FPPA Step by Step Through the Disability Process

For disability benefits granted on or after October 1, 2002.

This summary reference is intended to give you some general information on the application process and disability benefits under the Statewide Death & Disability (SWDD) Plan. Additional benefit information may be found on the Fire & Police Pension Association (FPPA) website. Changes to this information will occur from time to time. The applicable statutes and rules will control the availability and administration of disability benefits. For a complete copy of the FPPA Rules & Regulations and the Colorado Revised Statutes governing this Plan, visit FPPAco.org or contact FPPA at (303) 770-3772 or at (800) 332-3772.

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1. The Basics

Who is eligible for disability benefits?

Disability benefits are available for most Colorado paid police officers and firefighters covered by FPPA's SWDD Plan who become disabled. The Plan provides 24-hour coverage, on and off duty. NOTE: You are not eligible for a disability benefit if you have met the age and service requirement for normal retirement or entered DROP under a defined benefit pension plan, or have reached age 55 with 25 years accumulated service under a money purchase pension plan. For members aged 50 and older in the Statewide Retirement Plan, normal retirement includes when your age and service equals 80 (Rule of 80).

Who determines a disability?

Fire and Police Pension Association (FPPA) is governed by a Board of Directors (Board) consisting of nine members appointed by the Governor and confirmed by the state senate.

FPPA has the sole power to determine eligibility for disability benefits under the SWDD Plan, whether total, permanent occupational, or temporary occupational, for any police officer or firefighter in Colorado who seeks benefits through FPPA. The internal FPPA Death & Disability Review Committee (DDRC) established by the FPPA Board has the authority to grant or deny benefits.

What are the types of disabilities under the SWDD Plan?

FPPA will determine if you are disabled and, if so, the type of disability you may be granted. FPPA provides two types of disability: occupational and total.

Occupational disability - A disability resulting in an incapacity to perform assigned duties. This disability is expected, with reasonable medical probability, to exist for at least one year. Assigned duties means those specific tasks or jobs that a member is required to regularly perform as designated by the employer for a particular position within a job classification.

> Within the occupational category, there are two sub-categories - temporary occupational disability and permanent occupational disability.
>
> *Temporary occupational disability* - An occupational disability for which there is prognosis for improvement or recovery through surgical treatment, counseling, medication, therapy, or other means.
>
> *Permanent occupational disability* - An occupational disability caused by a condition that is permanent or degenerative, and for which there is no prognosis for improvement or recovery through surgical treatment, counseling, medication, therapy or other means.

Total disability - The inability to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment that may be expected to result in death or has lasted or may be expected to last for a period of not less than 12 months.

Who qualifies as a spouse?

For purposes of this document the references made to spouse include a person married by common law and a partner in a civil union as recognized by the state of Colorado or another jurisdiction.

What is a dependent child?

Dependent child means an unmarried child under the age of twenty-three. This may include stepchildren for which the member can show financial responsibility (listed as a dependent on Federal tax returns, for example); and, any child, regardless of age or marital status, who is so mentally or physically incapacitated that the child cannot provide for the child's own care. Proof of incapacitation may be required. This may also include a child who is conceived but unborn at the date of the member's disability retirement. Documentation of pregnancy required.

2. What is the Application Process?

A. Complete the Disability Benefit Application

As the applicant for a disability benefit, you are responsible for completing and returning the entire application to FPPA. Listed below are some important things to remember.

You must submit your application **within 365 days of your last day on the employer's payroll**. Please be aware of the eligibility requirements listed in *Section 1. The Basics*. If you have any questions on your eligibility to apply, call FPPA.

Packet 1 - Applicant's Section

Answer all questions, write "N/A" if not applicable.

NOTE: Waiver for Right to Reinstatement question: If granted a benefit and your disability ceases to exist within five years from your disability date and you have waived your right to reinstatement, your former employer is not required to reinstate your employment. If you have terminated for reasons other than disability, you may be ineligible for reinstatement if your disability ceases to exist.

