



What is Supplemental Pay

Firefighters and law enforcement officers who are physically disabled, but not permanently disabled, from an in the line of duty injury, may apply for supplemental compensation pay from the Indemnification Program. Applications must be received by the Department of Administrative Services (DOAS) from the injured person within 60 days from the date of the incident resulting in disability. See O.C.G.A. 45-9-103.

The monthly supplemental benefit pays an amount that equals the officer's monthly gross salary, minus deductions for state income tax withholdings, and FICA tax withholdings. Supplemental pay is subordinate to workers' compensation and other compensation benefits from the employer and is available for a total of 12 months. See O.C.G.A. 45-9-102

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.

Submit an Application

The application for benefits must be completed and sent to DOAS within 60 days of the incident resulting in disability. An application can be obtained at www.doas.ga.gov or by calling 404.656-6245.

Appeals

If DOAS denies your application for benefits, you may appeal. All appeals must be in writing and received by DOAS within 60 days of receiving your written notice of denial from DOAS. See O.C.G.A. 45-9-102(g).



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.

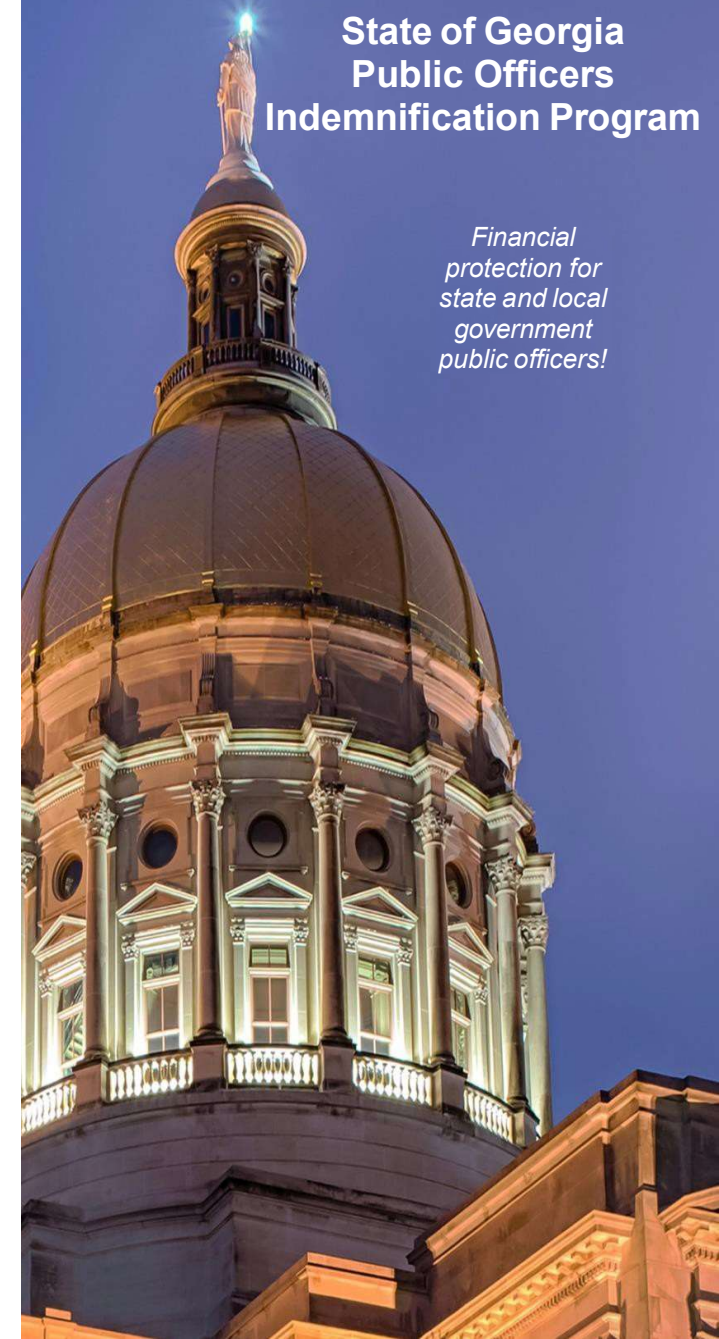


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Georgia Department of Administrative Services Risk Management Services

State of Georgia Public Officers Indemnification Program

*Financial
protection for
state and local
government
public officers!*



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), POST certified community supervision officers, emergency medical technicians, emergency management rescue specialist, state highway employees (H.E.R.O. Unit), and (Active) members of the Georgia National Guard and State Defense force when called into service by the Governor. See O.C.G.A 45-9-81 for definitions.

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

DOAS shall review all applications. Applications will be approved or denied by DOAS. After determining that the injured person or surviving unmarried spouse, children, and/or dependent is entitled to the financial benefit, DOAS will authorize and oversee payment of benefits. Denied applications may be appealed in writing to DOAS within 60 days of receiving a written notice of denial. Appeals will be reviewed by the DOAS Commissioner or his/her designee.

Benefits

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 capped at **\$150,000.00**. Payment shall be made to the surviving unmarried spouse, the surviving children who are under the age of 19 or, if a student enrolled in an institution of postsecondary education at the time of such death, under the age of 24; or individuals not otherwise provided for under this subparagraph who are the dependents of the spouse or deceased person's most recent tax return. The designated person may elect to receive payment up to **\$2,500.00** 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.

What Constitutes Partial Permanent Disability

According O.C.G.A. 45-9-81(9), permanent disability means disability that precludes employment specifically due to:

- (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 O.C.G.A 45-9-81(12), 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 the residual effect of an organic disease or injury which so affects the functions of balance or propulsion as to preclude locomotion without resort to a wheelchair at all times; or
- (E) Organic brain damage.

Who is Eligible?

The financial benefits are available to law enforcement officers, firefighters, prison guards, publicly employed emergency medical technicians, POST certified community service officers, emergency management rescue specialists, state highway employees (H.E.R.O Unit), and members of the Georgia organized militia when called into active state service by the Governor for law enforcement purposes.

Submit an Application

The application for benefits must be completed and sent to DOAS. An application can be obtained at www.doas.ga.gov or by calling 404-656-6245. Applications must be submitted within 24 months from the date on which the accident occurred. In the case of death, the application must be completed by the surviving unmarried spouse or dependents. In the case of permanent disability, the eligible recipient must file the application. If the eligible person is mentally incompetent, a parent, spouse, or legally authorized individual may file the application on their behalf.

Appeals

Denied applications may be appealed in writing within to DOAS. Appeals must be received within 60 days of receiving a written notice of denial from DOAS. Appeals will be reviewed by the DOAS Commissioner or his/her designee.