BOARD MEETING AGENDA

NOVEMBER 19, 2025 • 9:30AM

LEOFF Plan 2 Retirement Board

LOCATION - Hybrid Meeting

In-Person:
Washington State Investment Board
2100 Evergreen Park Drive SW, Suite 100
Olympia, WA 98502

Or Virtual Meeting Information at
www.leoff.wa.gov

THEY KEEP US SAFE,
WE KEEP THEM SECURE.

1. **Approval of Minutes – September & October 2025** — **9:30 AM**

2. **DRS Annual Update** — **10:40 AM**

   Kathryn Leathers, Executive Director, DRS

3. **CEM Benchmarking Update** — **11:20 AM**

   Marcus Ehrlander, Budget and Performance Management Director, DRS

   Seth Miller, Member Experience Division Assistant Director, DRS

4. **Standby Pay – Comprehensive Report Follow-up** — **12:20 PM**

   Jacob White, Sr. Research and Policy Manager

5. **Duty Disability Health Insurance – Comprehensive Report Follow-up** — **12:50 PM**

   Jacob White, Sr. Research and Policy Manager

6. **Surviving Spouse Medical Reimbursements – Comprehensive Report** — **1:20 PM**

   Jacob White, Sr. Research and Policy Manager

7. **2026 Board Meeting Calendar Adoption** — **1:50 PM**

   Chloe Drawsby, Executive Assistant

8. **Admin Update** — **2:00 PM**

   Jacob White, Sr. Research and Policy Manager

9. **Public Comment** — **2:10 PM**

**Public comment can be provided to the Board in writing 24 hours prior to the meeting via our reception mailbox: recep@leoff.wa.gov.*

**Lunch is served as an integral part of these meetings.*

In accordance with RCW 42.30.110, the Board may call an Executive Session for the purpose of deliberating such matters as provided by law. Final actions contemplated by the Board in Executive Session will be taken in open session. The Board may elect to take action on any item appearing on this agenda.

Department of Retirement Systems

Annual Update

Kathryn Leathers
Director

LEOFF Plan 2 Retirement Board
November 19, 2025

Pensions at a Glance

8 Systems | 15 Plans

368,502
Active members

239,970
Annuitants

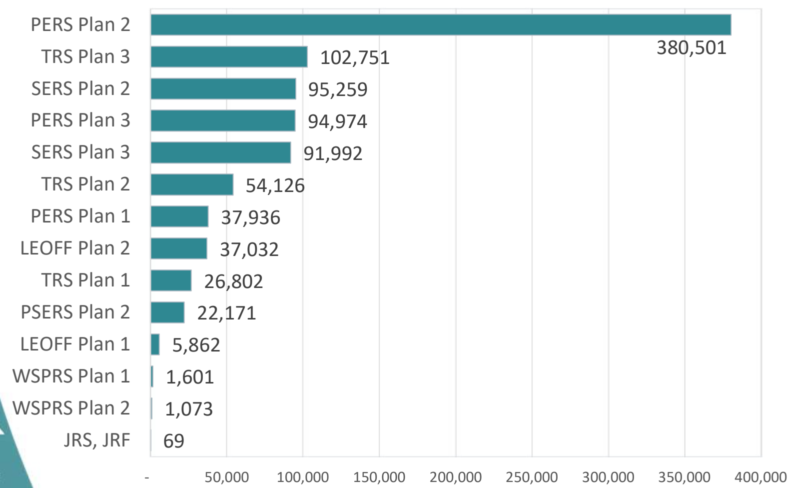
343,677
Inactive members

$5.6 billion
Collected annually

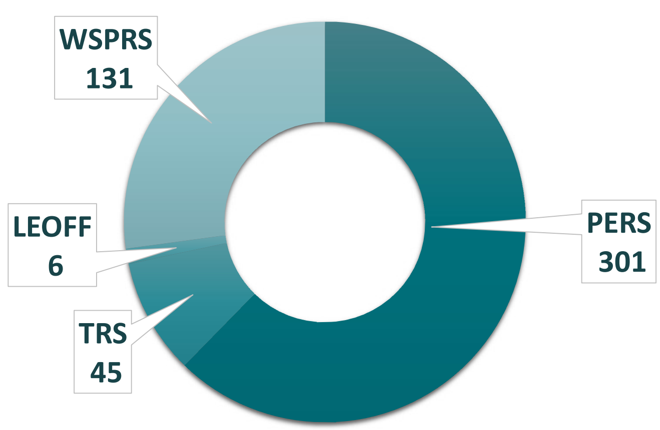
$8.9 billion
Paid annually in benefits and contribution refunds

Active and Inactive Members

By Plan



Plan 1 Active Members by System



DCP by the Numbers

160,617
Participants

88%
Retention rate

103,602
Active contributors with **4.78%** or **$777** average monthly contribution

More than
70,000
participants have auto-enrolled since Jan. 2017

$8 billion
in total assets

DRS
WASHINGTON STATE
Department of Retirement Systems

Employer Partners

1,395 EMPLOYER PARTNERS

952,149 CURRENT AND FORMER PUBLIC EMPLOYEES ARE BEING SERVED IN WASHINGTON

DRS partners with employers across the state to ensure retirement system members receive the benefits they've earned.