Part 1-E FPPA Records and Medical Information Release - this form allows FPPA to discuss and/or release information to the person(s) you list in the "Release To" section and specifies what type of information that may be released in the "Type of Information" section. Your signature must be notarized.

Part 1-D Supporting Documentation - please include all applicable supporting documentation with this section of the application.

- copies of birth certificates for you and your beneficiary and/or dependent children
- marriage certificate, civil union certificate or evidence of common law marriage
- copy of your driver's license
- copy of spouse (or beneficiary) driver's license
- name change documentation for spouse linking name on driver's license to name on birth certificate
- domestic relations order (DRO) if applicable. This may apply if you agreed to split your retirement assets.
- Documentation from physician for proof of a conceived, but unborn dependent child

Packet 2 - Medical Section

It is your responsibility to provide the medical records pertinent to the condition(s) you claim. Please keep in mind that we need only the medical records that provide a summary of your claimed condition(s). Think about the quality versus quantity of the records that will be presented to the physician(s). Since the doctor(s) will see you only once, focus their attention on the key records. Narrative reports from your physicians and printed reports of tests results are most helpful. The physical therapy records that are most useful include the initial evaluation report, re-evaluation reports that include an examination providing information on range of motion and strength, and the Discharge Summary Report. Be sure you retain a copy of the medical records you submit to FPPA with your application.

Do NOT submit:

- Fax cover pages
- Nurse Logs
- Unrelated medical notes
- Discs or electronic records
- Duplicated records

Your completed application should measure no larger than 250 - 300 pages.

Page 2, Part 2-B - this is your statement of disability and the basis of your claim. It is important that you give clear and specific information.

Question #1 - please list all physicians who have treated you for your claimed condition(s). You must submit a Physician's Statement of Disability for each doctor* who has treated you on an on-going basis for the claimed condition. We use this information to ensure that we do not send you to a physician for the Independent Medical Examination (IME) that you may have already seen.

** If you saw a physician only once (i.e. emergency room doctor treated you during a brief stay) the Physician's Statement of Disability is not necessary; please make a note next to the physician's name indicating the relationship.*

Question #2 - this is **your statement** of the disability that you claim affects your ability to perform your job. **Be sure to answer all five parts of this question.** You may type your responses on a separate page, but please number the questions you are answering.

Part 2-C Physician's Statement of Disability - be sure Part 2-C is completed in detail by your physician(s); this is your physician's statement of disability. Ask your physician to return the completed form to you along with a copy of your medical records. This information helps determine which specialty of physician(s) (i.e. orthopedic surgeons, cardiologist, psychiatrists, etc.) will examine you for the FPPA process.

If applicable, make sure your personal physician submits a treatment plan including treatment, counseling or therapy necessary to rehabilitate you for return to work. Upon reexamination, you will be required to submit evidence of compliance with rehabilitation efforts.

Part 2-D Medical Information Release - your signature must be notarized. Submit the original to FPPA and make a photocopy of the release to leave with your physician(s) in case FPPA or the FPPA Contract Medical Advisor needs to speak with them.

Packet 3 - Employer's Section

Complete **Part 3-A**, then give Packet 3 to your employer. Ask that your employer return the completed section to you so that you can submit the entire application once you are ready to do so. Be sure you agree with all information provided by your employer, specifically:

- Date of hire
- Last day on the payroll - the last day you were credited with compensation, including the use of vacation and/or sick leave
- Pensionable earnings (base salary) - generally this should include longevity and shift differential and mandatory overtime, if applicable, refer to Rule 101.08
- Be sure an official copy of your job description or statement of assigned duties that you regularly perform is included
- If you participated in a local money purchase pension plan (your retirement plan with your employer is outside of the FPPA Defined Benefit System), be sure to include a copy of your account balance as of your last day on the employer's payroll. Also include a statement showing the date(s) and amount(s) of any distribution(s) or loans, if applicable.
- Be sure to review the employer's statement of additional basis of disability and the relevant medical evidence, if applicable. If, within five years from your disability date your disability ceases to exist and you become eligible for reinstatement, you may be required to be examined for a continuing disability based on the employer's statement of additional basis for disability. If you refuse to be examined on the additional basis for disability, you will be ineligible for reinstatement and your

