

# Line-of-Duty Death Benefits Guide

*A Handbook for Survivors of Fallen Firefighters*



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**Dear Survivor,**

Though my husband was a firefighter for fourteen years, I did not recognize the need for a handbook like this until he was killed in a training accident in 1999. As I sifted through the information on death benefits available to me and my two young children, it became apparent that help was needed for those, like me, who suddenly found themselves in such a circumstance.

In an effort to extend its outreach to survivors, the National Fallen Firefighters Foundation began a project to help support surviving families during the difficult process of filing for benefits. Following extensive research, it was determined that it would be most helpful to focus on three key components: a handbook of benefits; a simple organizational kit; and one-on-one support from other survivors.

The purpose of this handbook is to give you a guide as you walk through the maze of possible death benefits associated with the death of your loved one. A comprehensive listing of benefits is included, with a focus on those directly related to a line-of-duty death. Also enclosed are explanations of these benefits, contact information for each source, and information sheets designed to help you stay organized throughout the filing process. This handbook is intended to inform you as much as possible as to what's available.

Please keep in mind that the benefits listed here will not be available to all survivors. Each benefit has specific criteria for eligibility.

Your loved one's fire department is a good source of help. There are some forms that must be completed by department officials. We strongly urge you to work with the department through this process.

The Foundation is committed to helping wherever possible. Along with this handbook, there is support available from other survivors who have "been there". Included in this guide are thoughts and suggestions from others who have lived through the tragedy of losing a loved one in the line of duty. They, too, have endured the phone calls, frustrations, and mounds of paperwork involved in filing claims for benefits. Perhaps some of their experiences can be a comfort to you now.

As you begin this difficult process, may you take comfort in knowing that others have gone before you. They're available to help if you need them. You can contact the Foundation office, and they can put you in touch with someone.

Sincerely,

*Robin Moore-Lewis*

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DISCLAIMER: The materials contained in this Handbook are intended to provide a summary of benefits that may be available to you. You should consult a legal or financial professional before making any investments or major financial commitments.

## **Suggestions from Survivors** **Who Have Been Through the Benefits Process**

### ***Be prepared for the process to be painful.***

The most difficult part was having to accept the fact that my husband was gone.

It was hard having to relive the incident every time a form asked for specifics of how my husband died.

Forms and benefit claims can be confusing on a good day, but impossible if one is grieving. I needed a lot of emotional support.

One of the most difficult parts of the benefits process was answering the questions "date of death," "date marriage ended," and "filing status: married or single?"

I felt like I was receiving money in place of my husband.

### ***Be patient and persistent.***

Take your time. Only do what your brain will take in at a time. It's very emotional, and you're going to feel all worn out.

Apply as soon as possible, because some benefits processes can take awhile. Keep good records, and follow up after a reasonable amount of time if you have not heard anything.

The paperwork is non-stop incoming and outgoing. If you get one thing accomplished each day, that's a step in the right direction.

### ***Stay organized.***

Take notes--names, times, dates. You may not understand what you are being told at the time, but eventually it comes together.

Applying for benefits was a full-time job for many months. I used file folders, binders, and specific lists to help keep track of documents, phone calls, and information.

Keep duplicates of forms, because frequently you will have to provide them again.

We used to meet and go over everything on benefits once a week.

Be cautious in sorting your mail. You will be receiving mail from organizations that may be unfamiliar to you, and with all of us receiving so much junk mail, you could inadvertently throw away an important document. I almost threw away a check!

***Don't do it alone. When necessary, seek out personal and professional support.***

If you don't feel you can handle dealing with the volume of mail, have a friend or family member help you. That person can pull out anything that requires your immediate attention.

Rely on someone you trust who is organized and can devote some time to assist you in tracking the filing for your benefits.

The best thing for me was to have one person (the same person) with me every time I had a meeting with someone about benefits. That person was able to focus when I couldn't, and months later I could depend on her to remind me about things I was supposed to be doing.

Even though I didn't care about benefits at the time, I did know all of this was important for my children. My family and friends were my life line.

It was difficult to understand the legal jargon. I had the overwhelming feeling of being swallowed up in a river of paper.

If I had it to do over, I would get a lawyer right away. My life was in an uproar, stressful for at least two years.

***Know where you stand.***

I let other people work on things and didn't follow up as thoroughly as needed. Some of the paperwork sat on a desk for six months. I know it's a time of grief, but we still need to watch over and be responsible for our family's affairs.

Make sure that either you or someone that you trust finds out everything that you and your family are entitled to.

## **How To Stay Organized**

At a time when you are emotionally overwhelmed, you are faced with details, arrangements, planning, and decisions that seem endless and can be confusing. However, careful attention to financial matters at this time can help you and your family members deal with important details later and ensure that you receive benefits to which you are entitled.

You may want a family member or trusted friend to assist you in collecting and organizing the documents you will need. Writing down as much information as possible will be helpful. The organizational kit which accompanies this booklet may help you begin to organize your thoughts and records.