School Districts	**295**
Cities and Towns	**249**
Other Political Subdivisions	**185**
Aging and Long-Term Care	4
Air Quality Agencies	7
Airports and Airport Boards	3
Associations and Unions	1
Cemetery Districts	5
Charter and Tribal Compact Schools	14
Conservation Districts	23
Councils	12
Development Authorities/ Districts	8
Educational Service Districts	10
Emergency Services and Communication Districts	24
Insurance Authorities	7
Mosquito Districts	6
Other Government Entities	8
Parks and Recreation Districts	13
Public Facility Districts	6
Public Health	15
Public Hospital Districts	10
Road Departments	2
Weed Control Districts	7
Fire Protection Districts	**171**
State	**170**
State Agencies	105
State Commissions	29
Technical and Community Colleges	30
Universities	6
Irrigation, Sewer and Water Districts	**120**
Ports	**51**
Counties	**39**
Public Utility Districts	**32**
Housing Authorities	**30**
Libraries and Library Districts	**27**
Transportation Authorities and Districts	**26**

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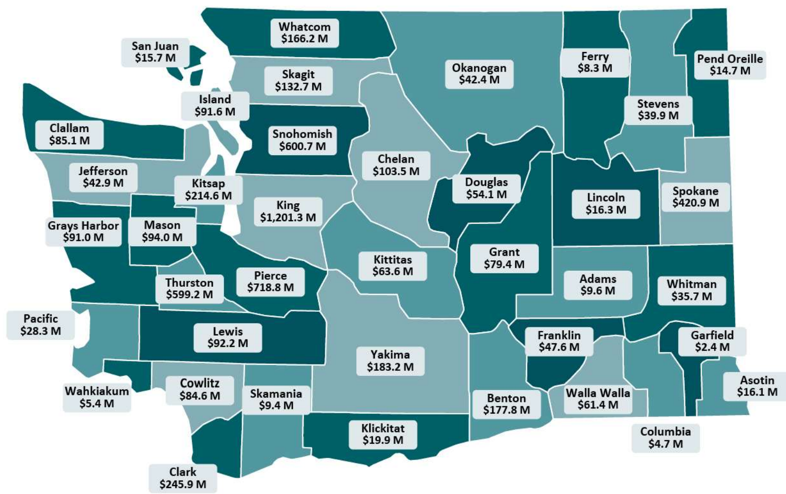
WASHINGTON STATE
Department of Retirement Systems

Benefits by County (FY25)



DRS
WASHINGTON STATE
Department of Retirement Systems

Pensions at a Glance – L2

20,220
Active members

11,674
Retirees

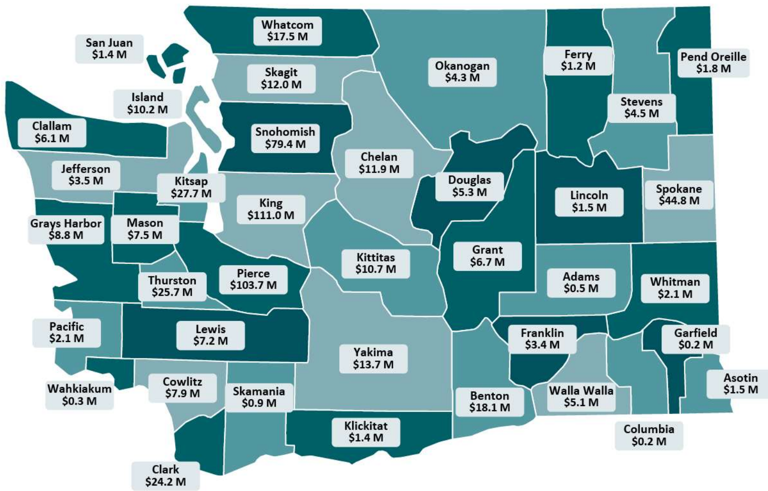
5,138
Inactive members

$551 million
Collected annually

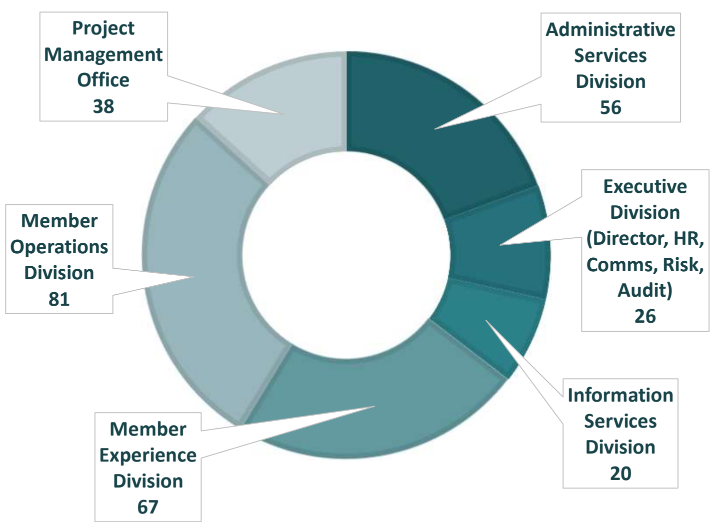
$726 million
Paid annually in benefits and contribution refunds