Claiming an On-Duty Disability

If you are claiming "on-duty" disability status, you will need to provide supporting documentation demonstrating your condition is due to your employment with your department. It is important to note that your disability claim and your "on-duty" claim are separate issues and are determined separately at FPPA. If a disability benefit is granted, FPPA will then review the "on-duty" claim.

Incomplete Applications and Deadlines for Completion

Your application must be completed within 90 days from the date FPPA first receives any part of the application. If it is not completed within 90 days, FPPA will treat the application as having been withdrawn. Once the application is withdrawn, you must file a completely new application in order to apply for disability benefits, if eligible to do so.

To avoid missing the 90-day deadline, we suggest that you ask your physician(s) and your department to return their packets to you. Upon receipt of these packets, submit the entire application to FPPA along with the required attachments.

If you have any questions while filling out the application, call FPPA at 303-770-3772, etc. 6300. Once you are ready to submit your application, you can mail it to FPPA or call us for information about sending the file electronically through our secure email system.

B. Physician Appointments

Once your application is considered complete, the FPPA's Contract Medical Advisor will choose one or more physicians to examine you or perform a records review of the documentation submitted. Any Independent Medical Examination (IME) appointments will be scheduled on your behalf. The appointments will depend on your availability and the appointment schedule of your assigned physician(s).

- **FPPA will not pay for unauthorized tests or radiographic films.**
  If an assigned physician asks you to undergo additional tests or wants to take radiographic films, please ask the physician if FPPA approved these procedures prior to your appointment.
- **The physicians bill FPPA directly.**
  You should not be required to provide insurance or credit card information.
- **If a cancellation, late, or no show fee is charged, the extra expense will be your responsibility.**
  If you cancel or reschedule an appointment or if you fail to show up on time, a fee may be charged. Fees and policies vary by physician and could amount to the full cost of the appointment.
- **We will forward copies of the reports to you when the process is complete.**
  Please do not call or write to the physician(s) to request the result of your examination or to find out when a written report will be completed. Physicians are requested to provide this information to FPPA only. Reports prepared by IME physicians are held in confidence by FPPA.

C. FPPA Determination

Death & Disability Review Committee (DDRC)

Once the physician reports are received, your case will be prepared for presentation to the Death & Disability Review Committee (DDRC) to review your application. The FPPA Board of Directors established the DDRC to review the applications for disability. This Committee is comprised of FPPA staff. The Contract Medical Advisor and Benefits Counsel act as advisors to the Committee. This Committee has certain authority as listed in FPPA Rule 1607, including the granting or denying of disability benefits. If benefits are denied, you may request an evidentiary hearing according to FPPA Rules 1703.10. FPPA Rules & Regulations can be found at FPPAco.org.

How long does it take to go through the process?

Generally, once your application is considered complete, the process to determine your disability status takes approximately 120 days. If FPPA is experiencing a high volume of applications, an additional 30-60 days may be required for processing.

3. Understanding Your Disability Benefit

A. Type of Disability Awarded

Occupational Disability

A disability resulting in an incapacity to perform assigned duties. This disability is expected, with reasonable medical probability, to exist for at least one year. Assigned duties means those specific tasks or jobs designated by the employer for a particular position within a job classification. The term does not include the duties of a member's rank or grade that the member is not actually required to regularly perform in the position that he/she occupies.

Temporary occupational disability - An occupational disability for which there is a prognosis for improvement or recovery through surgical treatment, counseling, medication, therapy, or other means.

- Member receives 40% of pensionable earnings.

Permanent occupational disability - An occupational disability caused by a condition that is permanent or degenerative, and for which there is no prognosis for improvement or recovery through surgical treatment, counseling, medication, therapy, or other means.

