



2025 Interim Planning

May 28, 2025

Actuarial Topics

1. Results of the Actuarial Valuation
2. Demographic and Experience Study
3. Economic Experience Study

Administrative Topics

1. Interim Planning
2. Ombudsman Program Annual Report
3. 2025-2027 Budget (Biennial, Qtr. Updates)
4. Financial Expenditure Audit Results
5. Annual AGO Training
6. DRS/CEM Benchmarking
7. DRS Annual Update
8. WSIB Annual Update
9. Executive Director Evaluation
10. Executive Director Recruitment
11. Staff Compensation Program
12. Strategic Planning
13. Board Expectations
14. 2026 Board Meeting Calendar
15. Public Comment Process

Types of Benefit Topic Briefings

- **Proposing Legislation**
 1. Initial Consideration
 2. Comprehensive Report
 3. Final Proposal
- **Educational Briefing**
 - An educational briefing is typically requested by the Board to learn about a specific subject with no expectation of further action
 - This type of presentation may be made by staff or requested by an outside source

Possible Benefit Topics

1. Overtime Educational Briefing
2. Surviving Spouse Medical Reimbursement
3. Catastrophic Disability Survivor Benefit Options
4. Firefighter Employment at Multiple Agencies
5. Standby Pay
6. PFMLA/FML Service Credit
7. Interest Calculation in Member Accounts
8. Benefit Enhancement Follow-up Briefing
9. Duty Disability Health Insurance
10. Retroactive Benefits for Multiple Exposure PTSD
11. DRS Appeals Deadline

1. Overtime Educational Briefing

- The Seattle Times published an investigative article regarding increased overtime use by City of Seattle employees during their average final compensation period.
- The Operating Budget changed the definition of excess compensation from more than 2x to more than 1.5x.
- Possible workload: 1 educational briefing

2. Surviving Spouse Medical Reimbursement

- Surviving spouses of duty related death are no longer fully reimbursed for medical insurance once they are Medicare eligible
- Letter to the Board from a surviving spouse (Renee Maher-Zieger)
- Possible workload: 3 policy briefings

3. Catastrophic Disability Survivor Benefit Options

- The calculation of a catastrophic duty disability when it transitions to a survivor benefit is open to multiple interpretations.
- Possible workload: 3 policy briefings

4. Firefighter Employment at Multiple Agencies

- A member working concurrently in a part-time fire fighter position for another LEOFF 2 employer would not be covered by LEOFF 2 death and disability benefits in their part-time position.
- Board received an initial policy briefing on this topic last year
 - Tabled to provide BVFF with additional time to provide data
- Possible workload: 2 to 3 policy briefings

5. Standby Pay

- “Standby pay” is not considered basic salary for LEOFF 2 members, while it is for PERS and PSERS members.
- Board received an initial and comprehensive policy briefing last year
 - Requested additional data to be gathered and provided to OSA
- Possible workload: 2 to 3 policy briefings

6. PFMLA/FML Service Credit

- Paid Family Medical Leave Act and Family Medical Leave Act are not reportable compensation.
- Possible workload: 1 educational briefing

7. Interest Calculation in Member Accounts

- In 2022 DRS significantly changed the way interest is calculated for member accounts
- Possible workload: 1 educational briefing

8. Benefit Enhancement/Career Choice

- Members who retired on or before February 1, 2021 and utilized the LEOFF 2 career choice law to return to public employment and join another public pension system, did not have a choice between the lump sum and increased multiplier benefit enhancement.
- Possible workload: possible 3 policy briefings

9. Duty Disability Health Insurance

- Members who separate due to a duty disability only have temporary access to employer provided health insurance through COBRA
- Board received letter from WACOPS last year
- Board had an educational briefing and a policy briefing last year
- Possible workload: 2 to 3 policy briefings

10. Retroactive Benefits for Multiple Exposure PTSD

- When the legislature made multiple exposure PTSD eligible for workers compensation and LEOFF 2 disability benefits they did not make it retroactive.
- Letter to the Board from Curtis Wright
- Possible workload: 3 policy briefings

