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PERMANENT ADMINISTRATIVE ORDER

DPSST 6-2024

CHAPTER 259

DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Codifying Eligibility Dates for OLCC Regulatory Specialists (SB 699) and Other Historical Eligibility Dates

EFFECTIVE DATE: 07/10/2024

AGENCY APPROVED DATE: 06/24/2024

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AMEND: 259-070-0010

NOTICE FILED DATE: 05/20/2024

RULE SUMMARY: OAR 259-070-0010 includes clarifying information used to determine eligibility for Public Safety Memorial Fund benefits. This rule change adds recognition of the addition of OLCC regulatory specialists beginning January 1, 2024, pursuant to SB 699 (2023). This rule change also includes amendments to recognize historical eligibility changes. The historical additions and reorganization will not affect past eligibility or current beneficiaries.

CHANGES TO RULE:

259-070-0010

Eligibility ¶

(1) Eligibility of award applies to public safety officers who suffered a qualifying death or disability on or after October 23, 1999. ~~Subject to availability of funds, the Board may award benefits to:¶~~

~~(a) Eligible ¶~~ The following subsections codify the effective dates and legislative changes to eligible beneficiaries.

Subject to availability of funds, the Board may award benefits to:¶

(a) Family members of public safety officers who suffered a qualifying death or disability after January 1, 1997, but prior to October 23, 1999. See Chapter 981, Oregon Laws 1999.¶

(b) Family members of public safety officers who suffered a qualifying death or disability on or after October 23, 1999; See Chapter 981, Oregon Laws 1999.¶

(c) A designee of a public safety officers who suffered a qualifying disability on or after January 1, 2002. See Chapter 493, Oregon Laws 2001.¶

(d) Family members and parents of public safety officers who suffered a qualifying death or disability on or after January 1, 2004. See Chapter 259, Oregon Laws 2003.¶

(e) Family members, parents, and designees of public safety officers who suffered a qualifying death or disability on or after January 1, 1997, but prior to October 23, 1999 as described in Section 12, 2008. See Chapter 378, Oregon Laws 2007.¶

(f) Regulatory specialists who suffered a qualifying disability on or after January 1, 2024. See Chapter 212, Oregon Laws 2023.¶

(g) Family members, parents, and designees of regulatory specialists who suffered a qualifying death or disability on or after January 1, 2024. See Chapter 981, Oregon Laws 1999, 2023.¶

(2) Prior to acceptance of an initial application, any individual applying for benefits based on a qualifying disability must provide satisfactory evidence that they meet the definition of "permanent total disability" found in ORS 656.206 and OAR 436-030-0055. Satisfactory evidence is established by submitting:¶¶

(a) Proof of Determination of Permanent Total Disability in compliance with the Worker's Compensation Division of the Department of Consumer and Business Services; or¶¶

(b) Competent written vocational testimony by a person fully certified by the State of Oregon to render vocational services that the applicant meets the definition of "permanent total disability" found in ORS 656.206 and OAR 430-030-0055.¶¶

(3) For the purposes of ORS 243.954(3)(a), "spouse" includes members of same-sex couples whose marriage was validly performed in another jurisdiction, effective January 1, 2014.

Statutory/Other Authority: ORS 243.970

Statutes/Other Implemented: ORS 243.956