Surviving Spouse Medical Reimbursements

COMPREHENSIVE REPORT
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ISSUE STATEMENT

There are gaps and inconsistencies in medical insurance premium reimbursements for surviving spouses of line of duty death (LODD).

OVERVIEW

The policy intent of the LEOFF 2 Board has been to provide medical insurance premium reimbursement for survivors of LODD. However, the following gaps or inconsistencies in current law have been identified:

1. Surviving spouses of line of duty death (LODD) are no longer fully reimbursed for medical insurance premiums once they are Medicare eligible;
2. Surviving spouses of LODD must enroll in PEBB to receive medical insurance premium reimbursements; and,
3. Delays in a member death being determined LODD create a gap in medical insurance premium reimbursement for survivors.

BACKGROUND AND POLICY ISSUES

The determination of whether a LEOFF 2 member's death is in the line of duty is made by the Department of Labor and Industries (LNI), in accordance with RCW 51.32.040. In addition to other benefits, survivors of members who died in the line of duty are eligible for medical insurance coverage through the Public Employee Benefits Board (PEBB) at the Health Care Authority (HCA) and reimbursements "for any payments of premium rates to the Washington state health care authority […]".[1]

In general, for a single person the Medicare eligible PEBB plans cost between $150 to $180 and pre-Medicare PEBB plans cost between $794 to $953. The cost for Medicare Part B (Medical

[1] https://lawfilesext.leg.wa.gov/biennium/2005-06/Pdf/Bills/Session%20Laws/Senate/6723.SL.pdf?cite=2006%20c%20345%20s%201

Insurance) is currently $185 per month. Medicare Part B isn't reimbursed by LEOFF 2 and is paid from the survivor's Social Security payment.

In 2010, the LEOFF 2 Board endorsed legislation (SHB 1679[2]) to reimburse members who are catastrophically disabled in the line of duty for the premiums they pay for employer provided health insurance for themselves and their spouses and dependent children. This legislation, similar to PEBB, required members eligible for Medicare coverage to enroll in Medicare to continue to be eligible for reimbursement from LEOFF. However, catastrophic disability retirees are reimbursed for Medicare Part A (Hospital Insurance) and B (Medical Insurance) premiums.

When a catastrophic disability retiree dies their survivor is no longer eligible for these catastrophic disability medical insurance coverage and reimbursements. However, if the catastrophic disability retiree's death is determined to be in the line of duty, their survivor becomes eligible for line of duty death benefits, including eligibility for PEBB and reimbursements for PEBB coverage.

PEBB Premium Data

As of May 30, 2025 there were 90 surviving spouses receiving medical reimbursements for PEBB medical insurance coverage. Thirty of these surviving spouses were enrolled into Medicare. DRS provided a list of the current PEBB reimbursements for line of duty death survivors:

Amount	Survivors
$ 114.80	2
$ 171.19	1
$ 177.41	3
$ 181.55	4
$ 419.36	20
$ 893.00	1
$ 898.12	18
$ 922.97	2
$ 953.54	1
$ 1,088.67	2
$ 1,478.88	1

[2] https://lawfilesext.leg.wa.gov/biennium/2009-10/Pdf/Bills/Session%20Laws/House/1679-S.SL.pdf?q=20250530092722

$ 1,558.46	1
$ 1,567.43	32
$ 1,610.92	1
$ 2,459.84	1

POLICY OPTIONS

1. Reimburse surviving spouses of line of duty death for Medicare premiums;
2. Provide surviving spouses of line of duty death option to enroll in PEBB or have same medical insurance premium reimbursement options as Catastrophic Disability retirees; and/or
3. Reimburse surviving spouses of line of duty death for medical insurance premiums paid during delays in a member death being determined line of duty.

SUPPORTING INFORMATION

Appendix A: Letter from Renee Maher-Zieger.

Appendix B: Letter from Nissa Annis Levings.

From: R MZ <reneevkm@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

IAFF Leoff Board
[Recipient's Title]
[Organization Name]
[Organization Address]
[City, State, ZIP Code]

Subject: Request for Reimbursement of Health Insurance Premiums

Dear Leoff Trust Board,

I am writing to formally request reimbursement for health insurance premiums that I have paid due to delays in approving benefits following the line-of-duty death of my husband, Brian Annis-Levings.

Under the presumptive language provisions with Labor and Industries, health insurance benefits are intended to be provided to surviving family members in cases such as ours.

The total amount paid during this period is $22,382.90, and I have attached copy of premiums paid to the Trust for my family's premiums. These payments were made solely because of the delay in processing the benefits that I am entitled to under the presumptive language provision.

I kindly request that your board review this matter and reimburse the amount paid. The delay in processing the presumptive language benefits caused undue financial strain, and I believe reimbursement is both fair and consistent with the intent of the Labor and Industries provisions.

Please let me know if additional documentation or information is required to process this request. I can be reached at [redacted] or Brian.nissa@protonmail.com.

