



### **What is supplemental pay?**

Supplemental pay is additional funds received from the state that are subordinate to workers' compensation and other compensation benefits from the employer, which could result in the recipient receiving his or her monthly gross salary minus state and FICA tax withholdings.

Under supplemental pay the law enforcement officer must be physically disabled, but not permanently disabled, as a result of a physical injury that occurred in the line of duty and caused by a willful act of violence. A firefighter must be physically disabled, but not permanently disabled, as a result of a physical injury that occurred in the line of duty while fighting a fire.

The supplemental application should be submitted within 60-days from the date of the incident. The eligible recipient could receive an amount that equals his or her monthly gross salary, minus deductions for state income tax withholdings, and FICA tax withholdings, which was in effect prior to the date the law enforcement officer or firefighter was injured in the line of duty. These benefits are paid monthly.

The supplemental pay benefit only applies to law enforcement officers and firefighters. DOAS will require a complete copy of the workers' compensation record, evidence of disability, and additional records associated with such sources of compensation.



### **How important to the indemnification process is a will?**

In the case of death, the benefit is paid to the estate of the deceased. Probate papers must be filed with the Indemnification Program Specialist before any payments are issued. The Indemnification Commission urges those covered by the program to write a will and name an administrator or executor of his or her estate. The attorney who is assisting in developing the will should be advised about the disability and death benefits available through the State of Georgia and the federal government.

### **If I have questions whom should I contact?**

For additional information about the Indemnification Program, please contact the Georgia State Indemnification Commission at:

Georgia State Indemnification Commission  
200 Piedmont Ave, SE,  
Suite 1208 West  
Atlanta, Georgia 30334

Phone: 404-656-6245



**State of Georgia**

## **Public Officers Indemnification Program**

This information is intended to serve only as a summary overview of the Indemnification Program. For specific information please refer to the Official Code of Georgia (O.G.C.A) Section 45-9.



*Georgia State Law, O.C.G.A. 45-9-80 authorizes the payment of a financial benefit to certain public safety employees who are disabled or killed in the line of duty.*

The State of Georgia recognizes the unique hazards inherent in certain public safety occupations. This led to the General Assembly to establish the Georgia State Indemnification Program.

The program provides a financial benefit for the designated public officers who are disabled or killed in the line of duty. Benefits under the Indemnification fund include payments for supplemental income, partial permanent disability, total permanent disability, and for death. Eligible public officers include law enforcement officers, firefighters, prison guards, (publicly employed) emergency medical technicians, emergency management rescue specialist, state highway employees (H.E.R.O. Unit), and (Active) members of the Georgia National Guard when called into service by the Governor.

Payments are made through the Georgia State Indemnification Fund which is overseen by the Georgia State Indemnification Commission and administered by the Department of Administrative Services; all applications are processed and investigated by the Indemnification Specialist.

DOAS shall approve or deny claims filed after 7-1-08. Prior to 7-1-08 the Indemnification Commission will review the applications received. After determining that the injured person or the estate of the deceased is entitled to the financial benefit, the Indemnification Commission will issue an order authorizing DOAS to make payment.



### ***How much is the benefit?***

In the case of partial permanent disability the current benefit is **\$35,000.00**. The eligible person may elect payment of **\$583.33** paid in equal monthly installments for five years or a lump sum of said amount reduced to its present value upon the basis of interest calculated at the rate of 6% per annum.

In the case of total permanent disability the current benefit amount is **\$75,000.00**. The eligible person may elect to receive a payment of **\$1,250.00** paid in equal monthly installments for five years or a lump sum of such amount reduced to its present value upon the basis of interest calculated at the rate of 6% per annum.

In the case of death or organic brain damage the current benefit is **\$100,000.00** payment SHALL be made to the surviving **UN-remarried** spouse or the dependents of the spouse or deceased person as shown in his or her most recent tax return or to the legal guardian of the organically brain damaged person. The designated person may elect to receive payment of **\$1,666.66** paid in equal monthly installments for five years or a lump sum of such amount reduced to its present value upon the basis of interest calculated at the rate of 6% per annum.

Effective July 1, 2008 the program was expanded to include "Partial Permanent Disability" benefits.

### **What does Partial Permanent Disability Mean?**

- (A) Loss of the use of one eye or blindness in one eye with only light perception;
- (B) Loss of one hand;
- (C) Loss of one leg; or
- (D) Loss of a lower extremity or the residual effect of an organic disease or injury which so affects the function of balance or propulsion as to preclude locomotion without the use of a wheelchair for all but very short distances.

### **What constitutes total permanent disability?**

According to the statute, permanent disability means disability that precludes employment specifically due to:

- (A) Loss of both eyes or blindness in both eyes with only light perception;
- (B) Loss or loss of use in both hands
- (C) Loss or loss of use of both legs;
- (D) Loss of a lower extremity or residuals or organic disease or injury, which so affect the function of balance or propulsion as to preclude locomotion without resort to a wheelchair;
- (E) Organic brain damage resulting from direct physical trauma incurred after January 1, 1973, which so affects the mental capacity as to preclude the ability to function productively in any employment.



### **Who is eligible to receive indemnification benefits?**

The financial benefit are available to law enforcement officers, firefighters, prison guards, publicly employed emergency medical technicians, emergency management rescue Specialists, state highway employees, and members of the Georgia National Guard when called into active state service by the Governor for law enforcement purposes.

### **How does someone apply for benefits?**

The application for benefits must be completed and sent to the Indemnification Commission. An application can be obtained at [www.doas.ga.gov](http://www.doas.ga.gov) or call 404.656-6245. Applications must be submitted within 24 months from the date on which the permanent disability or death occurred. In the case of death, the individual who is authorized to administer the deceased's estate must file the application. In the case of permanent disability, the eligible recipient must file the application. If the injured person is considered mentally incompetent, a Parent, Spouse, or legally authorized individual may file the application guardian, or other legally authorized individual may file the application guardian, or other legally authorized individual may file the application.