DRS
WASHINGTON STATE
Department of Retirement Systems

Benefits by County – L2 (FY25)

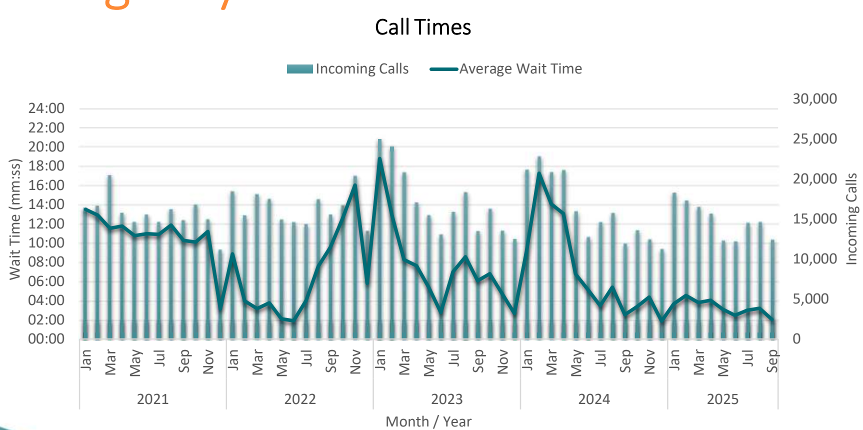


Team Members

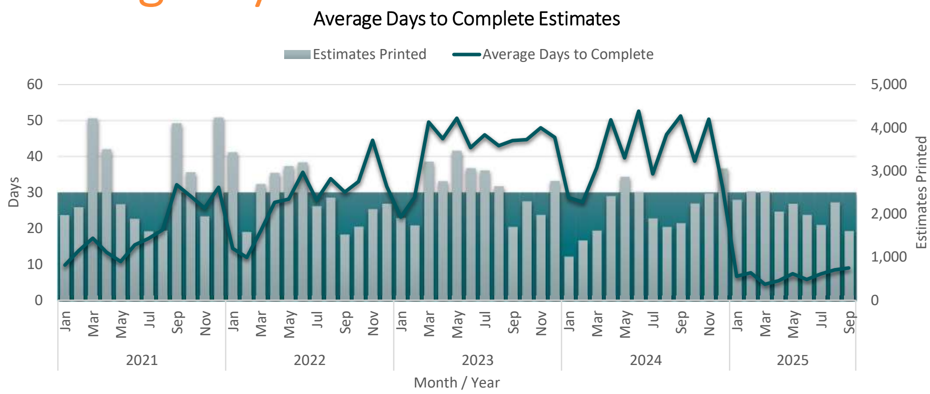


Training Timeline
Retirement Specialists

Agency Performance 2021-2025



Agency Performance 2021-2025



In the Background

- Security Enhancements
- Legacy System Replacement
- Strategic Planning

LexisNexis

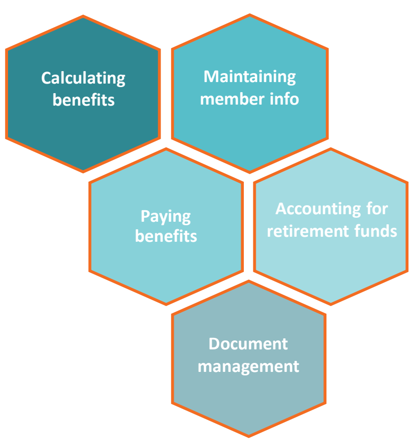
- Strengthen our identity verification practices
- Enhance the security of customer online accounts

Department of Retirement Systems

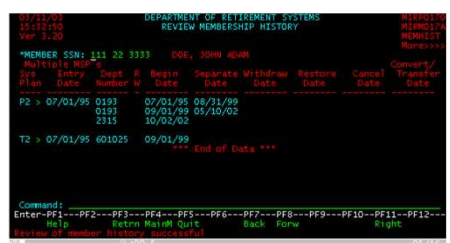
Pension Administration Modernization

About the project

We're implementing a scalable, modernized system that makes data easily accessible and creates an excellent user experience for team members and customers. This CORE: PAM phase of ongoing technology upgrades will replace our legacy technology in these areas:



What we are replacing



Update:

DRS just started our 3rd year of the project and is on track for a go-live in Fall 2027.

Most of the new system design is complete.

Development is approximately 50% complete, and testing has begun. We receive regular demonstrations of the system.

We have started developing training.

Strategic Planning

What We Did

- Engaged nearly 3000 voices through surveys, interviews and focus groups
- Reviewed past DRS plans and peer examples
- Explored peer benchmarks through CEM data

What We Learned

Customers: 85%+ reported excellent service. They praised our team's professionalism and direct support. They asked for better digital tools, more retirement readiness resources, and shared feedback on Plan 1 COLAs and Plan 3 flexibility.

