

**MISSOULA COUNTY
RESPONSIBILITY FOR EMPLOYER SHARE OF MEDICAL BENEFITS
FOR PUBLIC SAFETY OFFICERS INJURED IN THE LINE OF DUTY**

1. **Purpose.** The purpose of this policy is to clarify the circumstances under which Missoula County will continue to pay the employer's share of medical benefits for a retired or separated public safety officer, firefighter or law enforcement officer.
2. Missoula County will continue to pay the County portion of the health insurance benefits for any public safety officer, firefighter or law enforcement officer employed by Missoula County who, as a direct result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit, is required to retire or is otherwise separated from service as a direct and proximate result of such injuries. Any payment required by this part shall be a charge against the budget the department employing the officer or firefighter.
3. For the purposes of this policy, the terms "emergency situation" and "hot pursuit" are defined by Montana case law and the terms "public safety officer, firefighter and law enforcement officer" are defined by Section 1204 of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 as amended.
4. A public safety officer, firefighter or law enforcement officer who retires or is separated from service may request a determination by the Administrator of the County Medical Benefits Plan that their retirement or separation from service is a direct and proximate result of injuries sustained in the line of duty while responding to an emergency situation or a hot pursuit. The Administrator shall determine whether or not the retirement or other separation from employment is a direct and proximate result of injuries sustained in the line of duty while responding to an emergency situation or hot pursuit.

The Plan Administrator may require the applicant to submit substantiating information including but not limited to medical and vocational rehabilitation reports and evaluations and may require the applicant to submit to independent medical and/or vocational rehabilitation examinations or evaluations.

The applicant may appeal the Plan Administrator's determination to the Board of County Commissioners.

5. This policy clarification is being adopted to reiterate the County's earlier acceptance of the Alu-O'Hara Public Safety Officers Health Benefits Act (Section 615 FY 1998 Appropriations Act) and is to be construed in accordance with the Act.

6. This policy formulizes a policy on benefit continuation which was informally adopted by acceptance of grants under Office of Justice Programs.