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## PSOB – THE FEDERAL GOVERNMENT’S PROGRAM TO PROTECT PUBLIC SAFETY OFFICERS AND THEIR FAMILIES

**BY: SCOTT A. O'MARA**

Various governmental entities in this country acknowledge the unique exposures safety officers have in their employment situation which can lead to a variety of injuries. Of particular relevance to California officers are the state laws providing Workers' Compensation benefits in the event of a job-related injury.

Significantly, however, the Federal Government also has a program — the Public Safety Officers' Benefits (PSOB) Program — which provides benefits for safety officers who sustain such injuries as heart attacks, strokes or vascular ruptures in the line of duty. This program recognizes the unique nature of the work performed by safety personnel — *i.e.*, police officers and firefighters — to protect our society.

In certain situations, the PSOB Program will provide a one-time lump-sum disability benefit payment to public safety officers who have developed an injury which is totally and permanently disabling, thereby precluding them from engaging in not only public safety work, but also any other type of employment due to a catastrophic injury sustained in the line of duty.

The PSOB Program also recognizes the impact to injured officers' families in certain situations, and will provide monies for the spouses and children of officers who have been either killed in the line of duty or disabled from engaging in any employment in the labor market to pay for such higher education costs as tuition fees, room and board, books, supplies, etc.

Eligibility for PSOB benefits is based on a public safety officer either being killed or sustaining a permanently and totally disabling injury while engaged in the line of duty, or within 24 hours after participating in a very stressful, non-routine activity such as physical law enforcement, fire suppression, rescue activity, a hazardous material response, emergency medical services, disaster relief, or some other emergency response or activity, or a training exercise involving non-routine and stressful or strenuous physical activity. To substantiate eligibility, medical evidence is required.

If a safety officer is killed in the line of duty, and the officer's spouse is the only surviving family member, 100 percent of the death benefit is paid to the officer's spouse. If the officer is survived

by a spouse and children, 50 percent of the death benefit goes to the spouse, and the remaining 50 percent is divided equally among the children. If there is no surviving spouse, but the officer has surviving children, the full death benefit is divided equally among the children.

The PSOB Program does have limitations if the safety officer's death was caused by intentional misconduct or voluntary intoxication; if the officer's duties were performed in a gross, negligent manner; or if the officer's surviving spouse was a contributing factor to the officer's death or catastrophic injury.

On February 23, 2018, Congressman Raul Ruiz, M.D., introduced a bipartisan bill which would increase the benefits paid to totally-disabled safety officers and the families of deceased officers. Death and disability benefits would increase from \$350,000 to \$500,000, and education benefits would increase from \$1,041 per month to a maximum of \$2,000 per month.

The PSOB Program was established in 1976, with changes and enhancements occurring since then to protect safety officers and their families through lump-sum payments. Again, this is a Federal program not controlled or directed by the California Workers' Compensation system.



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**NOTICE:** *Making a false or fraudulent Workers' Compensation claim is a felony subject to up to 5 years in prison or a fine of up to \$50,000 or double the value of the fraud, whichever is greater, or by both imprisonment and fine.*