11. DRS Appeals Deadline

- LEOFF 2 members expressed concerns regarding a lack of clarity on appeals and petition deadlines
- Board received an initial, comprehensive and final policy briefing on this topic in 2023
- Possible workload: 2 to 3 policy briefings

Action

- No action required for this meeting
- Board members may propose additional topics for interim agenda
- Board typically adopts interim agenda at next month's meeting



Thank You

Jacob White

Senior Research and Policy Manager

jacob.white@leoff.wa.gov

From: R MZ <reneeekm@gmail.com>

Sent: Thursday, January 23, 2025 6:02 AM

To: Granneman, Jason (LEOFF Trustee) <jason.granneman@leoff.wa.gov>; Rose-Watson, Tarina (LEOFF Trustee) <tarina.watson@leoff.wa.gov>; Stidham, Darell (LEOFF Trustee) <darell.stidham@leoff.wa.gov>; Johnston, Mark (LEOFF Trustee) <mark.johnston@leoff.wa.gov>; Lawson, Dennis (LEOFF Trustee) <dennis.lawson@leoff.wa.gov>; Johnson, AJ (LEOFF Trustee) <aj.johnson@leoff.wa.gov>; Burney, Jay (LEOFF Trustee) <jay.burney@leoff.wa.gov>; Opitz, Wolf (LEOFF Trustee) <wolf.opitz@leoff.wa.gov>; McElligott, Pat (LEOFF Trustee) <pat.mcelligott@leoff.wa.gov>; Holy, Jeff <jeff.holy@leg.wa.gov>; Bergquist, Steve <steve.bergquist@leg.wa.gov>

Cc: Nelsen, Steve (LEOFF) <steve.nelsen@leoff.wa.gov>

Subject: Question about Surviving Spouse Medical Insurance

External Email

LEOFF 2 Board Members,

My name is Renee Maher-Zieger and I am the surviving spouse of Federal Way Officer Patrick Maher (EOW 8/2/03). I am writing with the hopes that you can assist me in understanding some recent confusing developments in regard to the surviving spouse medical benefit.

When we worked on the legislation that provided this benefit to LEOFF 2 widows back in 2006, I distinctly remember telling spouses that they would be covered "for life." Recently, however, a surviving spouse shared with me that when she became eligible for Medicare, she was removed from her PEBB plan and forced on to a Medicare medical plan. I was extremely confused and concerned about this. Never in all of the discussions prior to the 2006 Legislative session nor during the actual session was there any discussion or agreement or suggestion that surviving spouses would be forced off of PEBB once they qualified for Medicare.

Additionally, she also now has Medicare premiums being deducted from her social security benefit. I know when we worked on the catastrophic disability medical legislation a few years later in 2010, there was specific discussion about Medicare being reimbursed to our catastrophically disabled members. So it now seems like some LEOFF members are having Medicare reimbursed while others are not.

I hope you can help me understand this issue. It is now causing a fair amount of concern with other surviving spouses and instead of misinformation getting passed around, I thought it best to go straight to the experts on the matter. And that's you!

Gratefully yours,

Renee Maher-Zieger



WASHINGTON
COUNCIL of
POLICE &
SHERIFFS

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Lloyd Bird

EXECUTIVE DIRECTOR

Teresa Taylor

EVERY OFFICER
EVERY DAY

April 15, 2024

LEOFF 2 Board
PO Box 40918
Olympia, WA 98504

DELIVERED VIA EMAIL

Dear Chairman Lawson,

The Washington Council of Police and Sheriffs (WACOPS) respectfully requests the LEOFF 2 board research potential solutions to a problem we recently became aware of for members recuperating from a serious on the job injury.

On August 15, 2023, Officer Kevin Bereta, a Bellevue Police Department employee and WACOPS member, sustained critical injuries resulting from a motorcycle crash while performing a department-condoned escort. Bereta has worked for the department and has been a LEOFF 2 member since 2018.

