



Ohio Legislative Service Commission

Bill Analysis

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S.B. 66

128th General Assembly
(As Introduced)

Sens. Faber, Schaffer, Stewart, Gibbs, Wagoner, Schuler, Turner

BILL SUMMARY

- Requires the Volunteer Fire Fighters' Dependents Fund to pay benefits for health insurance coverage for the dependents of a volunteer firefighter killed in the line of duty.
- Requires the Board of Trustees of the Ohio Police and Fire Pension Fund to contract for health insurance benefits for the dependents of a volunteer firefighter killed in the line of duty.

CONTENT AND OPERATION

Health insurance benefits for dependents of deceased volunteer firefighters

(R.C. 146.12 and 742.45)

Under current law, when a volunteer firefighter dies while discharging the duties of a volunteer firefighter or from injuries received while discharging those duties, survivors of the firefighter are entitled to certain benefits. Specifically, the surviving spouse of a firefighter is entitled to a lump sum award of \$1,000 plus \$300 per month and the parent, guardian, or other persons upon whom a child of the firefighter is dependent for chief support is due \$125 per month for each dependent child up to the age of 18, or 23 if the child is still in school. These amounts must be paid out of the Volunteer Fire Fighters' Dependents Fund (see **COMMENT** below).

The bill creates another benefit for certain survivors of volunteer firefighters. Under the bill, benefits for health insurance coverage must be paid from the Volunteer Fire Fighters' Dependents Fund to the dependents of a volunteer firefighter killed in the

line of duty. The exact type and extent of coverage must be established by the Board of Trustees of the Ohio Police and Fire Pension Fund.

The health insurance benefit is not available to all dependents, however. Under the bill, the benefit is only available to dependents who are not (1) eligible for coverage under any employer-sponsored health benefit plan, (2) covered under any other health benefit plan, or (3) eligible for coverage under the state Medicaid program or the federal Medicare program. The bill defines a "health benefit plan" as any policy of sickness and accident insurance, contract with a health insuring corporation, public employee benefit plan, multiple employer welfare arrangement, or health benefit plan regulated under the Employee Retirement Income Security Act of 1974 (ERISA), that provides payment or reimbursement for the costs of health care services other than for specific diseases and accidents only.¹

COMMENT

The Volunteer Fire Fighters' Dependents Fund is a fund established within the state treasury. Each political subdivision or fire district that maintains a volunteer fire department or employs volunteer firefighters is required to contribute to the Fund an initial premium of \$300 to \$500 depending on the political subdivision or fire district's assessed property valuation. Private volunteer fire companies that are under contract to provide fire protection to a political subdivision or fire district can elect to become a member of the Fund upon paying an initial premium of \$500. These initial premiums make up the basic capital account of the Volunteer Fire Fighters' Dependents Fund.

After initial premiums are paid, no further contributions are required from members of the Fund until claims against the Fund have reduced it to 95% or less of its basic capital account. When that happens, the State Fire Marshal is required to assess each member \$90 to \$150, depending on current assessed property valuation. (R.C. 146.07 and 146.09.)

¹ ERISA is a comprehensive federal statute governing the administration of employee benefit plans. ERISA generally precludes state regulation of benefits offered by private employers that self-insure their benefit programs. Larger employers frequently choose to establish their own health insurance plans for their employees in lieu of purchasing coverage from an insurer or health insuring corporation.

HISTORY

ACTION

DATE

Introduced

03-04-09

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