- Member receives 50% of pensionable earnings, less any applicable offsets.*

Total Disability

The inability to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment that may be expected to result in death or that has lasted or may be expected to last for a period of not less than 12 months.

- Member receives 70% of pensionable earnings, less any applicable offsets.*

** Certain benefit offsets or reductions apply. Please see Section 3E of this brochure for more information.*

B. When do you begin to receive your benefits?

Your benefits will begin to accrue on the day following your last day on the employer's payroll.

Example	Last day on payroll:	3/15/2026
	Disability benefits begin:	3/16/2026

If your employer indicates that your last day is "pending FPPA determination" FPPA will notify you and your employer of the effective date of the award, which will be the first day of the month following the decision or such other date as the employer designates. For members on an authorized leave of absence, this date may be the date FPPA considered the submitted disability application as complete.

C. What is the taxable status of the disability benefits?

Federal and state tax laws may change. Members are encouraged to consult a tax advisor on these issues.

If you apply for an on-duty disability determination and FPPA determines that your disability is the result of an on-duty injury or occupational disease, your disability benefits are likely not includible in your state and federal taxable income. If your disability is NOT the result of an on-duty injury or occupational disease, then your benefits will be subject to state and federal taxes. If your on-duty disability benefits subsequently become payable to a partner in a civil union, the taxable status of those benefits may change in accordance with federal and state law.

All or a portion of disability benefits paid to members who contribute to the SWDD Plan on an after-tax basis will be non-taxable. Check with your employer to determine the taxability of your contributions to the SWDD Plan.

Members of non-affiliated local money purchase plans should contact their local pension board regarding taxability of their money purchase plan assets.

If you are granted "on-duty" status and you are a member of the Statewide Retirement Plan (SRP) or Statewide Money Purchase Plan (SWMP), any distribution from your Money Purchase Plan account will be reported as taxable by Fidelity*; however, you may check with your tax advisor on the possibility of claiming your distributions are not includible in your taxable income when you file your annual tax returns. If any distribution is made from one of these accounts to a beneficiary who is a partner in a civil union, your partner may or may not be allowed to exclude the distribution from taxable income under federal or state law.

*Fidelity is FPPA's recordkeeper for these accounts.

D. Disability Benefit Payment Options

Selecting Your Option

Once a permanent occupational or total disability benefit has been awarded, you must decide whether you wish to receive the unreduced Single-Life Benefit or one of the three following reduced benefit payment options. Benefit payment options apply to permanent occupational and total disability benefits only. If you die while receiving temporary occupational disability benefits, your spouse or partner in a civil union and dependent children will be eligible to apply for survivor benefits under the Statewide Death & Disability Plan.

Procedures Used to Prepare Options

With each payment option, benefits are calculated according to the current actuarial assumptions for your life expectancy and the life expectancy of your designated beneficiary.

Payment Options (for permanent occupational and total disability only)

The disability benefit is a percentage of pensionable earnings at the time of disability retirement. This amount is used to calculate your payment options. The plan provides four choices of how you may receive your benefit payment.

Single-Life Benefit

The disabled retiree receives a monthly benefit payable for as long as the disability exists and as long as the member remains eligible. No monthly benefits are paid to a beneficiary following the retiree's death.

100% Survivor Benefit

The disabled retiree receives a monthly benefit for as long as the disability exists and as long as the member remains eligible. When the retiree passes away, the same monthly benefit amount will be paid to the retiree's designated beneficiary for their life.

50% Survivor Benefit

The disabled retiree receives a monthly benefit for as long as the disability exists and as long as the member remains eligible. When the retiree passes away, one half of the retiree's monthly benefit amount will be paid to the designated beneficiary for their life.

100% Family Benefit

The disabled retiree receives a monthly benefit for as long as the disability exists and as long as the member remains eligible. When the retiree passes away, the same monthly benefit amount will be paid to the surviving spouse and dependent children, if any, until the death of the surviving spouse, the death of any incapacitated child, or until the youngest child reaches age 23, whichever is later.