After a three-week stay in the hospital, Bereta was unable to return to work and currently remains under restrictions from his physician while he works toward a full recovery. Under the current contract between the Bellevue Police Officer's Guild and the City of Bellevue, at 6 months post injury Bereta was scheduled to lose his benefits including his family's health insurance since his care team would not release him to work in any capacity.

While a temporary insurance solution has been arranged between Bereta and the City of Bellevue, this event has highlighted an inequity that needs rectification. It appears that RCW 41.04.515 may set a maximum disability leave supplement at 6 months regardless of the medical recovery plan set by the employee's doctors. It appears that individual unions can negotiate for a longer period. In Bellevue, for example, we understand that law enforcement has 6 months of covered benefits, but Bellevue Fire may have as much as 9. We wonder if there is a LEOFF 2 pension solution for members seriously injured, working toward a return to duty, without a separation from employment. LEOFF 2 members should not have to separate from employment as their only option when their recovery plan extends beyond the designated disability leave supplement.

WACOPS respectfully asks the LEOFF 2 board to accept our request to review this situation and assess whether there is a pension related short term solution for these rare, but serious, on the job injuries where the member remains employed while recuperating.

Thank you for your consideration. Please let us know if we can provide any additional information.

Respectfully,

Teresa C Taylor
Executive Director

Cc: Jason Granneman, Vice Chair

From: Curtis Wright <cwright98371@yahoo.com>

Sent: Sunday, April 6, 2025 5:29 PM

To: Sadler, Tammy (LEOFF) <tammy.sadler@leoff.wa.gov>

Subject: Suggested Labor and Industries legislation

External Email

Tammy,

I am Curtis Wright. I was Catastrophically Disabled per LEOFF 2 in 2011. Also in 2011, disabled per US Social Security. I have been trying for years to Labor and Industry (L and I) benefits without success. I have PTSD and back/shoulder injuries from my 22 years in law enforcement. My last eight years I worked as a Sheriff's Detective and worked numerous homicide cases.

When they passed the PTSD bill a few years ago in WA State, they only allowed more recent retirees with L and I coverage. I was found in 2011, I think it was, per an L and I Court Order to have multiple exposure PTSD. The old law (during that time frame, only allowed for one incident PTSD coverage). It did NOT cover multiple exposure PTSD. When WA State changed the law, they only allowed for more recent retirees to get L and I benefits.

SUGGESTION:

Make the Employers pay for the injuries to all Catastrophically Disabled LEOFF member, granting all those found Catastrophically Disabled to automatically get full L and I benefits.

OR:

Make all those with PTSD from the previous years be eligible for full L and I benefits.

The attached is a document that shows how few LEOFF 2 members are/were granted Catastrophic LEOFF disability benefits.

My medical expenses are significant. Two years ago, I had my second back surgery and I have a claim pending in Court but have serious doubts I can win against the employer's lying attorneys in Court. The completely lied about my shoulder injury and WA State supports the lying because it saves them money. My previous employer has paid about \$200,000 to their lying attorney's office. Pierce County, my previous employer will not provide a total amount paid. I do have a total paid to that law firm from 201 to 2020, if you want, I can send you that information from Pierce County. Pierce County has basically refused to provide me any further information and have repeatedly sent me the same information over and over again. The L and I system is badly broken.

I walk with a cane and broke my ankle in Jan of this year. I have a video of this fall from my CCTV cameras at my condo. I live in Las Vegas, but it was icy that day and I slipped on the ice. I can send you that video if you like. (I cannot watch the video which caused numerous fractures in my right ankle.) I have accidentally seen part of it though. I still have screws and a plate in my right ankle and plan on getting two of the long screws removed as suggested by my ankle surgeon. I walk with a cane due to injuries from my lower back work injuries. I have tried to have attorneys work on my L and I cases and the one that handled my 2010 work injury said it would cost too much and take years. He was correct. I have spent over \$40,000 because I know they lied and not the L and I Court, nor Pierce County Superior Court seems to even care. The Pierce County Judge is paid by the my same previous employer I used to work for, so I doubt I will have any chance of winning my case.

