

Department of Public Safety Standards and Training Memo

Date: May 24, 2018

To: Public Safety Memorial Fund Discretionary Benefits Applicants

From: The Public Safety Memorial Fund Board and the Department of Public Safety Standards and Training

Subject: Changes to the Form M-1 (Supplemental Application for Benefits)

Recent changes were made to the Form M-1 (Supplemental Application for Benefits). This memo has been prepared to notify applicants receiving benefits prior to January 1, 2018 of the form change and a corresponding rule change.

Why has there been a change?

Oregon statutes require the Public Safety Memorial Fund Board (Board) to consider the facts stated in a supplemental application for discretionary benefits, the amount of funds available for benefit awards in the current biennial budget and the anticipated claims against those funds.

In 2017, the Department of Public Safety Standards and Training (DPSST) identified that the application consideration process in place at the time did not meet the complete intent of the statutory obligation. While the prior process included the Board's review and determination of eligibility for discretionary benefits based upon the applicant's original supplemental application, the prior process in place allowed DPSST staff to coordinate with the Board to make subsequent payments based upon the Board's approval for the award of benefits at the time of the original supplemental application. This prior process lacked the Board's individual consideration of subsequent applications with the funds available in the current budget and anticipated claims.

During the July 27, 2017 Public Safety Memorial Fund Board meeting, the Board approved updating the benefit application forms and adjusting the review process to ensure that each subsequent review of a benefit application met the statutory obligations to consider the facts contained in the application and the availability of the memorial funds.

The changes to the Form M-1 were developed to provide the Board with supporting information to facilitate an application review and meet the Board's statutory requirements. The changes to the form were completed and became effective January 1, 2018.

How will the changes impact previously approved beneficiaries?

In recognition that the changes to the Form M-1 and the Board's process for reviewing supplemental applications for discretionary benefits may impact beneficiaries who were approved for, and receiving, ongoing benefits prior to January 1, 2018, a rule change was prepared and filed to grandfather the affected beneficiaries under the application review process that was in place prior to January 1, 2018. The rule change adds the following statement to OAR 259-070-0050, titled "Transition Process for Current Beneficiaries":

(3) A family member, designee, child or dependent of a public safety officer who suffered a qualifying death, or a public safety officer who had a permanent total disability, and who was receiving health and dental benefits prior to January 1, 2018, shall continue to receive health and dental benefits in accordance with the timelines defined in ORS 243.956 (5) and (6) under the Board's supplemental application process for discretionary benefits that was operative prior to January 1, 2018.

Beneficiaries approved and receiving benefits prior to January 1, 2018 will be required to use the new version of the Form M-1 when submitting an application, however the application will be processed in accordance with the application review process in place prior to January 1, 2018 and the previously approved beneficiaries will continue to receive on-going health and dental benefits as previously approved until they are no longer eligible as outlined in statute.

The Form M-1 is available on the DPSST website,
<http://www.oregon.gov/DPSST/MF/pages/index.aspx> .

Information related to the rule change grandfathering current beneficiaries under the prior application consideration process is available on the DPSST website at <http://www.oregon.gov/dpsst/SC/Pages/AdministrativeRules.aspx> or by contacting Jennifer Howald, DPSST Rules Coordinator, by phone at 503-378-2432 or by email at jennifer.howald@state.or.us.

Questions regarding the benefit application process may be directed to Linsay Hale, DPSST Professional Standards Division Director, by phone at 503-378-2427 or by email at linsay.hale@state.or.us.

This memo will be posted on the DPSST website for the Public Safety Memorial Fund Board and will be distributed by mail to Public Safety Memorial Fund beneficiaries who have submitted supplemental applications for health and dental benefits since 2015.