Federal and state law may treat the taxable status of benefits paid to a beneficiary who is a spouse by marriage differently than benefits paid to a spouse who is a partner in a civil union. Federal and state tax laws may change. Members are encouraged to consult with a tax advisor on these issues.

It is important to select the option that best fits your needs. Some considerations are whether or not your beneficiary is a spouse, has a pension, whether or not you have additional life insurance policies, whether or not you have dependent children, whether or not you have a personal pension plan available for your beneficiary, and whether or not you have other investments and assets. FPPA encourages members to consult a financial advisor when considering payment option selection.

Your payment option cannot be changed after the first payment has been deposited or otherwise negotiated. However, if you are single at the time you elect a Single-Life Benefit and you later marry or enter into a civil union, you will be eligible, within 180 days of your marriage or civil union, to change your payment option selection to provide survivor benefits for a designated beneficiary.

Change in Beneficiaries

Beneficiaries can be changed in certain cases. You can change a beneficiary due to a change in your marital or civil union status or death of the beneficiary by filing a form with FPPA. Your benefit under the option originally selected will be recalculated using the age of your newly designated beneficiary and may greatly reduce your benefit. The 100% Family Benefit only allows removal of a beneficiary, though the payment amount does not change.

Beneficiary changes that impact payment amounts will become effective when FPPA receives the signed Change of Designated Beneficiary Form.

E. Disability Benefit Offsets - Reduction of Benefits

Offsets to the Statewide Death and Disability Plan are intended to equalize the disability benefit between members who participate in different pension plans. There is no offset for a temporary occupational disability. **For a permanent occupational disability or total disability**, your disability benefits may be reduced if you are eligible to receive income from any of the following sources:

Money Purchase (MPP)

FPPA benefits will be reduced by the actuarial equivalent of your total vested money purchase account balance. This excludes any voluntary contributions and any mandatory contributions above the required Statewide Retirement Plan contribution. This offset is based on the member's age, disability type, and account balance at the time of disability retirement.

- **EXAMPLE OF OFFSET**

Account balance at disability retirement	$265,232.00
Actuarially calculated MPP monthly payout *	$1,654.73
Monthly disability benefit	$4,116.39
Actuarially calculated monthly payout	-$1,654.73
Disability benefit paid by FPPA	$2,461.66

*Based on Colorado Revised Statutes (31-31-803(7)(a), 31-31-808 and 31-31-804) and FPPA Rules and Regulations (section 1604)

Example is provided for illustrative purposes only. Any change to the variables used would impact the results. For an estimate calculation, contact FPPA.

Members are not required to take distribution of retirement plan funds, other than per IRS regulations. Offsets, once calculated, do not change due to changes in the stock market or due to diminishing account balances when distributions are taken.

Defined Benefit from a Local Pension Plan

If you are now or in the future eligible for a defined benefit from a local Colorado fire and/or police pension plan, the disability benefit will be reduced by the amount of the defined benefit.

F. Payroll Information

Payroll Set Up

Once all payroll documentation is received (payment option selection, W4-P, W-9, EFT-Direct Deposit, etc.) then, your information will be entered into the payroll system.

Monthly Payroll

Pension benefit payments are directly deposited into your account on the 21st of each month, unless the 21st falls on a weekend or holiday, in which case deposits are made on the prior business day. Electronic funds transfer/direct deposit assures that your benefit payment will be transferred to your account on the 21st of each month.

Bank and tax withholding information can be changed anytime during the year, but notification must be received by the 10th of the month in which it is to take effect. Updates can be made through FPPA's Member Account Portal available through our website, FPPAco.org

Cost of Living Adjustments (COLAs)

Disability benefits may include annual COLAs. If you are awarded a total disability benefit, statutes currently provide for an annual 3% COLA. However, if you are awarded a permanent occupational disability, a COLA may be granted by the Board on an ad hoc basis to a maximum of 3%. Temporary occupational disability recipients are not eligible for COLAs. Any awarded COLAs are effective October 1 of each year. You must have received the disability benefit for 12 consecutive months prior to October 1 before you are eligible for your first COLA.