In all cases, make sure you have a copy of every document or correspondence you send by mail, e-mail, or fax related to these benefits. Also be sure that documents you send can be tracked to the recipient.

### **Do I Qualify for This Benefit?**

Ask about and apply for all benefits for which you may be eligible. If you don't apply at all, you may miss out on financial assistance to which you and your family are entitled. If you are denied but feel that you meet the criteria to be eligible for that benefit, there is usually an appeals process.

### **Are There Benefits or Tasks Not Covered by This Guide?**

At the end of this guide, there is a list of other resources to help you find general (not fire service related) benefits information and checklists of what needs to be done after the death of a loved one. We have also included information on where to get basic education on managing household finances and how to find a financial professional to assist you.

As soon as you are able, you should update your will, other appropriate legal documents, and bank accounts. This is an important step in safeguarding your well being and is particularly important if you have minor children.

### **A Word of Caution:**

It may be difficult to imagine that there are people who would try to take advantage of your grief following the death of your loved one. Be cautious about offers you receive. Take your time. Feel free to question any request or offer regarding your finances.

Many survivors choose to consult a financial professional or company to help secure benefits or manage finances. If you decide to use such services, make sure that the person is certified and reputable. You can consult your local Better Business Bureau or Chamber of Commerce for more information.

## **Local Assistance State Teams (L.A.S.T)**

Supporting the firefighter's family through a line-of-duty does not always occur as it should. That is why the National Fallen Firefighters Foundation (NFFF), through a grant from the Department of Justice Bureau of Justice Assistance, is working to develop a unified response on a state-by-state basis to provide assistance to fire departments and the firefighter's family immediately following a line-of-duty death and beyond.

The intent is not to circumvent any system that is already in place in a state but to provide resources for each of the state teams to help with issues related to the line-of-duty death incident, understanding that there may be different state or local protocols in various parts of the country. Under this program, each team will be known as the Local Assistance State Team (LAST).

Upon request from the department, these teams will be deployed to assist the department with all aspects of a line-of-duty death—from helping with arrangements for a fire department funeral with full honors to providing emotional support for the family and department members or filing for Federal, State and local benefits. The team may also be requested by survivors as needed.

In career fire departments, the LAST may be interacting with the Local IAFF President or other IAFF representative and may be directed there by the Chief. The LAST Coordinator shall contact the local organizational structure in place.

### **The Mission:**

First and foremost, follow the Mission Statement by providing necessary assistance and support to families and fire departments of fallen firefighters, *as requested*. *The primary mission of the team is to provide assistance and comfort to the family and department and help with filing DOJ-PSOB, state and local benefits.*

### **Notification Protocols:**

Upon notification of a LODD, the LAST shall be requested through the LODD Hotline number at 1-866-736-5868.

**For more information about the LAST team in your state,  
please contact the National Fallen Firefighters Foundation at (301) 447-1365.**

## **Steps for Departments Assisting Survivors with Benefits**

Here is a list of steps the department or agency should take, on behalf of survivors, to help secure benefits. You may find it helpful to have as a reference.

The department or agency should:

### **In the first 24 hours**

- Find out about state and/or local autopsy requirements for line-of-duty deaths, including who is responsible for the cost. This includes deaths from heart attacks and strokes that occur within 24 hours after responding to an emergency incident. Talk with the immediate next-of-kin about why an autopsy is recommended or required.
- If you have a local 100 Club, Bluecoats, or similar organization, inform them of the death so they can provide immediate assistance to the survivors
- Contact the Department of Justice at **(888) 744-6513** to begin the filing process for Public Safety Officers' Benefits
- **If needed, call (866) 736-5868 to request help from a Local Assistance State Team (LAST) through the National Fallen Firefighters Foundation**

### **In the first 48 hours**

- If you do not have a list of line-of-duty death benefits that exist in your state, see the Benefits section of the National Fallen Firefighters Foundation's Web site at [www.firehero.org](http://www.firehero.org), or call the Foundation at (301) 447-1365 to request one
- If your state has a one-time death benefit, initiate the process of filing for this benefit
- Contact the department's life insurance company
- Let the survivors know about any local funeral homes or cemeteries that offer services for free or at reduced cost for line-of-duty deaths
- Encourage the next-of-kin to request 20 certified copies of the death certificate through the funeral director
- Contact Lighthouse Uniform or a similar company to request a free Class A Uniform for burial
- Identify one person from the department who can act as the coordinator and primary point of contact for the next-of-kin regarding benefits. Have this person meet with the next-of-kin or his or her designee to discuss preliminary benefits information.
- Provide information in writing, since survivors may not remember the conversation later. Encourage the next-of-kin to identify a trusted family member or friend who can assist as a point of contact with the department.
- Consult with bank/legal specialists to establish a donation fund for the survivors, and make sure it is set up properly according to federal and state tax laws. If there are cash donations from a collection or fundraiser, deposit this money into the donation fund.