Our Team: Expressed pride in customer service and a shared commitment to modernizing technology.

Employers: Also praised our team support and requested more training for themselves and members, along with improvements to reporting tools.

Community: Affirmed the strength of Washington's pension systems and raised some concerns about long-term funding risks.

DRS
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Department of
Retirement Systems

Questions?

DRS
WASHINGTON STATE
Department of
Retirement Systems

COMPREHENSIVE REPORT FOLLOW-UP

By Jacob White
Senior Research & Policy Manager
360-586-2327
jacob.white@leoff.wa.gov

ISSUE STATEMENT

"Standby pay" is not considered basic salary for LEOFF 2 members, while it is for PERS and PSERS members.

OVERVIEW

"Standby pay" is not considered basic salary in LEOFF 2 because it is not specifically identified as earnable compensation in law and because the Department of Retirement Systems (DRS) has determined that it does not fall under the general definition of "compensation for services rendered".

BACKGROUND AND POLICY ISSUES

Some LEOFF Plan 2 members receive standby pay while off-duty in exchange for being prepared to report to work on short notice. This payment is not considered compensation for services rendered and is not reportable compensation for LEOFF Plan 2.

The Board considered this issue during the 2016 and 2018 interims. The Board did not endorse legislation in either of those years.

Standby pay is reportable compensation for pension purposes in two state retirement systems: the Public Employees Retirement System (PERS) and the Public Safety Employees Retirement system (PSERS). It is considered reportable compensation because the legislature has specifically identified it as being so for those systems.

In 1994, legislation was enacted[1] that allowed the inclusion of standby pay in compensation earnable for the Public Employees' Retirement System (PERS) when: (1) the member is required to be present at, or in the immediate vicinity of, a specified location; and (2) the employer requires the member to be prepared to report immediately for work if the need arises. In 1995,

[1] C 177 L94 (ESHB 2644)

the requirement that the member must be present at or in the immediate vicinity of a specified location was removed.[2] Standby pay was included as compensation earnable for the Public Safety Employees Retirement System when it was created in 2003[3].

Reportable Compensation/Basic Salary

"Reportable compensation" is used in determining a state retirement system member's pension. It is generally defined as salaries and wages payable for services rendered to the employer. DRS determines reportable compensation based upon the nature of the payment made to an employee, not the name given to it. A LEOFF member's salary or wages must meet the definition of "basic salary" in LEOFF retirement law[4] to be subject to retirement system contributions and included in the calculation of his or her retirement benefit.

In LEOFF Plan 2 "reportable compensation" is termed "basic salary". In order for compensation to be reportable to DRS for LEOFF, it must be basic salary. Basic salary for LEOFF Plan 2 is a payment that is a salary or wage earned during a calendar month for personal services rendered by a member to an employer.

Certain payments that are not for personal services rendered by a member also qualify if there are specific provisions in the laws identifying them as basic salary. Payments not specifically identified in the rules qualify as basic salary only if the payments are for services rendered. [5]

Standby pay is one such payment that does not qualify as basic salary for LEOFF as it is not considered pay for services rendered and is not included by law as basic salary.

Standby Pay is Not Basic Salary in LEOFF

Standby pay is a nominal rate of pay provided in exchange for the employee being available to come to work quickly if called, though he or she might not be called. While on standby an employee is usually confined to a specified geographic area and prohibited from consuming alcohol or other intoxicants. If the employee is called in, they usually earn overtime for periods actually worked.

DRS excludes standby pay from LEOFF basic salary. DRS does not consider standby pay compensation for services rendered[6]. While ready to work if called, an employee on standby is engaged in personal activities, not performing work for their employer.

DRS has identified what is and is not considered Basic Salary with the following chart in WAC 415-104-299:

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[2] C 244 L 95 (SSB 5118)

[3] PSERS was removed as a membership subset from PERS in 2003 when it was created.

[4] see RCW 41.26.030 and WAC 415-104-298

[5] WAC 415-104-299 Basic Salary Table

[6] see RCW 41.26.030(4)(b) and WAC 415-104-393

Type of Payment	LEOFF 2 Basic Salary?
Additional Duty Pay	Yes - WAC **415-104-360**
Allowances (i.e. uniform)	No - WAC **415-104-390**
Basic Monthly Rate	Yes - WAC **415-104-360**
Cafeteria Plans	Yes - WAC **415-104-367**
Deferred Wages Attached to Position	Yes - WAC **415-104-363**(1)
Deferred Wages not attached to a Position	No - WAC **415-104-363**(2)
Disability Payments	No - WAC **415-104-380**
Education Attainment Pay	Yes - WAC **415-104-375**
Employer taxes/contributions	No - WAC **415-104-383**
Fringe Benefits, including insurance	No - WAC **415-104-385**
Illegal Payments	No - WAC **415-104-387**
Leave Cash Outs/Severance	No - WAC **415-104-401**
Longevity	Yes - WAC **415-104-375**
Overtime	Yes - WAC **415-104-370**
Paid Leave	Yes - WAC **415-104-373**
Payments in Lieu of Excluded Items	No - WAC **415-104-405**
Performance Bonuses	Yes - WAC **415-104-377**
Retroactive Salary Increase	Yes - WAC **415-104-365**
Reimbursements	No - WAC **415-104-390**
Retirement or Termination Bonuses	No - WAC **415-104-395**
Shift Differential	Yes - WAC **415-104-379**
Special Salary or Wages	Yes - WAC **415-104-375**
Standby Pay	No - WAC **415-104-393**
Tuition/Fee Reimbursement	No - WAC **415-104-390**
Workers' Compensation	No - WAC **415-104-380**