G. Reexamination, Return to Work, and Termination of Benefits

Reexamination

If FPPA determines that you are to be reexamined, we will contact you within the determined time-frame to set your reexamination appointment(s). You may be reexamined any time.

Rehabilitation and Retraining

If you are granted a temporary occupational disability, you may be periodically reexamined and FPPA may require treatment, counseling or therapy, at your own expense, necessary for you to rehabilitate for return to work. Your benefits may be terminated if you fail to make rehabilitation efforts or to provide sufficient evidence of compliance and continuing disability. In addition, retraining programs designed to prepare members for work outside of being a first responder might be available. Please contact FPPA for more information.

If Reexamination Determines Disability Ceases to Exist

After reexamination, if the DDRC determines that a disability ceases to exist, FPPA is required to provide you and your former employer with written notice of the physician examination results and the opportunity for a hearing.

Consequently, within 30 days from the mailing date of FPPA's notice, either you or your employer may request an evidentiary hearing concerning this matter prior to any determination regarding your eligibility for continued disability benefits.

If either you or your employer request a hearing, the state statute requires FPPA to provide your employer with copies of all of your medical reports prepared by the FPPA physician(s), both with respect to your reexamination, as well as your initial examination. Neither the employer, the agents of the employer (including any physician retained to review your reports), nor FPPA shall release your reports to any other person(s) without your written consent.

Additional Basis for Disability

If FPPA determines that you are no longer disabled and you become eligible for reinstatement, you may be required to be examined for a continuing disability based on the employer's statement of additional basis for disability. If you refuse to be examined on the additional basis for disability, you will be ineligible for reinstatement and your benefits will be terminated.

Returning to Work

If FPPA determines that you are no longer disabled and you are eligible for reinstatement, we will contact your former employer to determine whether there is a position of employment available for you.

Unless you have waived your right to reinstatement, you will be restored to active service if a vacancy exists in the same position you held prior to disability retirement, if there is a position of equal base pay available, or if you agree to accept another available position that may not be the same as or of equal base pay to your former position. "Equal base pay" means base pay that is equal to the current base pay of an active member having the same rank and grade that the disabled member held at the time they were retired for disability.

You will be offered a vacant position if it occurs within five years from your date of original disablement (NOTE: The date of original disablement is generally the day after your last day on your employer's payroll.) you have first right of refusal to fill such positions.

If, in that five-year period, there is no position of equal rank or base pay available, or if you refuse to accept a position that is of lower rank or that is not the same base pay, your disability benefits will continue. However, if you refuse to accept a vacancy in the same rank you held prior to disability retirement, or a position of equal base pay, your benefits will be discontinued.

If you return to active service with your former employer, contributions to your retirement pension plan covering the time you were on disability will be transferred (not more than 16% per year) from the Statewide Death & Disability Plan and if applicable, your service credit will be reinstated. If you are in a local plan that contributes more than 16% of salary, your employer will make the additional contributions. Funds not accepted by the member's retirement plan or exceeding IRC limitations are paid directly to the member.

Reaching Age & Service Requirements While On Temporary Occupational Disability

If you reach age and service requirements for normal retirement, including the time on disability, under a defined benefit plan while on temporary occupational disability, (for members in the Statewide Retirement Plan, this includes the Rule of 80), FPPA will transfer from the Statewide Death & Disability Plan the final contributions necessary for you to earn full service credit and you will be granted a normal retirement in lieu of continued disability benefits. If you are in a local plan that contributes more than 16%, your employer will make the additional contributions. A member may elect temporary occupational disability in instead of permanent occupational disability if the criteria for normal retirement will be met during the 5-year period from date of disablement. Funds not accepted by a member's retirement plan or exceeding IRC limitations are paid directly to the member.

