

# City of Philadelphia



*Philadelphia, February 10, 2005*

CERTIFICATION: This is to certify that Bill No. 040755 was presented to the Mayor on the twenty fifth day of January, 2005, and was not returned to the Council with his signature at a meeting held February 10, 2005 (being more than ten days after it had been presented to him).

THEREFORE, pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter, the ordinance becomes effective as if the Mayor had approved it.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty  
Chief Clerk of the City Council

(Bill No. 040755)

## AN ORDINANCE

Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending Section 22-501 relating to service-connected health care benefits to amend the requirements, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

**SECTION 1.** Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," is hereby amended as follows:

## **TITLE 22. PUBLIC EMPLOYEES RETIREMENT CODE**

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\* \* \*

## Chapter 22-500. Death Benefits

§22-501. Service-Connected Death and Health Care Benefits.

\* \* \*

(5) Service-connected health care benefit. If the Board determines that the death of a Police Employee or Fire Employee who had been a member of Plan A, Plan B, Plan D or Plan X resulted from the performance of the duties of such member's position, a service-connected health care benefit shall become payable to the survivors of such member as set forth below. The Board shall avail itself of the services of the Medical Panel in making its determination whether the member died as a result of the performance of the duties of the member's position.

(a) The service-connected health care benefit shall consist of regular payments on behalf of the spouse and the member's dependent children of the appropriate cost of maintaining medical, dental, optical and pharmaceutical prescription benefits for such beneficiaries at the same benefit level as would have been in force if the deceased member were still alive and employed in the same position as held at the time of death. Payments on behalf of the spouse shall cease upon remarriage. Payments on behalf of any surviving child shall cease when the child reaches the age of eighteen (18) years or, if any such child upon attaining age eighteen is and remains dependent because of physical or mental infirmity, the

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duration of the infirmity or, if the child is enrolled as a full-time undergraduate student, when the child ceases to be so enrolled or attains the age of twenty-two (22) years, whichever occurs first.

\* \* \*

## **SECTION 2. Effective Date and Retroactivity.**

The provisions of this Ordinance shall take effect immediately and shall apply retroactively with respect to any applications that were approved by the Board of Pensions and Retirement after the effective date of the original bill adding this benefit (Bill No. 655-A of 1986), January 23, 1986.

### **Explanation:**

Underlining indicates new matter added.

[Brackets] indicate matter to be deleted.