Compensation for Standby Pay

The rate of standby pay varies. Below are some examples:

- Firefighter examples:
  - Reduced rate of pay – some jurisdictions pay an hourly standby wage at a reduced rate of pay such as 10% of regular pay.
  - Reduced hours – some jurisdictions pay a full overtime wage for a reduced number of hours. For instance, one employer pays one hour of overtime for a 12-hour standby shift.

- Law enforcement examples:
    - 4 hours pay for being on standby, additional pay if called in for more than 4 hours.
    - No standby pay but guaranteed 4 hour pay minimum if called in.

2024 Data

There isn't a single source of data for how many LEOFF employers pay standby pay and how much those employers have paid in standby pay to LEOFF 2 members. Therefore, LEOFF 2 Board staff made a sampling of public records requests throughout the state to gather data for analysis. In 2024 the following data was gathered:

Fiscal Year 2023 Standby Pay Data			
Department	Number	Total Standby Pay	Average Standby Pay
Tacoma Police	361	$303,870	$842
Spokane Police	368	$486,891	$1,323
Wenatchee Police	40	$0	$0
Tacoma Fire	543	$109,913	$202
Yakima Fire	107	$0	$0
Bellevue Fire	217	$0	$0
Spokane Fire	365	$24,252	$66
Total	**2,001**	**$924,925**	**$462**

Note: Totals may not agree due to rounding.

The City of Seattle also provided data; however, there were inconsistences with the data provided which prevented it from being used in this report.

In 2025 Board staff gathered additional data from employers; including King County Sherrif Office; City of Renton Police Department; City of Vancouver Police Department; City of Puyallup Police Department; City of Bellevue Police Department; and the City of Tacoma Fire Department.

2024 Pricing from Office of State Actuary

OSA did not receive enough data (only about 10% of member data) to be able to provide a full pricing last year. Instead, they calculated a high and low estimate given the limited amount of data and large variance in standby pay amounts by department. Based on the data above the Office of the State Actuary (OSA) provided the following preliminary pricing for adding standby pay as basic salary for LEOFF 2:

Preliminary Pricing Results		
(Dollars in Millions)	Low Estimate	High Estimate
Change in Present Value of Benefits	$5	$45
Change in Present Value of Salaries	12	109
Rounded Employee Rate Impact*	**0.00%**	**0.04%**

**We use the rounded Aggregate contribution rate impact when calculating a supplemental rate. Employers and the state pay 60 and 40 percent of this rate, respectively.*

Follow-up

At the December 2024 Board meeting, the Board directed staff to continue to gather information on this topic for a follow-up presentation in 2025. During this time Board staff gathered additional data from employers. However, stakeholders helped identify concerns with the data that had been gathered.

The most potentially significant of these concerns is that employers may have types of pay that meet the general definition of standby pay; however, they are called something different. An example of this is with the King County Sherrif's Office (KCSO). KCSO has "standby pay" and "weekend on-call duty pay". Both appear to meet the PERS definition of "standby pay":

(1) the member is required to be present at, or in the immediate vicinity of, a specified location; and
(2) the employer requires the member to be prepared to report immediately for work if the need arises.

For FY 2023 KCSO paid $25,017 in what is defined as standby pay in their payroll system and $560,091 in weekend on call duty pay.

It is unclear if other employers have similar types of pay that would meet definition of "standby pay" but are not called standby pay. Board staff made follow-up requests to the employers that had already provided data and none of those employers identified additional pay types that would likely meet the PERS definition of standby pay. However, as of this time not all of the employers have responded to that request.

POLICY OPTIONS

Option 1: Add standby pay to definition of basic salary

- Pros – Aligns LEOFF 2 with other state pension plans
- Cons – Increases cost of the plan; data used to identify costs is a small sampling and may not be enough to identify the costs accurately

Option 2: Direct staff to gather additional data and report to Board next interim

- Pros – More accurate pricing analysis
- Cons – LEOFF 2 members continue to not have standby pay considered basic salary

SUPPORTING INFORMATION

Appendix A: Bill Draft

Appendix B: Email from OSA, “LEOFF 2 Standby Pay Pricing Request”, December 10, 2024.

LEOFF
Plan 2 Retirement Board

Standby Pay

Comprehensive Report Follow Up
November 19, 2025

Issue

- "Standby pay" is not considered basic salary for LEOFF 2 members, while it is for PERS and PSERS members.

