EMERGENCY MEDICAL SERVICES RETIREMENT SYSTEM (EMSRS)

The Emergency Medical Services Retirement System (EMSRS) was established January 1, 2008 for the purpose of providing retirement benefits for emergency medical services officers employed by participating public employers who voluntarily elected to participate as of December 31, 2007, and to all emergency medical services officers hired into covered employment by participating public employers of EMSRS on or after January 1, 2008. EMSRS currently has more than 800 active members and 160 retirees.

"Board", when used in the following sections refers to the West Virginia Consolidated Public Retirement Board.

RETIREMENT BENEFITS

Contributions

EMSRS is funded by employee and employer contributions. An active employee contributes 8.5% of his or her gross monthly salary, and the employer contributes an additional 9.5% (effective July 1, 2022) of the employee's gross monthly salary for a total combined contribution equal to 18%.

Concurrent Employment

Any active member who has concurrent employment in an additional job or jobs that requires participation in another retirement system administered by CPRB must contribute 8.5% of his or her monthly salary from such additional employment to EMSRS, and his or her other employer must contribute 9.5% of his or her monthly salary from such additional employment to EMSRS.

Retirement Benefits

In order to qualify for regular retirement benefits, a member of EMSRS must meet one of the following requirements:

While still in covered employment:

- Attainment of age 50 when age plus contributory service equals 70 (excluding military service)
- Attainment of age 60 and completion of 10 years of contributory service (excluding military service)

When covered employment has ceased:

- Attainment of age 50 and the completion of 20 years of contributory service (excluding military service)
- Attainment of age 62 with 5 or more years of contributory service (excluding military service)

An EMSRS member is eligible for early retirement (actuarially reduced benefits) upon attainment of age 45 and completion of 20 years of contributory service.

Final Average Salary (FAS) is the average of the highest annual compensation received by the member during covered employment for any 5 consecutive plan years (Jan. 1- Dec. 31) within the last 10 years of service.

The accrued benefit on behalf of any member is calculated as follows:

Final Average Salary x Years of Credited Service x Benefit Percentage

Annual Retirement Benefit Formula

2.75% x FAS x Years of Service for years 1-20

2.0% x FAS x Years of Service for years 21-25

1.5% x FAS x Years of Service for years 26 and over Maximum Benefit 90% of FAS

Retirement income payments shall commence on the first day of the calendar month following: ***1)*** The CPRB's receipt of the member's voluntary application to retire; ***2)*** The member's termination of covered employment; and ***3)*** The member's attainment of early or normal retirement criteria.

The first benefit payment due to a retiree or beneficiary will be mailed directly to the recipient's home address. Following the first payment, barring any unforeseen circumstances, benefit payments are credited by direct deposit to retiree accounts on the 25th of each month, except the month of December when retiree accounts are credited on the 18th. If the 25th (or December 18th) falls on a weekend or holiday, direct deposits are processed on the prior full business day.

Retirement benefits are not automatic.

You must apply to the Board for your retirement benefits. Distributions must start by April 1 of the year following the later of: a) the date you reach age 72 if you were born before January 1, 1951; b) the date you reach age 73 if you were born after December 31, 1950; or c) the date upon which you terminate employment.

Annuity Options (as selected by the member)

Straight Life Annuity – a monthly annuity payable for the lifetime of the member determined under the regular benefit formula without adjustment. If the member dies before the payout of accumulated contributions, a named beneficiary shall receive the remaining benefit in a lump sum payment.

Contingent Joint and Survivor Annuity - a reduced annuity payable monthly for the lifetime of the member. Upon the death of the member, an annuity as elected by the member equal to 50%, 66 2/3%, 75% or 100% of the annuity the member was receiving, is payable to the beneficiary.

Ten Years Certain and Life Annuity – a reduced annuity payable for the lifetime of the member. If the member dies before receiving 120 monthly payments, the remainder of the 120 monthly payments shall be payable to the member's beneficiary or member's estate.

A retiree who is married and elects a survivor option naming someone other than their spouse must have their spouse complete a voluntary spousal waiver. A named survivor must be a natural person with an insurable interest in the member's life. An annuity option may not be modified once the member receives their first annuity payment.