### **Within the first week**

- Begin the claims process for Workers' Compensation
- Find out if your state offers a funeral benefit, which is usually administered through Workers Compensation
- Initiate the process of accessing any other department-related benefits
- Encourage the next-of-kin to contact the Social Security Administration to initiate the process of applying for monthly benefits, the lump sum death benefit and/or Medicare/Medicaid
- If the firefighter was a veteran, advise the next-of-kin to contact the Department of Veterans' Affairs

Within a week after the funeral, arrange to meet with the next-of-kin or his or her designee to discuss the benefits process and status in greater detail. The following topics should be covered in this meeting:

- Encourage the next-of-kin to contact other agencies through which they may have life insurance policies
- Advise the next-of-kin to obtain 12 or more certified copies of marriage certificate and birth certificate of each dependent. If applicable, some benefits will also require copies of adoption and divorce decrees.
- If the firefighter was a veteran, advise the next-of-kin to locate the DD-214 (military discharge papers)
- Advise the next-of-kin to have the Social Security Numbers of each survivor who may be eligible for benefits
- For volunteer firefighters or career firefighters with secondary employment, encourage the next-of-kin to meet with the employer to discuss benefits
- Talk to the next-of-kin about access to continued health insurance, through the department, other employer, or COBRA

### **Within the first month**

- If a spouse, child, or stepchild is pursuing higher education, encourage the survivors to contact the Foundation for information about scholarships and other educational assistance

## Benefits for Which Fire Service Survivors May Be Eligible

Each benefit may have separate criteria for eligibility. Please see sections on specific benefits in this manual. Detailed state benefits information is available from the Foundation at [www.firehero.org](http://www.firehero.org) or by calling (301) 447-1365.

	Eligible for this benefit?	Have necessary information?	Claim initiated? (Indicate date)	Notes
<b>Federal Benefits</b>				
Public Safety Officers' Benefits				
Public Safety Officers' Educational Assist				
COBRA				
Social Security				
Veterans' Benefits				
<b>State Benefits</b>				
One-time Death Benefit				
Workers' Compensation				
Funeral/Burial Allowance				
Retirement/Pension Plan				
Health Insurance				
Education Benefits for Spouse/Children				
<b>Local Government</b>				
Life Insurance				
Retirement/Pension Plan				
Final Paycheck				
Funeral/Burial Allowance				
Health Insurance				
<b>Private Organizations</b>				
Education Benefits for Spouse/Children				
100 Club, Bluecoats, etc.				
Fraternal organizations				

## Documents Related to Benefits

You will need many documents over the next several months. You may want to note where each one can be found or gather them in one secure place like a locked, fire-safe file or safety deposit box. Some documents will not apply to everyone.

Document/Information	Do I need this?	Do I have this?	Where can I find it?	Where is the info in the Benefits Handbook?
<b>Locate the following documents first since they will be necessary to begin the process:</b>				
Birth certificate of loved one and children				
Death certificate of loved one (20 certified copies)				
Marriage certificate(s) (including prior marriages)				
Divorce decree(s), if applicable				
Social Security Number of loved one, spouse, and dependents				
Military discharge papers (DD-214)				
Adoption decrees, if applicable				
<b>You should also locate the following:</b>				
Your loved one's will				
Safe deposit boxes and keys				
Life insurance policies or certificates				
Real estate deeds (Listed under loan documents)				
Information related to stocks, bonds, mutual funds, or other securities				

<b>Document/Information</b>	<b>Do I need this?</b>	<b>Do I have this?</b>	<b>Where can I find it?</b>	<b>Where is the info in the Benefits Handbook?</b>
Vehicle titles				
Checking and savings accounts information, including names, addresses, and phone numbers of financial institutions				
Credit cards issued to your loved one and/or you and your loved one				
Loan documents, such as mortgages and auto loans				
Documents related to loans owed to you				
List of employers for the past 15 years, including names and contact information				
Retirement documents				
Medical records (especially in cases of cardiovascular death)				
Names, addresses, phone numbers, birthdates of firefighter's children and stepchildren				

## **Questions to Ask About Benefits**

*If you are the spouse, remember to ask the following questions about each benefit:*

Final payment:

- Once the paperwork is done, how soon can I expect to receive or begin receiving this benefit?

Children:

- Is this benefit based on dependent children?
- How will my benefit change when my children turn 18 or move away from home?
- What if they are in college? What if they marry?
- What are the age limits for children to receive benefits?
- Are stepchildren eligible to receive benefits?

Remarriage:

- What happens if I remarry before I receive all the payments?
- If I remarry, will my children continue to receive their benefits?

Taxes and Financial Considerations:

- Is this benefit exempt from Federal and/or state income tax?
  - If so, how can I get this in writing?
- Will this benefit be offset or reduce the amount I can receive from other benefit programs?

