upon the applicant's employment status with the City. Health insurance premiums must be paid by the last day of the month for the following month's coverage.

If the City Manager grants PSEBA benefits *and* the eligible recipient elected to continue on the City's health insurance plan while the PSEBA application was being reviewed, the City will reimburse the PSEBA benefit recipient for any health insurance premiums paid by the PSEBA benefit recipient during the period beginning on the date on which the City becomes obligated to provide PSEBA benefits to the eligible recipient and ending on the date of the City's first premium payment after the City Manager's determination; provided, however, that any reimbursement by the City will not exceed the pro rata amount of the City's basic group health insurance plan monthly premium multiplied by the number of months, or parts thereof, within the same period. The City will pay any such reimbursement not later than 60 calendar days after the date of the City Manager's determination. There shall be no reimbursement of health insurance premiums if the eligible recipient did not elect to continue on a City health insurance plan while the PSEBA application was being reviewed.

If the City Manager denies PSEBA benefits, the applicant may remain on the City's health insurance plan pursuant to COBRA or state insurance statutes; however, the applicant will be responsible for the payment of 100% of the health insurance premium cost.

All records pertaining to the administrative process will be held in a separate file in the applicant's name within the Human Resources Department of the City of Des Plaines. Requests for such file shall be made in accordance with the requirements of the Freedom of Information Act.

Health Insurance Benefits if PSEBA Benefits Are Granted:

If an applicant is awarded health insurance benefits pursuant to PSEBA, the following provisions apply:

1. City of Des Plaines Insurance Plan

If the City of Des Plaines approves the PSEBA application and awards health insurance benefits under PSEBA, the City's HMO insurance plan – which is its basic group health insurance plan -- is the plan offered. The City reserves the right to change the basic group health insurance plan offered to persons eligible for health insurance benefits under PSEBA or those already receiving PSEBA benefits. The basic group health insurance plan will be determined annually at the start of the benefit open enrollment period. This Policy will be administratively amended if the City decides to change the basic group health insurance plan offered to persons who are awarded health insurance benefits under PSEBA. If the applicant chooses to enroll in any plan other than the basic group health insurance plan offered by the City of Des Plaines, the applicant must pay the difference in insurance premiums. Health insurance coverage under the Act does not include any supplemental coverage such as dental insurance, optical insurance or life insurance. If such supplemental coverage(s) are available, they may be continued by the eligible recipient at his/her own cost. If health insurance benefits under the Act are not awarded, the public safety employee may continue to remain on a City health insurance plan if allowed to do so under City policy, however he/she will be responsible for 100% of the health insurance premium cost. If the public safety employee chooses not to remain on a City health insurance plan, he/she may be eligible to continue health insurance coverage under applicable laws as defined under COBRA.

2. Other Health Insurance Benefits

Pursuant to PSEBA, health insurance benefits payable from any other source will reduce the benefits payable from the City. Each PSEBA applicant or benefit recipient claiming full health insurance benefits from the City's basic group health insurance plan will be required to sign an affidavit attesting that he or she is not eligible for insurance benefits from any other source.

It is the responsibility of the PSEBA benefit recipient to notify the City of Des Plaines within 30 days of any changes to other sources of health insurance benefits, and to otherwise comply with all applicable reporting and information requests and requirements. Any PSEBA benefit recipient who receives health insurance benefits from the City, and whose City-paid premiums should have been reduced because of health insurance payable from another source, will be required to reimburse the City for the difference between the premiums actually paid by the City and the reduced premiums that the City should have paid. The City reserves the right to annually require any PSEBA benefit recipient to provide an affidavit attesting to any other health insurance available or payable to the PSEBA benefit recipient, the recipient's spouse or to the recipient's dependent children.

Effective Date: 10-16-17

Signature: 
Michael Bartholomew, City Manager