SURVIVOR BENEFITS

The agency's benefits coordinator assigned to the bereaved family should know all the benefits/ payments available to surviving families of fallen officers. This officer should inform the family of these benefits, file the appropriate paperwork and follow up with the family to make sure these benefits are being received.

The benefits coordinator should visit the surviving family to discuss benefits within a few days following the funeral and provide a typed document outlining the **possible** benefits the family may receive.

This guide is not a legal document nor is it intended to serve as a legal interpretation of existing statutes.

C.O.P.S. does not warrant that all or any benefits will be awarded to survivors who apply.

FEDERAL BENEFITS

Public Safety Officers' Benefits Act

A unique effort of the U.S. Department of Justice; local, state, federal, and tribal public safety agencies; and national organizations, the Public Safety Officers'' Benefits (PSOB) Program provides death benefits to the survivors of law enforcement officers, firefighters, and other first responders whose death (or catastrophic injury) was the direct and proximate result of an injury sustained in the line of duty. To determine these claims, the PSOB Office works closely with survivors, injured officers, and agencies to obtain the required documentation to comply with the PSOB law and its implementing regulations. While some claims are straightforward and clearly meet the criteria, others present significant factual and legal complexities that must be resolved before a determination can be made.

The PSOB Office collaborates with national law enforcement, firefighter, and first responder groups to provide a range of PSOB training and technical assistance, from one-to-one mentoring to conferences and online resources. The benefit amount for deaths occurring between October 1, 2024 and September 30, 2025 is $448,575.00. For deaths occurring on or after October 1, 2025 is $461,656.

Public Safety Officer Support Act

On August 16, 2022 President Biden signed into law the Public Safety Officer Support Act (PSOSA). This act extends death and disability benefits under the Public Safety Officers' Benefits (PSOB) pro-gram to certain public safety officers and survivors of public safety officers who suffer or suffered from post-traumatic stress disorder, acute stress disorder, or trauma and stress-related disorders following an exposure to one or more traumatic events while on duty.

The act specifies that post-traumatic stress disorder, acute stress disorder, or trauma and stress-re-lated disorders suffered by a public safety officer following an exposure to a traumatic event while on duty constitutes a personal injury in the line of duty if exposure to the traumatic event was a substan-tial factor in the disorder.

The PSOB program provides death, disability, and education benefits to public safety officers and survivors of public safety officers who die or become disabled as a direct and proximate result of a personal injury in the line of duty.

PSOB BENEFITS

Death: PSOB provides a one-time benefit to eligible survivors of public safety officers whose deaths were the direct result of an injury sustained in the line of duty on or after September 29, 1976.

Hometown Heroes: On December 15, 2003, the Hometown Heroes Survivors' Benefits Act expanded circumstances under which officer deaths from heart attacks and strokes may be covered by the program.

The Act presumes that the public safety officer who suffered a fatal heart attack, stroke or vascular rupture up to 24 hours after on-duty, non-routine strenuous physical activity or training has died as a result of a personal injury sustained in the line of duty.

For more information on the Hometown Heroes Survivors' Act, go to psob.gov.

Disability: PSOB provides a one-time benefit to eligible public safety officers who were permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty on or after November 29, 1990. Injuries must permanently prevent officers from performing any gainful work in the future. For the current disability benefit amount, visit psob.gov.

FILING A PSOB CLAIM

A PSOB Death Benefits application consists of two parts—a Part A application completed by the applicant or authorized representative, and a Part B application completed by the public safety agency. The web-based application will generate a customized set of questions and required documents for each individual application; a sample PSOB Death Benefits application can be viewed by visiting psob.gov.

C.O.P.S. has trained people to assist agencies with filing a PSOB claim. Don't hesitate to call C.O.P.S. for help: (573) 346-4911.

To file a claim, visit: psob.gov.

CHECKLIST FOR FILING A PSOB DEATH CLAIM

The following checklist helps streamline the PSOB filing process for you and the fallen officer's survivors. For help with any part of the PSOB claim, do not hesitate to call the PSOB Office toll-free at: (888) 744-6513.

Death Benefits Application – Part A – Survivors

Collect and upload the following required documents regarding the officer's surviving family and potential beneficiaries.

- Death Benefits Application Part A completed and electronically signed by the survivor(s) or authorized representative.
- Divorce decrees for all the officer's and current spouse's previous marriages, including references to physical custody of any children, if applicable.
- Officer's current marriage certificate, if applicable.
- Death certificates for all the officer's and current spouse's previous marriages, if any of the marriages ended in death, if applicable.

Death Benefits Application – Part B – Agency

Collect and upload the following required documents regarding the officer's line-of-duty death from agency records.

- Death Benefits Application Part B completed and electronically signed by the head of the public safety agency or designee.
- Incident and/or Accident Reports.
- Death Certificate.
- When the cause of death is a heart attack, stroke or vascular rupture, all incident and/or accident reports for the officer's on-duty activities in the 24 hours prior to his or her heart attack, stroke or vascular rupture.
- A copy of any of the rulings related to other benefits (workers' compensation, state line of duty, September 11 Victim Compensation Fund) that were applied or related to the officer's death.

Who receives PSOB benefits if the claim is approved?

- Surviving Spouse, No Eligible Children* – 100% to spouse.
- Surviving Spouse, Eligible Children – 50% to spouse; 50% divided equally among children.
- No Surviving Spouse or Eligible Children – Designated Life Insurance Beneficiary on file with the department or PSOB Designee.
- No Surviving Spouse, Eligible Children, Beneficiaries on File – 100% to surviving parents in equal shares.
- No Surviving Spouse, Children, Beneficiaries, Parents – Children who would be eligible but for age.

**Child is defined as any natural, illegitimate, adopted, posthumous child or stepchild of a deceased public safety officer who, at the time of the officer's death, is 18 years old or under; 18-22 and a full-time student; or 19 and older, and incapable of self-support due to a physical or mental disability.*

PUBLIC SAFETY OFFICERS' EDUCATIONAL ASSISTANCE PROGRAM

The Public Safety Officers' Educational Assistance (PSOEA) Program provides educational assistance to dependents of public safety officers killed or disabled in the line of duty whose families have been awarded the PSOB benefit.

PSOEA benefits may be used to defray educational expenses, including tuition, room and board, books, supplies and education-related fees.

PSOEA benefits are provided to the officer's spouse or children who attend an eligible educational institution. Assistance is available for 45 months of full-time education or training, or for a proportional period for a part-time program. To file a claim, visit: psob.gov.

HEALTH INSURANCE

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) guarantees that the employer of the deceased officer must make available to the surviving spouse and his or her dependent children the same type of health insurance as was provided prior to the officer's death. Coverage is available for up to 36 months and must be paid by the surviving insured. There is no provision in the law for the employer to pay for the health insurance.

Remember the deceased officer and survivors must have been covered by an employee health plan at the time of the death to be eligible for COBRA.

For more information on health insurance, go to dol.gov/general/topic/health-plans/cobra.

Some states have passed legislation to provide health care coverage for fallen public safety officers' survivors through the state. Check with your agency's Human Resources Department or visit C.O.P.S.' website to look up your state's death benefits.

STATE & LOCAL BENEFITS

Benefits vary among states and agencies. Common benefits that survivors of public safety officers may be eligible for include:

- One-time death benefit from the state
- Education assistance
- Pension
- Health insurance
- Workers' Compensation

There may be benefits available through local organizations and associations. There may also be death benefits available through membership in local organizations.