



## *FLORIDA P.B.A. HEART FUND, INC.*

### **POLICY 05-01 Florida P.B.A. Heart Fund, Inc.**

#### **INTENT:**

It is the intent of the incorporators of the Florida Police Benevolent Association, Heart Fund Inc., a non-profit corporation, to establish a fair and objective policy for the disbursement of funds to worthy recipients consistent with the stated purposes of the organization as found in its articles of incorporation. Toward that end, this policy shall apply in granting disbursements of funds to eligible applicants from participating charters and chapters of the Florida P.B.A.. The financial assistance set forth herein shall not be considered as guaranteed.

#### **REVIEW BOARD:**

(a) All applications for financial assistance shall be reviewed by a three member review board consisting of the president, treasurer and executive director of the Florida PBA. The review board shall, by majority vote, determine the applicants' entitlement to assistance and the amount of assistance to be approved. The votes of the review board on each application shall be in writing.

(b) Annually, the review board shall report to the fund board of directors on recommended modifications to this policy which are considered appropriate to better effectuate the purposes of the fund.

**ELIGIBILITY REQUIREMENTS:** In order for an officer, spouse or dependent children of an officer to be eligible for financial assistance from the Florida P.B.A. Heart Fund, Inc., the following criteria must be met:

(a) the officer who was killed or suffered catastrophic injury must have been a member from a participating charter or chapter of the Florida Police Benevolent Association, Inc., at the time of the accident or injury which gave rise to the death or disability and continuing through the time of application and payment of benefit;

(b) the purpose of the request for financial assistance must be to provide for the officer, spouse or dependent children of the officer who was killed or suffered catastrophic injury and shall not be considered a life insurance policy for general distribution to the officer's estate or non-qualifying beneficiary who is not a spouse or dependent child of the officer;

(c) the officer must have been killed or suffered a catastrophic injury\* while on-duty and as a direct result of the actual and lawful performance of official law enforcement or correctional responsibilities required by his or her agency **and as the direct result of an unlawful and intentional act**. In case of catastrophic injury, the officer must also be considered by the review board to be permanently unable to render useful and efficient service as an officer by virtue of the injury;

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(d) there shall be only one application for assistance granted for an officer, spouse, or dependent children of an officer. No claim shall be honored for deaths or injuries which occurred prior to April 1, 2005. Claims shall be paid based upon the policy in place on the date of the death or injury.

\*"Catastrophic injury" means a permanent impairment constituted by:

- (1) Spinal cord injury involving severe paralysis of an arm, a leg, or the trunk;
- (2) Amputation of an arm, a hand, a foot, or a leg involving the effective loss of use of that appendage;
- (3) Severe brain or closed-head injury as evidence by:
  - (a) Severe sensory or motor disturbances;
  - (b) Severe complex integrated disturbances of cerebral functions;
  - (c) Severe episodic neurological disorders; or
  - (d) Other severe brain and closed-head injury conditions at least as severe in nature as any condition provided in subparagraphs a-d;
- (4) Second-degree or third-degree burns of 25 percent or more of the total body surface or third-degree burns of 5 percent or more to the face and hands; or
- (5) Total or industrial blindness.

**ASSISTANCE LIMITS:** Recognizing that the assets of the fund are, as yet, indeterminate, the following restrictions on financial assistance shall apply effective December 1, 2005:

(a) For an officer killed in-line-of-duty : up to \$30,000 (total), excluding suicides or self-inflicted injuries.

(b) For an officer suffering **catastrophic injury**: up to **\$20,000** (total), excluding self-inflicted injuries.

**VERIFICATION OF INFORMATION:** The review board retains the right and obligation to verify information contained in the application for financial assistance, including the manner in which the death or injury occurred, and such other information necessary to assist the board in rendering a decision on the application. The review board shall be responsible for promulgating requisite application forms.

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**DETERMINATION OF ENTITLEMENT:** The review board retains discretion to determine an applicant's entitlement (eligibility) for financial assistance under the "Eligibility Requirements" section of this policy. Such discretion shall be subject to review by appeal of a denial of entitlement to a retired judge, appointed by the Florida P.B.A. Heart Fund, who sat on the circuit court or a higher Florida court, whose decision shall be final and binding on all parties.

EFFECTIVE DATE: April 1, 2005

Amended, Passed and Adopted: December 1, 2005

Amended, Passed and Adopted: November 14, 2007