*If you are the parents and the immediate next of kin, remember to ask the following questions about each benefit:*

Final payment:

- Once the paperwork is done, how soon can we expect to receive or begin receiving this benefit?

Taxes and Financial Considerations:

- Is this benefit exempt from Federal and/or state income tax?
  - If so, how can we get this in writing?
- Will this benefit be offset or reduce the amount we can receive from other benefit programs?

**See individual benefits sections for specific questions about each benefit.**

## Glossary of Frequently Used Acronyms

<b>APR</b>	Annual Percentage Rate	<b>ME</b>	Medical Examiner
<b>ATM</b>	Automated Teller Machine		
<b>BIA</b>	Bureau of Indian Affairs	<b>NASFM</b>	National Association of State Fire Marshals
<b>BJA</b>	Bureau of Justice Assistance	<b>NFFF</b>	National Fallen Firefighters Foundation
<b>BLM</b>	Bureau of Land Management	<b>NOK</b>	Next of Kin
<b>CD</b>	Certificate of Deposit	<b>NPS</b>	National Park Service
<b>CFP</b>	Certified Financial Planner	<b>NVFC</b>	National Volunteer Fire Council
<b>CFR</b>	Code of Federal Regulations		
<b>COBRA</b>	Consolidated Omnibus Budget Reconciliation Act	<b>OJP</b>	Office of Justice Programs
<b>COLA</b>	Cost of Living Allowance	<b>OMB</b>	Office of Management and Budget
<b>CSRS</b>	Civil Service Retirement System	<b>OPM</b>	Office of Personnel Management
<b>DOD</b>	Department of Defense		
<b>DOI</b>	Department of the Interior	<b>PERS</b>	Public Employees Retirement System
<b>DOJ</b>	Department of Justice	<b>PIA</b>	Primary Insurance Allowance
<b>DOL</b>	Department of Labor	<b>PIN</b>	Personal Identification Number
<b>EFT</b>	Electronic Funds Transfer	<b>PL</b>	Public Law
<b>FEMA</b>	Federal Emergency Management Agency	<b>POV</b>	Privately Owned Vehicle
<b>FERS</b>	Federal Employee Retirement System	<b>PSOB</b>	Public Safety Officers' Benefits
<b>FY</b>	Fiscal Year	<b>PSOEA</b>	Public Safety Officers' Educational Assistance
<b>IAFC</b>	International Association of Fire Chiefs	<b>Q&amp;A</b>	Question and Answer
<b>IAFF</b>	International Association of Fire Fighters	<b>SSA</b>	Social Security Administration
<b>ICMA-RC</b>	International County Management Association- Retirement Corporation	<b>SSN</b>	Social Security Number
<b>IRA</b>	Individual Retirement Account	<b>U.S.C.</b>	United States Code
<b>IRC</b>	Internal Revenue Code	<b>USDA FS</b>	United States Department of Agriculture-Forest Service
<b>IRS</b>	Internal Revenue Service	<b>VA</b>	Department of Veterans Affairs
<b>LODD</b>	Line-of-Duty Death	<b>WC</b>	Workers Compensation
		<b>WTA</b>	Withholding Tax Allowance

## Sample Contact Sheet

**Name of Benefit:** \_\_\_\_\_

Type of contact:      In-person      Phone      E-mail      U.S.      mail

Date: \_\_\_\_\_      Time: \_\_\_\_\_

Spoke to: \_\_\_\_\_      Employee ID No. \_\_\_\_\_

Phone number/Extension: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Summary of contact: \_\_\_\_\_

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Information/Documents requested: \_\_\_\_\_

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Next expected contact: \_\_\_\_\_

Follow-up Needed/Notes for next time: \_\_\_\_\_

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Note: (It is a good idea to follow-up conversations with an e-mail to the person you spoke with. The content should summarize the points you discussed. This can help clarify any misunderstandings.)

## **Benefits from the Federal Government**

- PSOB
- PSOEA
- COBRA
- Social Security
- Veterans Benefits
- Victims of Crime

A variety of federal benefits are available to survivors of fallen firefighters. However, because of varying criteria, not everyone is eligible to receive them. The information on the following pages can guide you to the places and people who can best make that determination for you.



## **Federal Government Benefits at a Glance**

### ***Public Safety Officers' Benefits (PSOB) Act (42 U.S.C. 3796) Regulations are found in 28CFR Section 32***

#### **What does PSOB offer eligible survivors?**

A one-time cash payment for eligible survivors of public safety officers who die in the line of duty

#### **Who administers the program?**

PSOB is administered by the U.S. Department of Justice, Bureau of Justice Assistance

#### **What is the amount of the award?**

\$333,604.68 as of October 1, 2013. Amount is adjusted each October, based on the Consumer Price Index.