Beneficiary Option Prior to Retirement

If a member is not married, or if he or she does not have dependent children or dependent parents, the member may name a beneficiary or beneficiaries to receive a return of accumulated contributions at his or her death. The member must complete a Pre-Retirement Beneficiary Designation form and return it to CPRB. The member should keep a copy of this form for his or her records. If a member's family situation changes (marriage, birth, death, divorce, etc.), his or her beneficiary designation should be reevaluated.

Disability Benefits

Totally disabled means a member's inability to engage in substantial gainful activity by reason of any medically determined physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months. A member is totally disabled only if his or her physical or mental impairment is so severe that he or she is not only unable to perform his or her previous work as an emergency medical services officer but also cannot, considering the member's age, education and work experience, engage in any other kind of substantial gainful employment which exists in the state.

Duty Related Disability: Any member of EMSRS who becomes totally disabled while in covered employment by injury, illness or disease as a result of an occupational risk or hazard inherent in or peculiar to the services required of a member or while performing the duties of an emergency medical services officer is entitled to receive a duty disability benefit, provided that it is determined by two physicians, one of whom shall be named by CPRB, that he or she is not only unable to perform adequately the duties required of an emergency medical services officer, but also cannot engage in any other kind of substantial gainful employment. The benefit payable is a monthly amount in which the annual benefit is a sum equal to 90% of his or her last 12 full months average salary until age 65, or until the disability sooner terminates, then normal retirement plus 1/2 time disability service.

Non-Duty Related Disability: Any member of EMSRS who has 10 or more years of service and becomes totally disabled while in covered employment from any cause other than a duty related injury, illness or disease and which cause is not due to vicious habits, intemperance or willful misconduct is entitled to receive a non-duty disability benefit, provided that it is determined by two physicians, one of whom shall be named by CPRB, that he or she is not only unable to perform adequately the duties required of an emergency medical services officer, but also cannot engage in any other kind of substantial gainful employment. The benefit payable for a non-duty related disability is a monthly amount in which the annual benefit is a sum equal to 66 ⅔% of the member's last 12 months average salary until age 60, or until the disability sooner terminates, and then normal retirement plus ½ time disability service.

Continued Disability: The Board may require subsequent medical evaluations to determine if a disability retiree has fully recovered from such disability. The Board may also require a disability benefit recipient to file an annual statement of earnings and any other information required in rules adopted by the Board.

Accrued Sick and Annual Leave at Retirement

Any member of EMSRS who has accrued annual and/or sick leave days at the time of retirement may elect to acquire additional credited service under EMSRS. The accrued days shall be applied on the basis of 2 workdays' credit granted for each 1 day of accrued annual and/or sick leave. However, such credited service shall not be used in meeting initial eligibility for retirement. If the member separates from employment prior to eligibility for a retirement annuity, unused leave is not eligible to be used for additional retirement service or PEIA at a later date.

In the alternative to increasing retirement benefits, certain members of EMSRS who are at least age 55 at the time of retirement and who also participate in a PEIA insurance plan at the time of retirement may be

eligible to elect to use accrued annual and/or sick leave to purchase health insurance under PEIA. Please contact PEIA for further information.

Accrued leave cannot be divided and used for both service credit and PEIA coverage.

Death Benefits

Duty Related: The surviving spouse of any member who, while in covered employment, has died or dies by reason of injury, illness or disease resulting from an occupational risk or hazard inherent in or peculiar to the service required of members, while the member was or is engaged in the performance of his or her duties as an emergency medical services officer, or the surviving spouse of a member who dies from any cause after having been retired with a duty related disability, will be entitled to receive the greater of ⅔ of the annual compensation received in the preceding 12 month period by the deceased member; or if the member dies after his or her early or normal retirement age, the monthly amount the spouse would have received had the member retired the day before his or her death and elected a 100% Joint and Survivor annuity with the spouse as the joint annuitant, and then died.