Certifications to Return to Work

If the position to which you will be restored requires that you maintain any type of state certification (i.e. post certification or EMT), the employer must give you an opportunity to attain certification, recertification, or reactivation of an existing certification and must hold open any position which you have agreed to accept for up to one year. The one-year period may extend beyond the five-year limitation as long as the opening occurs within the five-year period.

Even if there is no opening in the position to which you will be restored, FPPA may order you to proceed with any necessary training in order to attain required certification(s) for the position from which you retired. Disability benefits continue during the training period up to a maximum of one year.

If you refuse to take the steps necessary to attain required certification, or if at the end of the one-year limitation you have not attained the necessary certification, benefits will be discontinued and the employer shall be relieved of further obligations towards reinstating your employment under this statutory provision.

Benefit Termination

If you are receiving temporary occupational disability benefits and at the end of the five-year period you have not returned to work or changed to permanent occupational disability or total disability status, your benefit is terminated.

H. Appeal Process - Evidentiary Hearing

You have the right to appeal FPPA's decisions regarding your eligibility for benefits. You must make this request in writing within 30 days of the mailing of FPPA's decision or a Hearing Officer's recommendation.

If you wish to appeal a decision, an evidentiary hearing is held.

I. Change in Disability Status – Temporary and Permanent Occupational Disability

If you are retired for a temporary occupational disability, you may apply to change your status to permanent or total disability under certain conditions. By rule, change is status applications must be approved within five years of the date of your original disablement. Your original disablement date is usually the day after your last day on the payroll, NOT the date of the initial determination. Since the review process can take several months, completed change in status applications must be submitted at least 180 days before the end of the five-year period.

If you are retired for a permanent occupational disability, you may apply to FPPA to have your status changed to total disability any time within five years from your original disablement date.

Applications for a change in disability status can be found at FPPAco.org. Call FPPA with any questions regarding the application process and/or to verify eligibility for a change in status.

J. Total Disability Retirees

Total disability means inability to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment that may be expected to result in death or that has lasted or may be expected to last for a period of not less than 12 months.

Substantial Gainful Activity Defined and a Change in Status

Substantial gainful activity means work that involves doing significant physical or mental activities for pay or profit.

The amount of earnings from work that constitutes substantial gainful activity depends on when you began receiving total disability benefits.

For members who began receiving a total disability benefit after January 1, 2026: generally, for earnings from work as an employee and/or from self-employment, Members are not engaged in substantial gainful activity if the their average monthly earnings are less than 20% of the their pre-disability earnings, indexed annually to the consumer price index (CPI-W).

If you were receiving a total disability benefit prior to January 1, 2026, contact FPPA for more information regarding the substantial gainful activity earnings limit.

If you receive annual income above the threshold for substantial gainful activity, you will be asked to submit to FPPA additional information concerning your employment and expenses to determine if you still qualify for total disability benefits. If FPPA concludes that the information provided indicates that you are no longer totally disabled, you will have an opportunity for a hearing.

If, after this process occurs, it is determined that you are engaged in substantial gainful activity, **your disability benefit may be changed from a total disability to a permanent occupational disability**. If this change occurs, you can apply for a change in status to a total disability if your medical condition worsens. However, FPPA may not grant the change to total disability after five years from the change to permanent occupational disability.

If you are currently working or plan to work in the future, we suggest that you keep all documents concerning expenses related to your disability. You may contact FPPA to find out the earnings information that will be used when reviewing your annual statement of income to maintain your total disability.

K. After Determination of Disability - Types of Employment Not Permitted by State Statute

If you are disabled, and you are employed in this state or any other jurisdiction in a paid position, and the duties of the position are directly involved with the provision of police or fire protection as determined by FPPA, your benefits will be discontinued. See FPPA Rules & Regulations Section 1707.

Before accepting a position that may require you to perform duties related to those of police officers or firefighters, or tasks that you state in your application you can longer perform, contact FPPA.

