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SENATE BILL NO. 1142

Offered January 8, 2025

Prefiled January 7, 2025

A BILL to amend and reenact §§ 9.1-400, 9.1-400.1, 9.1-401, and 9.1-402 through 9.1-404 of the Code of Virginia, relating to Line of Duty Act; campus police officers.

Patrons—Obenshain, Deeds, Hackworth and Peake

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-400, 9.1-400.1, 9.1-401, and 9.1-402 through 9.1-404 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-400. Title of chapter; definitions.

A. This chapter shall be known and designated as the Line of Duty Act.

B. As used in this chapter, unless the context requires a different meaning:

"Beneficiary" means the spouse of a deceased person and such persons as are entitled to take under the will of a deceased person if testate, or as his heirs at law if intestate.

"Contributing nonprofit private institution of higher education" means a nonprofit private institution of higher education, as defined in § 23.1-100, that has (i) established a campus police department pursuant to § 23.1-810 and (ii) made an irrevocable election to provide the benefits under this chapter and to fund the cost by participating in the Fund.

"Deceased person" means any individual whose death occurs on or after April 8, 1972, in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, as (i) a law-enforcement officer of the Commonwealth or any of its political subdivisions, except employees designated pursuant to § 53.1-10 to investigate allegations of criminal behavior affecting the operations of the Department of Corrections, employees designated pursuant to § 66-3 to investigate allegations of criminal behavior affecting the operations of the Department of Juvenile Justice, and members of the investigations unit of the State Inspector General designated pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (ii) a correctional officer as defined in § 53.1-1; (iii) a jail officer; (iv) a regional jail or jail farm superintendent; (v) a sheriff, deputy sheriff, or city sergeant or deputy city sergeant of the City of Richmond; (vi) a police chaplain; (vii) a member of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town, including a person with a recognized membership status with such fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or any fire company or department training required in pursuit of qualification to become a certified firefighter; (viii) a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard; (ix) a member of the Virginia National Guard or the Virginia Defense Force while such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty or federal duty under Title 32 of the United States Code; (x) any special agent of the Virginia Alcoholic Beverage Control Authority; (xi) any regular or special conservation police officer who receives compensation from a county, city, or town or from the Commonwealth appointed pursuant to the provisions of § 29.1-200; (xii) any commissioned forest warden appointed under the provisions of § 10.1-1135; (xiii) any member or employee of the Virginia Marine Resources Commission granted the power of arrest pursuant to § 28.2-900; (xiv) any Department of Emergency Management hazardous materials officer; and any other employee of the Department of Emergency Management who is performing official duties of the agency, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28; (xv) any employee of any county, city, or town performing official emergency management or emergency services duties in cooperation with the Department of Emergency Management, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28 or a local emergency, as defined in § 44-146.16, declared by a local governing body; (xvi) any nonfirefighter regional hazardous materials emergency response team member; (xvii) any conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; ~~or~~ (xviii) any full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; or (xix) any campus police officer employed by a contributing nonprofit private institution of

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59 *higher education.*

60 "Disabled person" means any individual who has been determined to be mentally or physically  
61 incapacitated so as to prevent the further performance of his duties at the time of his disability where such  
62 incapacity is likely to be permanent, and whose incapacity occurs in the line of duty as the direct or  
63 proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2,  
64 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, in any position listed  
65 in the definition of deceased person in this section. "Disabled person" does not include any individual who  
66 has been determined to be no longer disabled pursuant to subdivision A 2 of § 9.1-404. "Disabled person"  
67 includes any state employee included in the definition of a deceased person who was disabled on or after  
January 1, 1966.

68 "Eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401 means the natural  
69 or adopted child or children of a deceased person or disabled person or of a deceased or disabled person's  
70 eligible spouse, provided that any such natural child is born as the result of a pregnancy that occurred prior to,  
71 or no later than six months after, the time of the employee's death or disability and that any such adopted  
72 child is (i) adopted prior to, or no later than six months after, the time of the employee's death or disability or  
73 (ii) adopted more than six months after the employee's death or disability if the adoption is pursuant to a  
74 preadoptive agreement entered into prior to, or no later than six months after, the death or disability.  
75 Notwithstanding the foregoing, "eligible dependent" shall also include the natural or adopted child or children  
76 of a deceased person or disabled person born as the result of a pregnancy or adoption that occurred after the  
77 time of the employee's death or disability, but prior to July 1, 2017. Eligibility will continue until the end of  
78 the year in which the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible  
79 based on the Virginia Administrative Code or administrative guidance as determined by the Department of  
80 Human Resource Management.

81 "Eligible spouse" for purposes of continued health insurance pursuant to § 9.1-401 means the spouse of a  
82 deceased person or a disabled person at the time of the death or disability. Eligibility will continue until the  
83 eligible spouse dies, ceases to be married to a disabled person, or in the case of the spouse of a deceased  
84 person, dies, remarries on or after July 1, 2017, or otherwise ceases to be eligible based on the Virginia  
85 Administrative Code or administrative guidance as determined by the Department of Human Resource  
86 Management.

