

## EMPLOYEE BENEFITS

1. **REASON FOR ISSUE:** To revise the Department of Veterans Affairs (VA) policy regarding employee benefits.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES:** This change increases the maximum reimbursement for Professional Liability Insurance premiums from \$150.00 to \$250.00 annually. The pages in this issuance replace the corresponding page number in VA Directive 5009. These changes will be incorporated into the electronic version of VA Directive 5009, Employee Benefits, maintained on the [Office of the Chief Human Capital Officer SharePoint](#) and the [VA Publications website](#).
3. **RESPONSIBLE OFFICE:** Human Resources and Administration (HRA) (006), Office of the Chief Human Capital Officer (OCHCO) (05), Worklife and Benefits (058).
4. **RELATED HANDBOOK:** VA Handbook 5009, Employee Benefits.
5. **RESCISSION:** Not applicable.

### BY DIRECTION OF THE SECRETARY OF VETERANS AFFAIRS:

/s/

Mark R. Engelbaum  
Assistant Secretary for  
Human Resources and Administration

**DISTRIBUTION:** Electronic Only

- a. **Special Retirement Provisions for Law Enforcement Officers and Firefighters.**
- (1) Retirement eligibility requirements for law enforcement officers (LEO) and firefighters (FF) fall under two separate retirement systems. Under the Civil Service Retirement System (CSRS), LEOs and FFs may retire voluntarily or involuntarily at an early age with entitlement to a special annuity computation if all requirements are met. Under the Federal Employees Retirement System (FERS), LEO and FF retirement may be triggered by mandatory separation based on age.
  - (2) LEO and FF special retirement provisions, including exemptions from mandatory separation age for CSRS and FERS are located in VA Handbook 5009, Part II, Special Retirement Provisions for Law Enforcement Officers and Firefighters.
- b. **Federal Employees Health Benefits (FEHB) Program.** VA will utilize the FEHB policies, procedures, and guidance contained in OPM's Operating Manual, "The Federal Employees Health Benefits Program Handbook: A Handbook for Enrollees and Employing Offices".
- c. **Affordable Care Act (ACA) and Marketplace Notice.** ACA Marketplace Notice procedures and guidance are located in VA Handbook 5009, Part III.
- d. **Federal Employees' Group Life Insurance (FEGLI) Program.** VA will utilize the FEGLI policies, procedures, and guidance contained in OPM's Operating Manual, "The Federal Employees' Group Life Insurance Handbook: A Handbook for Employees, Annuitants, Compensationers and Employing Offices".
- e. **Thrift Savings Plan (TSP) Program.** VA will utilize the TSP policies contained in the TSP Booklet, "Summary of the Thrift Savings Plan for Federal Employees".
- f. **Federal Employees Dental and Vision Insurance Program (FEDVIP).** VA will utilize the FEDVIP policies, procedures, and guidance as published and distributed by OPM.
- g. **Federal Flexible Spending Accounts (FSAFEDS) Program.** VA will utilize the FSA policies, procedures, and guidance as published and distributed by OPM and the Federal Program Administrator for FSAFEDS, Sykes Health Plan Services, Inc. (SHPS).
- h. **Federal Long Term Care Insurance Program (FLTCIP).** VA will utilize the FLTCIP policies, procedures, and guidance as published and distributed by OPM and the Federal Program Administrator for FLTCIP, Long Term Care Partners, LLC.

i. **Professional Liability Insurance.**

- (1) In accordance with Public Law 106-58 dated, September 29, 1999, the Department will reimburse professional liability insurance premiums to VA supervisors, management officials, and law enforcement officers for up to one-half the cost incurred by qualified employees not to exceed [\$250.00] per year.
- (2) The reimbursement cost will be the responsibility of the organization in which the employee works using local vouchering procedures.
- (3) Supervisors and management officials have the meaning given them by section 7103(a) of title 5.
  - (a) Supervisors are defined as individuals employed by an agency having authority in the interest of the agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment, except that with respect to any unit which includes firefighters or nurses, the term supervisor includes only those individuals who devote a preponderance of their time to exercising such authority.
  - (b) Managers are individuals employed by the agency in positions the duties and responsibilities of which require or authorize the individuals to formulate, determine, or influence the policies of the agency.
- (4) Law enforcement officers are employees, the duties whose positions are primarily in the investigation, apprehension, prosecution or detention of individuals suspected of, or convicted of offenses against the criminal laws of the United States, including any law enforcement officer under section 8331(20) or 8401(17) of title 5, or under section 4823 of title 22, United States Code.