

MONTANA PUBLIC EMPLOYEES' RETIREMENT BOARD

TITLE: Volunteer Firefighters Compensation Act

POLICY NO: BOARD Op 06

EFFECTIVE DATE: 04/14/2016

I. POLICY AND OBJECTIVE

To expedite the processing of Volunteer Firefighters' Compensation Act (VFCA) filings, the Public Employees' Retirement Board (the Board) hereby delegates to the Executive Director the Board's authority to approve or deny certain VFCA requests and to act on-behalf of the Board related to such requests. This delegation is specifically made pursuant to Montana Code Annotated (MCA) § 19-2-403(14) and applies in the following matters:

(a) Verification and approval or denial of:

- i. an annual certificate filed by a volunteer fire department for a fiscal year,
- ii. the eligibility and qualification of a volunteer fire department to participate in the VFCA,
- iii. a current year's roster filed by a volunteer fire department for a fiscal year; and
- iv. a membership card filed by a volunteer fire department for a fiscal year.

(b) To take action to:

- i. correct fraud or error resulting in a member, surviving spouse, or dependent child, receiving less or more of a benefit than they were entitled to and if necessary correct the credit for service and equitably adjust the payments; and
- ii. settle disputes regarding credited years of service for members of a volunteer fire department.

(c) Duties that have not been delegated to the Executive Director and will remain with the Board include:

- i. Pursuant to MPERB Policy No. Board Op 1, MCA § 19-17-506 and ARM 2.43.5007, the approval or denial of the payment of medical expenses

- resulting from a duty-related injury or illness that are greater than \$1000; and
- ii. Pursuant to MCA § 19-17-506 and ARM 2.43.5008, the approval or denial of the payment of funeral expenses from a duty-related death that are greater than \$1000; and
 - iii. The approval, denial or cancellation of disability benefits for a VFCA member.

II. APPLICABILITY

This policy applies only to requests made under the Volunteer Firefighters' Compensation Act (VFCA), Montana Code Annotated Title 19, Chapter 17.

IV. CROSS REFERENCES

The following laws, rules or policies may contain provisions that apply to this policy. The list should not be considered exhaustive – others may also apply.

Sections 19-17-101 through 19-17-606, MCA.
ARM 2.43.5007
ARM 2.43.5008

VI. HISTORY

Board Op 06 – Volunteer Firefighters – Executive Director Approval of Filings
Originally Approved April 2016