#### **Who is eligible to receive PSOB?**

The law dictates who can receive these benefits:

- Spouse
- Dependent children and stepchildren (must be under age 18, a full-time student under age 23, or dependent because of a permanent disability)
- If no eligible spouse or children, the person named on the most recently executed life insurance policy
- If none of the above, the parent or parents in equal shares

#### **How do you apply for PSOB?**

- The department should contact PSOB to initiate a claim
- There are two forms that must be completed, one by the immediate survivor(s) and one by the department
- Extensive documentation is required from the department and survivors
- Autopsy is strongly recommended, especially if there has not been an obvious traumatic injury

#### **How can I get more information?**

For more detailed and most recent information, visit

[www.ojp.usdoj.gov/BJA/grant/psob/psob\\_main.html](http://www.ojp.usdoj.gov/BJA/grant/psob/psob_main.html) or call 1-888-744-6513.

Also see [www.ojp.usdoj.gov/BJA/grant/psob/psobaddinfor.pdf](http://www.ojp.usdoj.gov/BJA/grant/psob/psobaddinfor.pdf)

#### **What if the claim is not approved?**

PSOB has an appeals process that survivors can use to provide additional documentation or new information that may affect the final ruling.

## Questions to Ask

- How can I find out about the status of my claim?
- If I have financial hardship, can I get an advance payment while I wait for the paperwork to be approved?
  - If so, how much, and how do I apply for this?
- How long will it take to receive reimbursement?

If the firefighter was your spouse:

- Do all my spouse's children receive an equal share?
  - Does this include stepchildren?

## Federal Tax Exemption for Line of Duty Death Annuities

The Fallen Hero Survivor Benefits Act of 2001 (P.L. 107-15) amended the IRS code to exempt pensions or annuity payments on public safety death benefits to include survivors whose loved one died on or before December 31, 1996. Survivors whose loved one died in the line of duty after December 31, 1996, received this exemption under P.L. 105-34.

## Federal Tax code reference

26CFR 1.104 - Compensation for Injuries or Sickness

## **Federal Government Benefits at a Glance**

### ***Public Safety Officers' Educational Assistance (PSOEA) Program***

#### **What does PSOEA offer eligible survivors?**

Financial assistance for higher education for spouses and eligible children of public safety officers who die in the line of duty. Survivors must have received PSOB benefits to be eligible for this program.

#### **Who administers the program?**

PSOEA is administered by the U.S. Department of Justice, Bureau of Justice Assistance

#### **What is the amount of the award?**

- Maximum of \$881 per month, as of October 2007. Award will depend upon number of courses and eligible expenses. Amount adjusted each October, based on the Consumer Price Index.
- All PSOEA awards must, by law, be reduced by the amount of other governmental assistance that a student is eligible to receive. Private scholarship awards do not reduce the PSOEA award amount.

#### **Who is eligible to receive PSOEA?**

- Spouse
- children and step-children under the age of 27

#### **What expenses may be covered and for how long?**

For full- and part-time students at an eligible institution

- Tuition and fees
- Room and board
- Books and supplies
- Other expenses consistent with the applicant's educational, professional or vocational objectives
- Assistance is available for 45 months of full-time education or training, or for a proportional amount of time for a part-time program.
- Costs may be reimbursable for eligible costs incurred in previous years, also.

#### **How do you apply for PSOEA?**

- Have PSOB case number or date of award and information on estimated costs
- Contact PSOEA at 1-888-744-6513

#### **How can I get more information?**

- For more detailed and most recent information, visit [www.ojp.usdoj.gov/BJA/grant/psob/psob\\_education.html](http://www.ojp.usdoj.gov/BJA/grant/psob/psob_education.html)
- Download application form from this site.

**Questions to Ask**

- What other benefits will offset or reduce the amount I or my children can receive from this program?
- How long will it take to receive reimbursement?
- What types of education are covered?
- What are the requirements in terms of GPA and course load?
- How long can I continue to receive this assistance?

# **Federal Government Benefits at a Glance**

## ***Health Insurance-COBRA***

### **What is COBRA?**

A federal law known as COBRA guarantees that the employer of a public safety officer who dies in the line of duty must make the same type of health insurance available to the spouse and dependent children as was provided prior to the death.

### **Who is eligible?**

In order for survivors to be eligible, the deceased firefighter and the survivors must have actually been covered under that employee health plan at the time of death.

### **How long does this insurance continue?**

Coverage is available for up to 36 month after the death.

### **Who pays for this coverage?**

There is no provision in the law for the employer to pay for the health insurance unless state law provides for this. However, in most cases, the survivors must pay for the insurance coverage.

### **Who initiates contact about the insurance?**

The employer must notify the health plan administrator within 30 days after the employee's death. The plan administrator then has 14 days to contact the survivor and offer the COBRA coverage. Upon receiving this information, the survivor has up to 60 days to decide whether or not to buy the COBRA coverage.

### **When will the coverage start?**

If a survivor elects COBRA coverage, it will be retroactive to the date that benefits ended because of the death. The first premium payment must be paid within 45 days.