Thank you for your attention to this matter. I look forward to hearing from the board.

Sincerely,

Nissa Annis Levings
[redacted]

Kettle Falls, WA 99141

IAFF LOCAL 726
Administered by Vimly Benefit Solutions, Inc.
P.O. Box 6, Mukilteo, WA 98275
***P:** (866) 265-5231 | **F:** (866) 676-1530 | **E:** IAFFHealthTrust@vimly.com*

June 11, 2025

Nissa Annis-Levings
242 Mox Chehalis Rd
Elma, WA 98541-9237

RE: COBRA Payment Verification

Dear Ms. Annis-Levings,

Per your request, we are confirming the following details regarding your COBRA premium payments. You were enrolled in COBRA coverage for yourself and your children through the Local 726 Health & Welfare Trust.

Effective Date: 12/1/2022
2022 Monthly Premium: $1,985.14
Stop Date: 12/1/2023
2023 Monthly Premium: $1,868.10
Total Premiums Paid: $22,382.90

If you need any additional information, please contact the Trust Office at 206-859-2678 or IAFFHealthTrust@vimly.com.

Sincerely,
IAFF Local 726 Health and Welfare Trust Office

LEOFF
Plan 2 Retirement Board

Surviving Spouse Medical Reimbursements

Comprehensive Report
November 19, 2025

Issue

There are gaps and inconsistencies in medical insurance premium reimbursements for surviving spouses of line of duty death.

Survivor of LODD vs. Catastrophic Retiree Medical

Survivor of LODD

- Eligible for PEBB
- Reimbursed by LEOFF 2 for PEBB Premiums
- Not Reimbursed by LEOFF 2 for other medical insurance premiums, including Medicare

Catastrophic Disability Retiree

- Not eligible for PEBB
- Reimbursed by LEOFF 2 for the following premiums:
  - Employer Provided Insurance
  - COBRA
  - Medicare Parts A and B
  - If not eligible for employer provided insurance, other medial insurance not to exceed COBRA amount

Issue 1: Survivor of LODD Medicare Reimbursement

- PEBB requires Medicare eligible survivors to enroll in Medicare Parts A and B once eligible
  - This is a requirement for all PEBB members
- LEOFF 2 law does not include reimbursement for Medicare premiums

PEBB and Medicare

- Medicare + PEBB costs less than Pre-Medicare PEBB premiums
  - Pre-Medicare PEBB plans cost LEOFF 2 between $794 to $953
  - When a survivor enrolls in Medicare the PEBB plan cost drops to $150 to $180
  - Medicare Part A (Hospital Insurance) is $0 for most people
  - Medicare Part B (Medical Insurance) is currently $185 per month
- 30 survivors currently enrolled in Medicare
- Still would be additional cost to LEOFF Plan 2 to reimburse for Medicare

Issue 2: Surviving Spouses are Limited to PEBB

- Survivors of LODD can only receive medical insurance reimbursements for PEBB from LEOFF 2
- May cause additional stress at difficult time by resulting in changing medical providers for family of LODD

Issue 3: Gap in insurance reimbursements

- Limiting survivors of line of duty death to PEBB premium reimbursement only creates a gap in reimbursements between the death of the member and LNI determining the death was in the line of duty
- Board received a letter from a survivor in this situation
  - $22,383 for 1 year of COBRA premiums

Option 1

Reimburse surviving spouses of LODD for Medicare premiums

- Pros
  - Continue to recognize the sacrifice of LEOFF 2 members by continuing to provide full medical insurance reimbursements for their survivors
  - The overall cost to the plan of a survivor enrolled in PEBB and Medicare is less than when they are only in PEBB
- Cons
  - Cost to the plan

Option 2

Provide surviving spouses of LODD option to enroll in PEBB or have same medical insurance premium reimbursement options as Catastrophic Disability retirees.

- Pros
  - Creates option to prioritize continuity in medical provider coverage for survivors
- Cons
  - Cost to the plan
  - Creates a decision point for members that may cause confusion

Option 3

Reimburse surviving spouses of LODD for medical insurance premiums paid during delays in a member death being determined line of duty.

- Pros
  - Meets the policy goal of paying medical insurance premiums for surviving spouses and families
  - Prevents survivors for being “penalized” for administrative delays that may be out of their control
- Cons
  - Cost to the plan

Next Steps

1. Motion for a Final Briefing
    1. Reimburse surviving spouses of line of duty death for Medicare premiums;
    2. Provide surviving spouses of line of duty death option to enroll in PEBB or have same medical insurance premium reimbursement options as Catastrophic Disability retirees; and/or
    3. Reimburse surviving spouses of line of duty death for medical insurance premiums paid during delays in a member death being determined line of duty.
2. No Further Action

Thank You

Jacob White

Senior Research and Policy Manager

jacob.white@leoff.wa.gov