Standby Pay Conditions

- Typical Standby Pay Conditions
  - Present at a specified location/timeframe or is immediately available to be contacted
  - Prepared to report immediately for work if the need arises
  - Must not be impaired
  - Less than full pay

Data From Last Year

Fiscal Year 2023 Standby Pay Data			
Department	**Number**	**Total Standby Pay**	**Average Standby Pay**
Tacoma Police	361	$303,870	$842
Spokane Police	368	$486,891	$1,323
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Total	**2,001**	**$924,925**	**$462**

Note: Totals may not agree due to rounding.

2024 Pricing

Preliminary Pricing Results		
(Dollars in Millions)	**Low Estimate**	**High Estimate**
Change in Present Value of Benefits	$5	$45
Change in Present Value of Salaries	12	109
Rounded Employee Rate Impact*	**0.00%**	**0.04%**

**We use the rounded Aggregate contribution rate impact when calculating a supplemental rate. Employers and the state pay 60 and 40 percent of this rate, respectively.*

Additional Data Gathered

- King County Sheriff Office
- City of Renton Police Department
- City of Vancouver Police Department
- City of Puyallup Police Department
- City of Bellevue Police Department
- City of Tacoma Fire Department

Data Concern – “Standby Pay”

King County has “standby pay” and “weekend on-call duty pay”

- Both appear to meet PERS definition of “standby pay”
- Standby – $25,017 in FY 2023
- Weekend on call duty – $560,091 in FY 2023

Unclear if other employers have similar types of pay that would meet definition of “standby pay”

- Made follow up requests to employers included in current data set

Other Data Concerns

- Received useable data from a small number of employers
- Data is another year older and with changes highlighted in demographic and experience study it may not be representative of how standby pay is currently being used by employers

Policy Option

1. Add standby pay to definition of basic salary
   - Pros – Aligns LEOFF 2 with other state pension plans
   - Cons – Increases cost of the plan; data used to identify costs is a small sampling and may not be indicative of the true cost.

Possible Board Action

1. Motion for final briefing in December
2. Motion to direct staff to gather new data and provide a follow up presentation next interim
3. No action

LEOFF
Plan 2 Retirement Board

Thank You

Jacob White

Senior Research and Policy Manager

(564) 999-0738

jacob.white@leoff.wa.gov

LEOFF Plan 2 Retirement Board

November 19, 2025

Duty Disability Health Insurance

COMPREHENSIVE REPORT FOLLOW-UP

By Jacob White
Senior Research & Policy Manager
360-586-2327
jacob.white@leoff.wa.gov

ISSUE STATEMENT

Members who separate due to a duty disability only have temporary access to employer provided health insurance through COBRA.

OVERVIEW

This issue came to the Board from the Washington Council of Police and Sheriffs (WACOPS) (see Appendix A). In their letter to the Board, WACOPS explained a situation where a LEOFF 2 member was injured at work and while still recovering from their injuries they were going to lose their employer provided health insurance coverage. This specific member situation was resolved but there is concern that the same issue could impact other LEOFF 2 members. In 2024, the Board received an Educational Briefing and a Comprehensive Briefing, before voting to move the topic for further consideration for the 2025 interim agenda.

BACKGROUND AND POLICY ISSUES

If a LEOFF 2 member suffers a duty related injury or disabling condition that necessitates them missing work to recover from their injuries their access to employer covered health insurance is only guaranteed temporarily. LEOFF 2 members are guaranteed at least 6 months of Disability Leave Supplement coverage while they recover. Disability Leave Supplement Benefit is not a LEOFF 2 benefit; it is not paid out of the LEOFF 2 trust fund. Instead, the benefit is paid by employers. The Disability Leave Supplement benefit provides LEOFF 2 members with their base salary income, employer health insurance coverage for a minimum of 6 months while they recover, and protects LEOFF 2 members from losing their jobs while they are unable to perform them due to their injuries.[1] Some employees have collectively bargained with employers to extend the minimum of 6 months to allow for additional time for them to recover from their injuries.

[1] RCW 41.04.500

If the Disability Leave Supplement benefit coverage has been exhausted by the LEOFF 2 member before they are able to return to work the employer may choose to terminate the member's employment, which would cause the member to also lose their access to employer provided health insurance. However, these members would have extended access to their employer's health insurance through Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA typically lasts for 18 months, but it can be extended to 29 or 36 months in some cases.[2] COBRA does not subsidize the cost of health insurance.

For LEOFF 2 members who are injured in their LEOFF 2 position they also have the option of LEOFF 2 Duty or Catastrophic Disability retirement. While many think of disability retirement as a permanent situation, LEOFF 2 allows for it to be temporary while a member recovers from their disabling condition. LEOFF 2 disability retirement can assist members with replacing a portion of their income, as well as requiring their employer to allow them to return to their position once they recover from their injuries. Since 2004 only four LEOFF 2 Duty Disability retirees have recovered and return to their LEOFF 2 position.