### **Will this health insurance offer the same benefits?**

Coverage under COBRA must be identical to the coverage the firefighter had prior to death. However, employers can let survivors drop some incidental benefits to lower premium costs. If the department changes its health plan, survivors will receive the benefits under the new plan.

### **What if a survivor moves out of the health plan coverage area?**

A survivor will lose benefits since the employer is not required to offer a plan in a different area.

### **Who is eligible to receive COBRA?**

- Spouse
- Dependent children and stepchildren (must be under age 18, a full-time student under age 23, or dependent because of a permanent disability)

# **Federal Government Benefits at a Glance**

## ***Social Security Benefits*** ([www.ssa.gov](http://www.ssa.gov))

### **Who is eligible for Social Security?**

Anyone who has worked and paid Social Security taxes has earned benefits for his or her family. The amount of work (quarters) needed to make survivors eligible depends upon the worker's age at death.

### **Who administers the program?**

The program is administered by the U. S. Social Security Administration.

### **What does Social Security offer eligible survivors?**

- A one-time death benefit of \$255 toward burial expenses
- Monthly survivor's benefits

### **Who may be eligible for survivor benefits?**

- Widows and widowers age 60 or older
- Disabled widows and widowers
- Widows and widowers taking care of the firefighter's child who is under age 16 or disabled, and receiving Social Security benefits
- Unmarried children under age 18, or up to age 19 if attending high school full time.
  - Under certain circumstances, stepchildren, grandchildren or adopted children may receive benefits
- Disabled children of any age who were disabled before age 22
- Dependent parents age 62 or older
- Divorced spouses age 60 or older, if the marriage lasted 10 years or longer

### **Who administers the program?**

Social Security Administration

### **How do you get in touch with Social Security?**

- Call Social Security toll free at 1-800-772-1213, from 7 am to 7pm.
- Call or visit your local Social Security office. The phone number will be in the government section of your local phone book

### **What documents will you need to apply?**

- Your Social Security number and the fallen firefighter's number
- Your loved one's birth and death certificates
- Proof of the firefighter's earnings for the last year. (W-2 or self-employment tax return)
- Your marriage certificate
- If you are applying for benefits as a spouse or divorced spouse, your divorce decree
- Your bank account information if you want direct deposit
- Military discharge (DD-214), if your loved one served in the military

### **What if your loved one was already receiving Social Security benefits?**

- Contact Social Security immediately to report the death
- If benefits are being paid through direct deposit, notify the financial institution.
- If benefits are paid by check, do not cash the check and return any checks received after the death to Social Security.

**How can I get more information?**

For more detailed and most recent information, visit [www.ssa.gov](http://www.ssa.gov) or call 1-800-772-1213. The TTY number is 1-800-325-0778.

# **Federal Government Benefits at a Glance**

## ***Veterans' Administration Benefits***

### **What does the Veterans' Administration benefit include?**

Survivors may be eligible for a lump sum payment of \$300 for burial expenses, an allowance of \$300 toward a burial plot, burial in a national cemetery, a government headstone or marker, and a burial flag.

### **Who administers the program?**

The U.S. Department of Veterans' Affairs

### **What determines eligibility?**

The firefighter must have been a veteran who received a discharge other than dishonorable. Reservists entitled to retired pay are also eligible to receive a burial flag.

### **How do you apply for veterans' benefits?**

Contact the regional Veterans' Administration Office listed in the Federal Government section of the telephone book or call 1-800-827-1000.

You will need the following:

- Proof of military service (Form DD-214)
- Service Serial Number
- Death certificate
- Marriage license, if applicable
- Children's birth certificates, if applicable

### **How can I get more information?**

For more detailed and most recent information, visit [www.va.gov](http://www.va.gov) or call 1-800-827-1000



## **Federal Benefits at a Glance**

### ***Victims of Crime Act Benefits***

#### **What is the Victims of Crime program?**

- The U. S. Department of Justice (DOJ) supports state programs to provide compensation and assistance to victims of federal and state crimes.
- For firefighters, this would generally include deaths that involved arson, homicide, or other crimes.

#### **What types of benefits are available to families of firefighters killed in the line of duty?**

- Each state administers a crime victim compensation program that provides financial assistance.
- The compensable costs and amounts vary from state to state.

#### **What costs may be eligible?**

- Medical costs
- Funeral and burial costs
- Mental health counseling

Compensation is only paid when other financial resources, such as private insurance, do not cover the expenses.

#### **How can I get more information?**

- Visit the DOJ Web site at <http://www.ovc.gov> for a complete list of all services and contact information on offices throughout the United States and its territories. See [www.nacvcb.org/progdir.html](http://www.nacvcb.org/progdir.html) for a direct link to your state's information.
- Call toll free at 1-800-851-3420 to order printed resources from DOJ.

