

MINNESOTA DUTY DISABLED ASSOCIATION

Representing Minnesota's Duty Disabled First Responders

The Minnesota legislature has proposed new legislation that, if passed, will have a devastating impact on Minnesota's first responders. The specific bills proposed are **HF1234/SF1959**.

The proponents of this bill; League of Minnesota Cities, public employers and agencies, Public Employees Retirement Association (PERA), Minnesota Chiefs of Police and Sheriff's Associations, did not include Duty disabled first responders, who stand to lose the most in this legislation, and learned of this bill only weeks ago. The Minnesota Duty Disability Association was formed to advocate for Duty Disabled First Responders.

What are PERA disability benefits?

In Minnesota, first responders are not eligible for social security. Instead, we have a separate pension plan (PERA), that we are obligated to contribute to for the entire length of our employment.

When a PERA-covered employee is injured in the line of duty and unable to return to their occupation due to the severity of their injury, they may be entitled to a "duty disability benefit."

- PERA Police and Fire Disability benefits are tax-free disability benefits, paid at 60% of a disabled officer, firefighter, or paramedic's average high five salary.
- PERA Corrections Disability benefits are tax-free disability benefits paid at a base rate of 47.5% of a disabled corrections officer's average high five salary.

If enacted, these bills will affect first responders receiving PERA duty disability benefits, including those who were *previously approved for benefits*. This means police officers, firefighters, paramedics or corrections officers with physical injuries, or psychological injuries (e.g., PTSD).

If passed, **HF1234/SF1959** will apply to ALL current and future Minnesota first responders, including duty disabled police officers, firefighters, correctional officers, and paramedics.

What changes are being proposed by HF1234/SF1959?

1. **Re-Application Requirement.** New applicants and those already approved for PERA duty disability benefits would have to go through a "reapplication requirement." Anyone receiving PERA duty disability benefits will have to reapply for benefits yearly for five years, and every three years after that time. If PERA denies a re-application, the PERA duty disability benefits will terminate, as will their health insurance coverage.
2. **Monetary Penalties for Reemployment.** The bill includes two new penalties for first responders receiving PERA duty disability benefits and who have returned to work in a new profession, regardless of what the profession is.

Please visit <https://mndda.org/> for more information about these proposed changes and for testimonials from the Minnesota first responder families who will be affected.

- 1) PERA duty disability benefits will be offset a minimum of (a) 50% of reemployment earnings or (b) 11.8% of average salary multiplied by the difference between 20 and the member's years of service, divided by 55 minus the member's age at the time of disability.

For every dollar earned, the disability benefit is decreased by a dollar. If a disabiltant receives \$2000/month, every dollar earned after that would decrease the pension amount received. This is a financial hamster wheel and no way for an injured first responder to start a new career at an entry level position.

- 2) PERA duty disability benefits will be offset from 125% (current amount allowed) down to 100% of earnings from a new job.

A first responder who was paid \$50,000 while working is paid \$30,000 from the pension. A first responder who finds work to fill that gap in their income will not ever be able to make more than \$50,000 between their reemployment income and pension income. Previously, the cap would have been \$62,500.

3. **New Requirements for PTSD Applicants.** The bill would require first responders applying for PERA duty disability benefits in the future (not reapplication), based on a psychological injury to first complete 24-32 weeks of treatment. Although the employer would be responsible for payment, there is no information regarding who will provide this treatment or how first responders can access 24-32 weeks of treatment and there no protection for the first responder's job during this time period. Terminated employees without any income would have to pay for the treatment themselves.

Why does this matter?

As drafted, the bills will financially cripple many first responders and their families. Those who have lost careers due to career-ending injuries will be left struggling to provide for their families.

PERA claims these changes are needed to balance the financial needs of the pension, but the numbers do not add up. Additionally, the only cut that has been proposed is to this disability pension. While other retirees, as well as first responders who are unable to work are both getting increased benefits under this bill. We do not begrudge them the benefit, but not at our expense.

What are we asking for?

We need additional time to draft a bill giving equal regard to the needs of present and future Minnesota's injured first responders. Neither duty disabled first responders or mental health professionals were included in these discussions. These groups need to have a voice in the discussion especially with such a devastating impact on Minnesota's first responder community.

Please call your senator and tell them that you support Minnesota's injured first responders and ask them to **"VOTE NO"** on **HF1234/SF1959**.

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