



VIRGINIA STATE POLICE ASSOCIATION

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Virginia State Police Association

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Mr. Chairman, Members of the Committee, I am Wayne Huggins, Executive Director of the Virginia State Police Association. On behalf of our members, I want to thank you very much for the opportunity to appear before you today.

There is perhaps no issue more important to our members than that of “What will happen to my family and me if I am injured in the line of duty and forced to retire.” Joining me today is a group of former Troopers who fall into that very category. They all were injured in the line of duty and forced to retire as a result of those injuries.

Three weeks ago, I had the occasion to meet with them and some of their spouses to discuss these very issues. Their stories are profound and gut-wrenching, and you don’t have to be with them very long before you realize what special people they are.

You also do not have to be them with very long to realize how difficult their lives became after their injury or illness. The circumstances of those injuries and illnesses vary as does the specific injury or illness they experienced. These men and women have suffered permanently-disabling gunshot wounds, helicopter crashes, crashes from high speed pursuits, being struck by a motor vehicle while sitting in their police cruiser or standing on the shoulder of a highway. Additionally, they have suffered heart attacks and other permanently disabling diseases.

Their injuries vary as well, from loss of limbs, permanent brain injuries and paralysis to the loss of memory and motor skills. However, not once have I heard even a single one voice any regrets about their career choice or the fate they have and are experiencing. In fact, the only regret I have heard is that they are unable to put on their State Police uniform and return to work.

The issues I would like to briefly discuss with you today can be broken into two areas: First, I would like to discuss those 88 living Troopers forced to retire as the result of a Line of Duty injury between April of 1972 and July of 2000. Secondly, I would like to discuss the processes of disability retirement.

In the 2000 Session of the General Assembly, you and your colleagues passed an important law that required the Commonwealth to provide health care for those public safety officials who became permanently disabled from a duty-related injury. Because the language in the law did not make it perfectly clear as to who would be covered, the “implementation date” of this law, July 1, 2000, was interpreted by the Attorney

General's office as the effective date, meaning that those retiring on or after July 1, 2000 would receive these benefits, but those already retired on disability would not.

In other words, this interpretation meant that the law was passed for no existing retired person; only those who would retire in the future. Over the past several months, I met with a number of you who were members at that time, and I have received two reactions from those with whom I have met: First, disbelief that those 88 Troopers are not covered and, secondly, "That was not our intent."

I believe it is morally wrong to provide such a benefit to one group of Troopers and not to all. In fact, one of your colleagues, Delegate Bill Carrico, himself a former Trooper forced to retire as the result of a duty-related injury, is one of those 88 Troopers.

Another of those Troopers is with us today. In July of this year, he paid \$416.00 a month for health care. In August, that amount rose to \$458.00. In July of this year, his monthly annuity was \$360.45. After a 2.5% COLA and the rise in healthcare, his monthly annuity is now \$336.31. That's right. He receives a monthly benefit of \$336.31. His duty-related injuries were extreme to include the loss of a limb and confinement to a wheel chair.

Two of these 88 Troopers have told me, and I quote, "My family would be better off if I had died."

Therefore, we respectfully request you take action in the 2005 session to ensure that these 88 Troopers receive the same benefits as those who have retired since July of 2000.

I would now like to discuss the processes of disability retirement. It may be overly simplistic; however, we believe that if a public safety officer is forced to retire from a duty-related injury, his financial situation should be the least of his worries. In other words, financially speaking, his life should continue as it did before his injury. Additionally, the process of applying for and receiving disability retirement should not be as painful as the injuries themselves.

In discussing these issues with the Troopers who have retired on disability within the last 4 to 5 years, they have far less concerns about the benefits they receive as they do with the process they had to go through to receive them.

There are at least six different agencies with whom they are forced to interact: The Department of State Police, DHRM and its subcontractor, Managed Care Innovations (MCI), VRS, the Comptroller's Office and Anthem Blue Cross/Blue Shield. Each of these entities has its own responsibilities and often does not know what the other is doing -- or at least that is the perception. It is difficult to find a "person" who can answer questions.

Monies are frequently sent to a retiree only to find out that they were either overpaid or that the money in whole or in part should have gone to one of the other agencies, necessitating the Trooper to write a check to that other agency.

Additionally, the period of time between when a Trooper is notified of his/her impending retirement until the date he actually receives his first benefit can be as long as 8 to 10 months. From the date of retirement until he receives "approval" from the Comptroller's Office can be 3 to 6 months, during which time the Trooper is forced to pay for his own health care. He will eventually be reimbursed; however, this places a financial hardship on his family. At least one of our families was forced to hold a yard sale to sell off their furniture just to make ends meet.

In fact, Trooper after Trooper has told me that, if it weren't for family, friends and local businesses, they would have lost their homes.

At this point, I can see confusion on your faces and hear you wondering, "How can this be?"

Well, it is confusing, and, as I have studied this matter, I have become even more confused. I can tell you these processes are extremely complex and desperately need overhauling.

Realize also the backdrop against which this is occurring. Your husband or wife, your Trooper, is lying in the hospital and you don't even know if he or she will survive or, if they do, what their permanent condition will be. In addition, now you are faced with an enormous volume of paperwork and questions to answer that will affect your family's future.

You can only imagine having to face these matters in a state of emotional shock and trauma. It also is not uncommon for our Troopers' spouses to end up losing their jobs because of the amount of time they must devote to their spouse's recovery and their children. I would encourage you not to take my word on any of this, but rather talk to these Troopers and their spouses.

Finally, the new Virginia Sickness & Disability Program has what we consider to be one major flaw. A decision must be made within six months as to whether an injured officer has a permanent disability. At six months, the injured officer loses his or her eligibility for the state's contribution to their health insurance. HB 704 attempted to extend this period to 12 months. Six months is far too short of a time to be able to tell whether a person will be able to recover enough to return to work. We support HB 704 and request that this time be extended to 12 months.

In conclusion, we are requesting the following:

- 1) Those 88 Troopers who retired on a duty related disability prior to July of 2000 be provided the same benefits as those who have retired since then.
- 2) You look at the "processes" of disability retirement with an eye toward streamlining and a better coordination between the various agencies involved to ensure an uninterrupted flow of salary and benefits
- 3) As a part of the streamlining process, a help desk be created to appoint a single point of contact for the retirees and their families.
- 4) Under the VSDP, extend the state's contribution to the employee's health insurance to 12 months.

Retirement is an event that can and should be planned for. However, disability retirement cannot be anticipated, and therefore it is difficult if not impossible to plan for. For those who voluntarily put themselves in harm's way for us, we as a community have no greater responsibility than to ensure they are properly cared for in every reasonable way when tragedy occurs. Thank you.