## **Benefits from Your State Government**

- State line-of-duty death benefit (one time or paid in installments)
- Workers' Compensation
- Funeral/Burial Allowance
- Retirement/Pension
- Health Insurance
- Educational Assistance for Children
- Educational Assistance for Spouses

Every state is different! Not all states offer these benefits. Some benefits may be available based on circumstances of death or type of service (career or volunteer). You can view and print a list of your state's benefits online at [www.firehero.org](http://www.firehero.org).

States administer the following programs, so most often you will be addressing these questions to a state employee in the state capital or a regional office. This may not be the case for Worker's Compensation, where you may talk directly to the insurance company.

It is strongly suggested that you know the state tax laws regarding all benefits you receive BEFORE you see an accountant. Not all accountants are knowledgeable of the state laws regarding these benefits.

## **State Government Benefits**

### ***One-time Death Benefit***

Many states provide a one-time benefit to survivors of firefighters and other public safety officers who die in the line of duty. Amounts and criteria for eligibility vary widely from state to state, and some states do not have a one-time death benefit. You can access information about your state at [www.firehero.org](http://www.firehero.org) in the Benefits section.

#### **Questions to Ask**

- Is this payable as a lump sum or over a set period of years?
  - Do I get to choose?
  
- Will this benefit offset the amount(s) I can receive from other agencies, such as Workers Compensation?

## **State Government Benefits**

### ***Worker's Compensation***

Survivor benefits may be available from the Worker's Compensation program in the state or locality of the fire department with which your loved one served. The benefits coordinator or fire department representatives should be able to assist you in determining if these benefits will be available.

Generally:

- Many states provide a set burial allowance
- Most states pay benefits to children up to age 18, and longer if the child is disabled
- There may be an offset provision for payments received from Social Security or other benefits
- Many states do not continue payments when a spouse remarries. Some offer a set amount as a lump-sum final payment.

Due to the variety of qualifying requirements and the complexity of filing processes, some survivors have told us they sought legal advice and assistance with this benefit.

The U.S. Department of Labor, Office of Worker's Compensation Programs, has information on benefits in each U.S. state and territory available online at:

[www.dol.gov/esa/regs/compliance/owcp/wc.htm](http://www.dol.gov/esa/regs/compliance/owcp/wc.htm)

#### **Questions to Ask**

- Are there special benefit rates paid for line-of-duty deaths?
- Is this payable as a lump sum or over a period of years?
  - If so, do I get to choose?
  - How long will I receive periodic payments?
- If your loved one died serving as a volunteer firefighter, be sure to ask how his or her level of compensation will be computed.

## **State Government Benefits**

### ***Funera/Burial Allowance***

In some states funeral benefits are available separate from Worker's Compensation; in others, they are part of Worker's Compensation. Because benefits vary so much at the state level, you will need information for your state specifically. A quick place to find information for your state is the NFFF website ([www.firehero.org](http://www.firehero.org)) where you will find a summary of each state's benefits. Of course, you should also seek assistance from the local organizations where your loved one was affiliated.

#### **Questions to Ask**

- If my loved one isn't covered under Workers Compensation, can we still get this benefit?
  
- What is the maximum amount?
  - What does it cover?
  - Does the payment go to the eligible survivor or to the funeral home/cemetery?

## **State Government Benefits**

### ***Retirement/Pension***

The states vary widely both in the amount and for whom benefits are available. Some states provide retirement/pension benefits for both career and volunteer firefighters. Others provide benefits only for career personnel. As with other state benefits, you should seek information at the local level or you may read the summary information on the NFFF website ([www.firehero.org](http://www.firehero.org)) and then proceed to the sources referenced on that website.

#### **Questions to Ask**

- Is this benefit available as a lump sum or in periodic payments?
- If I am the spouse and already receive my own retirement benefit, am I eligible to receive my loved one's benefit, also? Do any offsets apply?
- Are my children eligible to receive any portion of the proceeds?

## **State Government Benefits**

### ***Health Benefits***

Some states provide health care, but many do not. You will find summary information for your state on the NFFF website, but you should also ask the department where your loved one was affiliated for specific health benefits information.

#### **Questions to Ask**

- Will I be eligible for health care benefits? Some states provide health care, but most of the time this will be a local benefit question.
- If not, will I be eligible under the COBRA provision that allows me to continue coverage for up to 36 months?

*For career firefighters:*

- Will the department/state continue to pay its share?
- Will my children be covered also? Up to what age?
- If I move out of state, how will this affect my health benefits coverage?

NOTE: If you have problems or questions regarding life insurance, health care insurance, or worker's compensation that you have not been able to resolve, you can contact your state's Insurance Commissioner's Office for assistance.

## **State Government Benefits**

### ***Educational Assistance***

Many states offer educational benefits to children and/or spouses of fallen firefighters. The amount of assistance varies from state-to-state. A summary of information for your state's benefits can be found on the NFFF Web site. For more specific information, contact the office of your state's Department of Education.

