**R698. Public Safety, Administration.**

**R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund.**

**R698-8-1. Purpose.**

The purpose of this rule is to establish procedures for implementation of the Public Safety Officer and Firefighter Line-of-Duty Death Act.

**R698-8-2. Authority.**

This rule is authorized by Section 53-17-301.

**R698-8-3. Definitions.**

(1) The terms used in this rule are defined in Section 53-17-102.

(2) In addition:

(a) "department" means the Utah Department of Public Safety; and

(b) "participating agency" means an employer defined in Section 53-17-102 that has elected to participate in the trust fund.

**R698-8-4. Participation Process.**

(1) An employer that elects or is required to participate in the trust fund pursuant to Section 53-17-301 shall submit:

(a) a cost sharing agreement form approved by the board;

(b) a certificate of eligible employees form approved by the board that identifies the number of eligible members at the time the employer elects to participate in the trust fund; and

(c) the required annual premium payment as determined by the board.

(2) The information described in Subsection R698-8-4(1) shall be addressed to the Commissioner's office of the Department of Public Safety, Attn. Trust Fund.

(3) The cost sharing agreement form shall contain the following:

(a) the name, address and phone number of the employer; and

(c) the name, mailing address and signature of the agency administrator completing the cost sharing agreement form.

**R698-8-5. Annual Payment of Premiums.**

(1) A participating agency shall continue to submit annual premium payments to the department in order to continue to participate in the trust fund.

(2) Annual premium payments shall be submitted to the department no later than June 30 of each year and shall be accompanied by an updated certificate of eligible employees form that identifies the number of eligible members as of March 31.

(3) If a participating agency fails to submit a premium payment as required in this subsection, the department shall notify the participating agency of the delinquency in premium payments.

(4) If after receipt of a delinquency notice the participating agency fails to submit the annual premium payment within 30 days of the date of the notice, the department shall:

(a) notify the participating agency that the employer is no longer considered to be a participant in the trust fund; and

(b) include in the notice the total amount of premiums paid by the employer into the trust fund.

**R698-8-5. Reimbursement of Health, Dental, and Vision Coverage Costs.**

(1) In the event of a line-of-duty death of a member, a participating agency may receive reimbursement for payment of health, dental, and vision coverage premiums and contributions made to a health savings account as described in Section 53-17-201.

(2) To receive reimbursement for payments described in Subsection (1), the participating agency shall submit to the department:

(a) a request for reimbursement on a form approved by the board upon initial request; and

(b) a copy of the statement provided by the group health, dental, and vision plan that includes the participating agency's costs for coverage upon initial request and each month thereafter.

(3) The request for reimbursement form shall include:

(a) the name of the spouse for whom coverage is provided; and

(b) the name and date or birth for each child under the age of 26 for whom coverage is provided.

(4) If the member did not have a living spouse at the time of death, the request for reimbursement form shall include the name and date of birth for each child under the age of 26 for whom coverage is provided.

(5) An employer is only eligible for reimbursement of health, dental, and vision coverage costs from the trust fund for a line of duty death that occurred between July 1, 2005 and July 1, 2018 if the employer participated in the trust fund in compliance with Section R698-8-4 prior to July 1, 2018 and is current with premium payments.

(6) An employer is not eligible for reimbursement of health, dental, and vision coverage costs from the trust fund for a line of duty death if at the time the line of duty death occurs, the employer is not a participating agency in compliance with this rule.

**R698-8-6. Discontinuation of Reimbursement of Health, Dental, and Vision Coverage Costs.**

(1) In the event of the death of a spouse or child for whom coverage is provided under Section 53-17-201, the participating agency shall submit to the department:

(a) a form approved by the board that includes;

(i) the name of the spouse or child that is deceased;

(ii) the individual's date of birth; and

(iii) the date of the individual's death.

(2) Upon receipt of the form described in Subsection (1), the department shall discontinue reimbursement of health, dental, and vision coverage costs from the trust fund for the deceased individual.

(3) If reimbursement is being paid from the trust fund for health, dental, or vision coverage costs to an employer for a child under the age of 26, reimbursement will be automatically discontinued when the child reaches the age of 26.

**KEY: line-of-duty death, cost sharing agreement, surviving spouse trust fund**

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