Thank you,

Curtis Wright

If you have any questions, please email me or call me on my cell 253-606-1522

[042518.7 PTSDBenefits_edbrief.pdf](#)



April 25, 2018

Posttraumatic Stress Disorder

EDUCATIONAL BRIEFING

By Steve Nelsen

Executive Director

360-586-2320

steve.nelsen@leoff.wa.gov

ISSUE STATEMENT

Legislation enacted in 2018 changed eligibility for workers' compensation and LEOFF Plan 2 benefits related to Posttraumatic Stress Disorder (PTSD).

OVERVIEW

This report will provide information on what LEOFF Plan 2 benefits are available to members suffering from PTSD, how eligibility for those benefits has changed due to the new legislation and the processes for establishing eligibility. This report will also identify questions that have arisen since the legislation was enacted.

BACKGROUND AND POLICY ISSUES

What is PTSD?

Posttraumatic Stress Disorder is a trauma and stressor-related mental disorder resulting from exposure to one or more traumatic events involving death or serious injury¹. The exposure may occur from:

1. Directly experiencing the traumatic event (e.g. suffering a gunshot wound);
2. Witnessing, in person, the event as it occurs to others;
3. Learning that the traumatic event occurred to a close friend or family member; or,
4. Experiencing repeated or extreme exposure to aversive details of the traumatic event (e.g. first responders collecting human remains).

PTSD is characterized by:

1. Recurrent, involuntary and distressing memories or dreams of the traumatic event, flashbacks, intense or prolonged psychological distress or marked psychological reactions to cues that resemble an aspect of the traumatic event;
2. Persistent avoidance of stimuli associated with the traumatic event;

¹ *Diagnostic and Statistics Manual of Mental Disorders, 5th Edition (DSM-5)*

3. Negative alterations in thoughts or mood associated with the traumatic event;
4. Marked alterations in reactivity associated with the traumatic event beginning or worsening after the traumatic event occurred (e.g. irritable behavior, unprovoked angry outbursts, reckless or self-destructive behavior, hypervigilance, exaggerated startle response, problems with concentration, and sleep disturbance).
5. Duration of symptoms 1-4 for more than one month;
6. The symptoms cause clinically significant distress or impairment in social, occupational or other important areas of functioning;
7. The symptoms are not attributable to the psychological effects of drugs, alcohol, medication or another medical condition.

How are PTSD claims covered by workers' compensation?

Under the state's industrial insurance laws, a worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to certain benefits. Claims based on mental conditions or mental disabilities caused by stress are specifically excluded in statute from the definition of an occupational disease. Examples of stress-related conditions that are not covered by workers' compensation include:

- Change of employment duties;
- Conflicts with a supervisor;
- Actual or perceived threat of loss of a job, demotion, or disciplinary action;
- Relationships with supervisors, coworkers, or the public;
- Specific or general job dissatisfaction,
- Work load pressures;
- Subjective perceptions of employment conditions or environment;
- Loss of job or demotion for whatever reason;
- Fear of exposure to chemicals, radiation biohazards, or other perceived hazards;
- Objective or subjective stresses of employment;
- Personnel decisions; and,
- Actual, perceived, or anticipated financial reversals or difficulties occurring to the businesses of self-employed individuals or corporate officers.

How did 2018 legislation affect PTSD claims?

PTSD resulting from exposure to a single traumatic event, or a single traumatic event within a series of exposures, has always been considered an occupational disease.

SSB 6214 changes the eligibility criteria for workers' compensation benefits for certain law enforcement officers, fire fighters, and emergency medical technicians (EMTS) to match the

DSM-5 definition of PTSD. Specifically, this change means that a series of exposures to traumatic events can now be the basis for a workers' compensation claim.

A rebuttable presumption exists that PTSD resulting from repeated exposures is an occupational disease for these law enforcement officers, fire fighters and EMTs if:

1. The member has had a prior psychological exam ruling out PTSD and the disorder develops after the person has served at least ten years; or,
2. The employer has not provided a psychological exam.

How are PTSD claims covered by LEOFF Plan 2?

The Law Enforcement Officers' and Fire Fighters' (LEOFF) Plan 2 retirement system provides payment of certain benefits when a member suffers a duty-related death or disability. Eligibility for these payments is determined by the Department of Retirement Systems (DRS).