4. Optional Insurance Benefit Programs

State law authorizes FPPA to enter into contracts with insurance companies to provide group plans for its retirees. All premiums and other costs associated with any of the plans are paid by the individual participants. FPPA currently offers Medicare-eligible group insurance plans for individuals over age 65, dental and vision benefit programs for all retirees, and various other programs including a discount prescription drug card.

While FPPA does not offer a group health insurance plan for individuals under age 65, we do offer an insurance shopping service through Hub International to help retirees find individual plans including long term care insurance, to meet their needs. Visit the Retiree Insurance page on FPPAco.org for more information about available coverage options.

5. Other Resources

Listed below are some programs that might provide assistance to you and your family. FPPA is not affiliated with the organizations listed. Please contact their offices for more information and eligibility requirements.

- **Public Safety Officer's Benefit Program**

  This program is offered by the federal government. It is a lump sum benefit paid to the families of police officers or firefighters who die or become permanently and totally disabled in the line of duty. There may also be support for higher education to eligible spouses and children of Public Safety Officers who died or were catastrophically disabled in the line of duty.

  For information on the application process, eligibility, or the amount of the benefit, contact the following.

  Bureau of Justice Assistance
  Office of Justice Programs
  (888) 744-6513
  PSOB.gov

- **Dependents' Tuition Assistance Program**

  This Colorado Commission on Higher Education (CCHE) program provides tuition and room and board assistance for dependents to attend eligible Colorado institutions. The benefit applies only to dependents of police officers or firefighters who died or who were permanently disabled in the line of duty.

  For additional information on this program and eligibility, contact:

  Colorado Commission on Higher Education
  Questions@DHE.State.Co.US
  highered.colorado.gov/Finance/FinancialAid/TypesofStateAidAvailable.html

- **Pinnacol Foundation Scholarship Program**

  Educational opportunities for children of injured workers. Being covered by Pinnacol for Worker's Compensation is not a requirement. For more information contact:

  > **Pinnacol Foundation Scholarship Program** • (303) 361-4775
  > Pinnacolfoundation.org
  > email: Pinnacol.Foundation@pinnacol.com

- **Mortgage Assistance Program**

  The U.S. Department of Housing and Urban Development has a program that might provide assistance if you become delinquent in making your mortgage payments.

  If you have an FHA mortgage, the FHA National Servicing Center Loss Mitigation Services may be able to assist you in keeping your home. Contact:

  > **Housing and Urban Development (HUD)** • (877) 622-8525
  > HUD.gov

- **Vocational Rehabilitation**

  The Colorado Division of Vocational Rehabilitation assists individuals whose disabilities result in barriers to employment. Some of the services provided are: vocational counseling and guidance, training in job-seeking skills, and job placement assistance.

  > **Colorado Division of Vocational Rehabilitation**
  > (303)318-8571 or check their website for a local office near you.

- **State Park Passes / Hunting and Fishing Licenses / Property Tax Work-off**

  Colorado House Bill 19-1080

  This act grants first responders with a permanent occupational disability a free Columbine Annual Pass for entrance into state parks. Those with a permanent occupational disability resulting from performing official duties may be eligible for free lifetime small game hunting and fishing licenses. Contact the Colorado State Parks Division in your area.

  The act also allows first responders with a permanent occupational disability, who are sixty years of age or older, to be eligible to participate in a property tax work-off program established by a taxing entity. Contact your local property taxing authority.

FPPA Fire & Police Pension Association of Colorado

(303) 770-3772 ■ toll free (800) 332-3772 ■ fax (303) 771-7622 ■ FPPAco.org

This plain brochure is being provided as a summary reference source to give you some general information on disability benefits. Additional benefit information may be found on FPPAco.org. Changes to this information will occur from time to time. The applicable statutes and rules will control the availability and administration of disability benefits. For a complete copy of the FPPA Rules & Regulations and the Colorado Revised Statutes governing this plan, visit FPPAco.org or contact FPPA at (303) 770-3772 or at (800) 332-3772.

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