The qualifying standard for Duty Disability is that a member is no longer able to perform the duties of their position.[3] Catastrophic Disability requires the member to no longer be able to perform any substantial gainful employment.[4]

LEOFF 2 Duty Disability allows for early retirement without a reduction in benefit or 10% of the member's Final Average Salary (FAS), whichever is higher.[5] However, LEOFF 2 Duty Disability does not provide members with continued coverage of their employer health insurance or any other subsidized health insurance benefit. There is no minimum amount of time for a LEOFF 2 member to be disabled to qualify for a Duty Disability retirement.

LEOFF 2 Catastrophic Disability allows for early retirement without a reduction in benefit or 70% FAS, or 100% FAS offset by Social Security and LNI payments.[6] LEOFF 2 also reimburses Catastrophic Disability retirees for premiums paid for employer-provided health insurance, COBRA, and Medicare Parts A and B.[7]

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[2] Continuation of Health Coverage (COBRA) | U.S. Department of Labor (dol.gov)
[3] RCW 41.26.470
[4] id
[5] id
[6] id
[7] id

While COBRA and LEOFF 2 Duty Disability do not subsidize health insurance premiums, there are other savings programs that may help disabled members with these costs. A voluntary employees' beneficiary association (VEBA) plan is a tax-exempt trust typically funded by an employer to help employees pay for eligible medical expenses.[8] Firefighters also have a Medical Expense Reimbursement Plan (MERP) offered through the Washington State Council of Fire Fighters (WSCFF). The MERP is a 501(c)(9) tax-exempt union sponsored plan to allow fire fighters to plan for retirement medical expenses.[9] The MERP allows early access to an actuarially reduced Lifetime Monthly Benefit for disability retirees.

POLICY OPTIONS

Option 1: Reimburse duty disability health insurance premiums through LEOFF 2

- Pros – Aligns catastrophic disability benefit with duty disability benefit
- Cons – Increases cost to the plan; duty disability was designed for members who are still able to work non-LEOFF jobs where they could have access to employer provided health insurance or earn money to pay for private health insurance

SUPPORTING INFORMATION

Appendix A: Washington Council of Police and Sheriffs Letter to LEOFF 2 Board, April 15, 2024.

[8] https://www.veba.org/
[9] https://www.wscff.org/benefits-retirement/merp/

WASHINGTON COUNCIL of POLICE & SHERIFFS

200 Union Ave SE · Olympia, WA 98501
(360) 352-8224 · **WACOPS.ORG**

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

Teresa C Taylor
Executive Director

Cc: Jason Granneman, Vice Chair

Duty Disability Health Insurance

Comprehensive Report Follow-Up

November 19, 2025

Issue

- Members who separate due to a duty disability only have temporary access to employer provided health insurance through COBRA

Possible Steps for Disabled LEOFF 2 Member

- Employee injured at work and unable to immediately return to duty
- Temporary Duty Disability
- After Temporary Duty Disability
  - Duty Disability retirement
  - Authorized Leave of Absence, or
  - Employer may terminate employment
- If member Duty Disability retirees their right to return to their position is protected

Temporary Duty Disability

- LNI Benefits
  - Wage Replacement – Doesn’t fully replace wage (60-75% only)
  - Loss of Earning Power Benefits – Light duty
  - Medical Care
- LEOFF 2 Benefits
  - Temporary Duty Disability Purchase Service Credit
- RCW 41.04.500 – Disability leave supplement
  - Not a LEOFF 2 Benefit

RCW 41.04.500 – Disability Leave Supplement

- Payments begin on the 6th day from the date of injury/illness
- Employee must receive the “base salary” they would have received before the injury
- Employer health insurance coverage is still provided
- Maximum of 6 months
  - Employer may offer additional coverage outside of this law

After Temporary Duty Disability

If Temporary Duty Disability is exhausted and member has not recovered:

1. Authorized Leave of Absence
2. Employer may terminate employment, or
3. Duty Disability retirement

Duty Disability Retirement

- Duty Disability
  - Pension Benefit - Allows for early retirement without a reduction in benefit or 10% FAS
  - No LEOFF 2 health insurance premium reimbursement benefit
  - Eligible for COBRA health insurance coverage (temporary benefit)
- Catastrophic Disability
  - Pension Benefit - Allows for early retirement without a reduction in benefit or 70% FAS, or 100% FAS offset by SS and LNI payments
  - LEOFF 2 reimburses for premiums paid for employer-provided health insurance, COBRA, Medicare Parts A and B

Return from Duty Disability Retirement

- If a Duty or Catastrophic Disability retiree recovers, member may choose to return to their previous position at same salary and rank previously held
- Employer is required to rehire
- 2024 Data from DRS – 4 disability retirees returned to LEOFF 2 position

VEBA

- A voluntary employees' beneficiary association (VEBA) plan is a tax-exempt trust typically funded by an employer to help employees pay for eligible medical expenses
- A member, especially a younger member, who is injured may not have much if any money in a VEBA account

Medical Expense Reimbursement Plan

- Fire Fighters have access to MERP through the WSCFF
- 501(c)(9) tax-exempt union sponsored plan to allow fire fighters to plan for retirement medical expenses
- MERP allows early access to an actuarially reduced Lifetime Monthly Benefit for disability retirees