#### **Questions to Ask**

- Who is covered besides me?
- Are there age limitations for children?
- What are the requirements in terms of GPA and course load?
- Is there a limit on how long I can wait to take advantage of this benefit?
- Do I lose the benefit if I move out of state?
- What exactly is covered under this benefit?
  - In-state and out-of-state schools?
  - Public and private schools?
  - Full- and part-time study?
  - Certifications, such as EMT or computer specialties?
  - Undergraduate and graduate study?



## **Benefits from Local Government/Departments**

- Life Insurance
- Retirement
- Final Paycheck
- Sick pay
- Coverage of hospital/emergency transport costs
- Health Insurance
- Funeral/Burial Allowance

Often the department will assign someone to provide information on these benefits. If not, here are the types of things to ask. Some may only pertain to career firefighters. For questions to ask on health insurance, please refer to the section under State Benefits.

### **Questions to Ask**

- Is there a department life insurance policy?
- Will the final check include vacation, sick leave, etc.?
- When can I expect to receive the final check?

## **Benefits from Private Organizations**

- Hundred Clubs, etc.
- Educational Assistance/Scholarships
- Union Benefits

If your firefighter belonged to any organizations, such as a union or fraternal group, there may be additional benefits available. Some communities and states also have private organizations that will provide immediate assistance to the family.

### **Questions to Ask**

- If a “fund” is established, is it properly set up so that the proceeds are not taxable at any level?  
Can I get this in writing for future reference?

## **Benefits from Private Organizations**

### ***Scholarships/Education Assistance***

In addition to Federal, state, and local benefits, there are several other sources of assistance to help cover secondary education costs. As with all benefits, each has its own set of criteria for eligibility.

#### **National Fallen Firefighters Foundation**

[www.firehero.org](http://www.firehero.org)

The National Fallen Firefighters Foundation offers financial assistance for post-secondary education and training to spouses, children, and stepchildren of firefighters honored at the National Fallen Firefighters Memorial. Children and stepchildren must be under age 30 and have been under age 22 at the time of the firefighter's death.

Survivors who apply for the Foundation's Sarbanes Scholarship Program will also be considered for several partner programs. You only need to submit the Foundation scholarship application and materials to be considered for the partner programs.

More information and downloadable application materials can be found in the Benefits section of the Foundation's Web site.

#### **W. H. "Howie" McClennan Scholarship**

**International Association of Fire Fighters**

<http://www.iaff.org/et/scholarships/mcclennan.html>

This program makes annual scholarship awards available to children of firefighters who died in the line of duty. The applicant's parent must have been a member in good standing of the International Association of Fire Fighters at the time of death.

Please see the Web site or contact the IAFF directly for more information

## **Personal Benefits**

- Life insurance policies other than those carried by a department or union
- Benefits associated with employment outside the fire service
- Small life insurance policies offered in conjunction with bank accounts or credit card accounts.

This guide focuses on benefits that are directly related to the death of a firefighter in the line of duty. For specific information on other benefits, contact banks, credit card companies and other agencies directly.

### **Questions to Ask**

- Are there exclusionary clauses in any of these policies that disqualify law enforcement or fire service personnel who die in the line of duty?

## Additional Resources

There are many resources that can provide you with additional information on benefits and financial matters. The following organizations and Web sites might be useful to you:

### **AARP**

(888) OUR-AARP (888-687-2277)

[www.aarp.org/families/grief\\_loss](http://www.aarp.org/families/grief_loss)

This is a good source for checklists and reminders about details that need to be handled after the death of a loved one. The information is written for the average person, not someone who is well versed in finances and benefits information. You don't have to be a member to access the information through the Web site, and much of the information applies to people of all ages. You can view and download the information online or order printed publications.

[www.USA.gov](http://www.USA.gov)

This is a central point for locating and contacting agencies within the Federal government as well as those within your state. You can also find contact information for the Congressional representatives from your state. In addition, there are links for many agencies, topics, and publications available from the government.

[www.familiesUSA.org](http://www.familiesUSA.org)

This website is sponsored by a consumer group that keeps track of state rules on health coverage.

**[www.smartaboutmoney.org](http://www.smartaboutmoney.org)**

[www.federalreserveeducation.org/pfed](http://www.federalreserveeducation.org/pfed)

[www.finra.org/investor](http://www.finra.org/investor) information

[www.jumpstart.org/links.cfm](http://www.jumpstart.org/links.cfm)

[www.schoolwork.org](http://www.schoolwork.org)

[www.choosetosave.org](http://www.choosetosave.org)

These websites have articles on life insurance, student loans and loan consolidation, retirement, IRAs, and many other financial issues. They also have links to additional websites on similar topics. There is considerable information that would be useful in teaching children and teenagers about personal finances and using credit wisely.

<http://knowhow2go.org>

This website provides information on preparing for college and is geared to middle school through high school students. It includes links to specific state information as well as other useful resource links.

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