Is the PTSD duty-related?

The terms "duty-related" in LEOFF Plan 2 and "in the course of employment" in workers' compensation are considered by courts to mean the same thing. So, if a workers' compensation claim for PTSD is approved by the Department of Labor & Industries (LNI), then DRS will consider applications for LEOFF 2 benefits from the same event as duty-related unless there is additional information. If there was no prior workers' compensation claim, DRS will determine if PTSD is duty-related by applying the same criteria that LNI would use to evaluate a claim.

What duty-related benefits are provided by LEOFF 2?

LEOFF Plan 2 provides:

1. Temporary Disability Service Credit – A member who does not receive LEOFF 2 service credit while they are off work due to a duty-related injury can apply to receive credit for that time. A member whose PTSD is so severe that they need to take a leave of absence to receive treatment would be eligible for this benefit.
2. Disability Retirement – A member who is injured in the line of duty such that they can no longer return to LEOFF covered employment is eligible to receive the pension they have earned without a reduction for early retirement. A member whose PTSD is so severe that they must change careers can be eligible for duty-related disability retirement.
3. Catastrophic Disability Retirement – A member who is injured in the line of duty so severely that they are incapable of any substantial gainful employment is eligible for a benefit equal to 70% of their final average salary off-set by any workers' compensation benefits or social security disability benefits that the member is receiving for the same injury up to a total of 100% of the member's final average salary. If a members' PTSD completely disables them, they may be eligible for a catastrophic duty-related retirement.

4. Death Benefits – A lump sum benefit, the **member's earned pension**, reimbursement for some medical insurance premiums and eligibility for in-state tuition waivers is provided to surviving spouses and **children** of a member who is killed in the line of duty. The death of a member who commits suicide due to PTSD can be considered in the course of employment for workers' compensation and duty-related benefits for LEOFF Plan 2.

How many PTSD-related claims are expected for LEOFF Plan 2?

The current edition of the Diagnostic and Statistics Manual of Mental Disorders predicts that 8.7% of all people in the U.S. who live until age 75 will experience PTSD to some extent. Rates of PTSD are higher among veterans and others whose vocation increases the risk of traumatic exposure including law enforcement officers, firefighters and emergency medical technicians. PTSD is a treatable condition and the severity of the condition varies among individuals. The fact that a person experiences PTSD does not mean that they will miss work or become disabled.

The Office of the State Actuary (OSA) researched the prevalence of PTSD among law enforcement officers, fire fighters and emergency medical technicians as part of their fiscal note for SSB 6214 in 2018. They found the prevalence of PTSD for firefighters varied among data sources from 3.9% to 22%.

DRS has tracked whether PTSD is the underlying basis for disability requests since 2013. DRS has approved 19 duty-related PTSD claims through 2017. 6 claims were denied. 5 Non-duty PTSD claims were approved over this same time period and 2 of those were denied.

OSA assumed 2 additional PTSD-related disabilities per year as a result of SSB 6214 and that all non-duty PTSD disability claims would now be considered duty-related for an additional 1 disability per year.

OSA assumed 2 additional duty-related suicide fatalities per year. These deaths would previously have been considered non-duty related.

Expected Annual Disability Retirements		
	Current Law	Estimated Cost
Duty	34	37
Catastrophic	4	4
Occupational	30	33
Non-Duty	5	4
Total	39	41

Expected Annual Deaths		
	Current Law	Estimated Cost
Duty	6	8
Non-Duty	21	19
Total	27	27



Posttraumatic Stress Disorder

Educational Briefing – April 25, 2018

What is PTSD?

- Definition
- Causes
- Symptoms

PTSD – Worker's Compensation

- Allowable claims
- Changes from the 2018 legislation

PTSD – LEOFF Plan 2

- “Duty-related” death and disability benefits
- How prevalent is PTSD?
- Estimated effect of 2018 legislation on claims and cost of the plan



Thank You

Steve Nelsen

Executive Director

Steve.nelsen@leoff.wa.gov