Summary

- Duty Disability retirement allows qualified members to temporarily retire until they have recovered from their injuries and provides those members with return rights to their position and salary
- However, Duty Disability does not provide members with continued access to employer provided health insurance or subsidize premium payments for health insurance

Policy Option

1. Reimburse duty disability health insurance premiums through LEOFF 2
   - Pros – Aligns catastrophic disability benefit with duty disability benefit
   - Cons – Increases cost to the plan; duty disability was designed for members who are still able to work non-LEOFF jobs where they could have access to employer provided health insurance or earn money to pay for private health insurance

Next Steps

1. Board may motion to receive a final briefing
   - Identify a policy option to be priced by OSA
2. Board may not take any action at this time
   - No motion required

LEOFF
Plan 2 Retirement Board

Thank You

Jacob White

Senior Research and Policy Manager

(564) 999-0738

jacob.white@leoff.wa.gov

November 19, 2025

Surviving Spouse Medical Reimbursements

COMPREHENSIVE REPORT

By Jacob White
Senior Research & Policy Manager
360-586-2327
jacob.white@leoff.wa.gov

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

LEOFF
Plan 2 Retirement Board

2026 Board Meeting Calendar Adoption

LEOFF Plan 2 Retirement Board

2026 BOARD MEETINGS

JANUARY

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MEETING LOCATION: WSIB 2100 Evergreen Park Dr SW Olympia, WA 98502 and virtually via Microsoft Teams

CONTACT: Phone: 360.586.2320 | **EMAIL:** recep@leoff.wa.gov

LEGISLATIVE SESSION

BOARD MEETING DATES

STATE HOLIDAYS

LEGISLATIVE SESSION
BOARD MEETING DATES
STATE HOLIDAYS

2026 EVENT CALENDAR (DRAFT)

FIDUCIARY EDUCATION	STAKEHOLDER OUTREACH
NAPPA WINTER (NASHVILLE, TN) I February 18-20, 2026	**WACOPS WINTER** (OLYMPIA, WA) I February 4-6, 2026
NCPERS ACE. (LAS VEGAS, NV) I May 17-20, 2026	**WACOPS SPRING** (BLAINE, WA) I May 7-8, 2026
NAPPA LEGAL ED. (GRAND RAPIDS, MI) I June 16-19, 2026	**WACOPS FALL** (SPOKANE, WA) I September 16-18, 2026
NASRA ANNUAL (BOSTON, MA) I August 8-12, 2026	**WSCFF KELLY L. FOX** (OLYMPIA, WA) I January 26-27, 2026
NCPERS FALL (FORT LAUDERDALE, FL) I October 26-29, 2026	**WSCFF EDU.** (WENATCHEE, WA) I April 21-23, 2026
IFEBP ANNUAL (NEW ORLEANS, LA) I October 25-28, 2026	**WSCFF ANNUAL** (KENNEWICK, WA) I June 23-25, 2026

JANUARY

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Next Steps

- Adoption of the 2026 Board Meeting Calendar

Thank You

My Part B Medicare premium is going up in January from about $185 per month to about $206 per month!

My Medicare Advantage plan is going up from about $400 per month to about $500 per month!!!

My wife's health insurance premium is going up from about $1,200 per month to about $1,300 per month!!!

My LEOFF2 pension is probably going up by 3%, in July… ???

I paid into Social Security for 45 years, and also into LEOFF2 for 36 of those years…

I would never recommend a LEOFF2 job to anyone. Something has to change.

LEOFF
Plan 2 Retirement Board

2026 Board Meeting Calendar Adoption

2026 BOARD MEETINGS

LEOFF
Plan 2 Retirement Board

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FIDUCIARY EDUCATION	STAKEHOLDER OUTREACH
NAPPA WINTER (NASHVILLE, TN) I February 18-20, 2026	**WACOPS WINTER** (OLYMPIA, WA) I February 4-6, 2026
NCPERS ACE. (LAS VEGAS, NV) I May 17-20, 2026	**WACOPS SPRING** (BLAINE, WA) I May 7-8, 2026
NAPPA LEGAL ED. (GRAND RAPIDS, MI) I June 16-19, 2026	**WACOPS FALL** (SPOKANE, WA) I September 16-18, 2026
NASRA ANNUAL (BOSTON, MA) I August 8-12, 2026	**WSCFF KELLY L. FOX** (OLYMPIA, WA) I January 26-27, 2026
NCPERS FALL (FORT LAUDERDALE, FL) I October 26-29, 2026	**WSCFF EDU.** (WENATCHEE, WA) I April 21-23, 2026
IFEBP ANNUAL (NEW ORLEANS, LA) I October 25-28, 2026	**WSCFF ANNUAL** (KENNEWICK, WA) I June 23-25, 2026

JANUARY

S	M	T	W	T	F	S
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4	5	6	7	8	9	10
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FEBRUARY

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MARCH

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APRIL

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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20	21	22	23	24	25	26
27	28	29	30	31		

Next Steps

- Adoption of the 2026 Board Meeting Calendar

Thank You