Non-duty Related: The surviving spouse of any member who has been a member for at least 10 years who, while in covered employment, has died or dies from non-duty related causes and not due to vicious habits, intemperance or willful misconduct on his or her part shall receive annually in equal monthly installments the greater of 50% of the annual compensation received in the preceding 12 month period by the deceased member; or if the member dies after his or her early or normal retirement age, the monthly amount which the spouse would have received had the member retired the day before his or her death, elected a 100% Joint and Survivor annuity with the spouse as the joint annuitant, and then died.

Dependent Death Benefits

A surviving spouse of an EMSRS member who dies from duty related or non-duty related causes is also entitled to receive $100 monthly for each dependent child. If the surviving spouse dies or there is no surviving spouse, the fund shall pay monthly to each dependent child a sum equal to 100% of the spouse's entitlement divided by the number of dependent children. If there is neither a surviving spouse nor a dependent child, the fund shall pay monthly to the dependent parents of a deceased member a sum equal to what the surviving spouse would have received without children. When there is only one dependent parent surviving the member, that parent is entitled to ½ the amount which both parents would have been entitled to receive. If a deceased member has no surviving spouse, dependent child or dependent parent then the accumulated contributions shall be paid to a named beneficiary or, in the event that there is no named beneficiary, to the estate of the deceased member.

Burial Benefits

Any EMSRS member who dies as a result of a service related illness or injury is entitled to a lump sum burial benefit of $5,000 to be paid to the member's spouse, or to the member's estate if not married, for the purposes of paying burial expenses and settling the member's final affairs.

Dependent Child Scholarship

Any person qualifying as a dependent child of a deceased member under EMSRS may be entitled to receive scholarship monies, not to exceed $6,000 per year, to be applied to the career development education of that dependent at a West Virginia institution.

Military Service

Any member of EMSRS who previously served on active duty in the armed forces of the United States and was honorably discharged is entitled to apply for up to 5 years of credited service for that active duty upon time of retirement. Military service credit will not be credited for the purpose of meeting initial retirement eligibility. In addition, any member of this plan who is called to active duty while in covered employment with an EMSRS participating employer and who returns to covered employment within the allowable time frame following an honorable discharge may be eligible to purchase up to 5 years of additional military service credit under the provisions of federal law.

Termination of Employment

Any member who terminates covered employment and is not immediately eligible to receive benefits is entitled to receive from the fund the member's accumulated contributions, which include regular interest, currently 4%. Upon withdrawal, the member forfeits his or her accrued benefit and ceases to be a member.

Any member who has 5 years of contributory service is eligible, upon cessation of covered employment, to either withdraw his or her accumulated contributions or choose not to withdraw his or her accumulated contributions and to receive retirement income payments upon attaining early or normal retirement age.

Reinstatement

Any member who ceases employment in covered employment and active participation in EMSRS and who thereafter becomes reemployed in covered employment may not receive any credited service for any prior withdrawn accumulated contributions from either this plan or PERS unless following his or her return to covered employment and active participation in EMSRS, the member redeposits in the fund the amount of the accumulated contributions withdrawn from previous covered employment, together with interest on the accumulated contributions at the rate determined by the board, currently 7.5%, from the date of withdrawal to the date of redeposit. Upon repayment, the member shall receive the same credit as if no refund had been made. The repayment shall be made in a lump sum within 60 months of reemployment in covered employment.

A member of EMSRS who transferred from PERS may not reinstate to his or her credit any service credit relating to periods of non emergency medical services officer service withdrawn from PERS prior to his or her transfer into EMSRS.

Appointments

Most retirement related matters can be handled from the convenience of your home via mail and telephone. However, members who wish to visit CPRB to discuss related matters with a CPRB staff member are required to make an appointment.

Questions

Should you have questions regarding the West Virginia Emergency Medical Services Retirement System, please feel free to contact us in writing or by phone at the Consolidated Public Retirement Board (CPRB), Monday through Friday, 8:00 a.m. to 5:00 p.m.

Note

Information contained in this document illustrates CPRB's understanding of the current provisions of the West Virginia Emergency Medical Services Retirement System. These provisions are contained in the current plan statutes and legislative rule, and are subject to modification by the West Virginia Legislature each year. This document is for general guidance purposes only. In the event there is a discrepancy between information contained in this document and WV Code and Rules, the language in the Code and Rules shall prevail.