87 "Employee" means any person who would be covered or whose spouse, dependents, or beneficiaries  
88 would be covered under the benefits of this chapter if the person became a disabled person or a deceased  
89 person.

90 "Employer" means (i) the employer of a person who is a covered employee or (ii) in the case of a  
91 volunteer who is a member of any fire company or department or rescue squad described in the definition of  
92 "deceased person," the county, city, or town that by ordinance or resolution recognized such fire company or  
93 department or rescue squad as an integral part of the official safety program of such locality.

94 "Fund" means the Line of Duty Death and Health Benefits Trust Fund established pursuant to § 9.1-400.1.

95 "Line of duty" means any action the deceased or disabled person was obligated or authorized to perform  
96 by rule, regulation, condition of employment or service, or law.

97 "LODA Health Benefit Plans" means the separate health benefits plans established pursuant to § 9.1-401.

98 "Nonparticipating employer" means any employer that is a political subdivision of the Commonwealth  
99 that elected to directly fund the cost of benefits provided under this chapter and not participate in the Fund.

100 "Participating employer" means any employer that is a state agency or is a political subdivision of the  
101 Commonwealth that did not make an election to become a nonparticipating employer.

102 "VRS" means the Virginia Retirement System.

103 *C. Nothing in this chapter shall be construed as applying to any nonprofit private institution of higher*  
104 *education, as defined in § 23.1-100, that is not a contributing nonprofit private institution of higher education*  
105 *.*

#### 106 **§ 9.1-400.1. Line of Duty Death and Health Benefits Trust Fund.**

107 A. There is hereby established a permanent and perpetual fund to be known as the Line of Duty Death and  
108 Health Benefits Trust Fund, consisting of such moneys as may be appropriated by the General Assembly; ;  
109 contributions or reimbursements from participating and nonparticipating employers; *and from contributing*  
110 *nonprofit private institutions of higher education;* gifts, bequests, endowments, or grants from the United  
111 States government or its agencies or instrumentalities; ; net income from the investment of moneys held in the  
112 Fund; ; and any other available sources of funds, public and private. Any moneys remaining in the Fund at the  
113 end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest and income  
114 earned from the investment of such moneys shall remain in the Fund and be credited to it. The moneys in the  
115 Fund shall be (i) deemed separate and independent trust funds, (ii) segregated and accounted for separately  
116 from all other funds of the Commonwealth, and (iii) administered solely in the interests of the persons who  
117 are covered under the benefits provided pursuant to this chapter. Deposits to and assets of the Fund shall not  
118 be subject to the claims of creditors.

119 B. The Virginia Retirement System shall invest, reinvest, and manage the assets of the Fund as provided

120 in § 51.1-124.39 and shall be reimbursed from the Fund for such activities as provided in that section.  
 121 C. The Fund shall be used to provide the benefits under this chapter related to disabled persons, deceased  
 122 persons, eligible dependents, and eligible spouses on behalf of participating employers *and contributing*  
 123 *nonprofit private institutions of higher education* and to pay related administrative costs.

124 D. Each participating employer *and contributing nonprofit private institution of higher education* shall  
 125 make annual contributions to the Fund and provide information as determined by VRS. The amount of the  
 126 contribution for each participating employer *and contributing nonprofit private institution of higher*  
 127 *education* shall be determined on a current disbursement basis in accordance with the provisions of this  
 128 section. For purposes of establishing contribution amounts for participating employers, a member of any fire  
 129 company or department or rescue squad that has been recognized by an ordinance or a resolution of the  
 130 governing body of any locality of the Commonwealth as an integral part of the official safety program of  
 131 such locality shall be considered part of the locality served by the company, department, or rescue squad. If a  
 132 company, department, or rescue squad serves more than one locality, the affected localities shall determine  
 133 the basis and apportionment of the required covered payroll and contributions for each company, department,  
 134 or rescue squad.

135 If any participating employer *or contributing nonprofit private institution of higher education* fails to  
 136 remit contributions or other fees or costs associated with the Fund, VRS shall inform the State Comptroller  
 137 and the affected participating employer *or contributing nonprofit private institution of higher education* of  
 138 the delinquent amount. In calculating the delinquent amount, VRS may impose an interest rate of one percent  
 139 per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus  
 140 interest, from any moneys otherwise distributable to such participating employer. *In the case of a*  
 141 *contributing nonprofit private institution of higher education, VRS may employ reasonable methods to collect*  
 142 *the delinquent amount, including the procedures set forth in the Virginia Debt Collection Act (§ 2.2-4800 et*  
 143 *seq.).*

144 **§ 9.1-401. Continued health insurance coverage for disabled persons, eligible spouses, and eligible**  
 145 **dependents.**

146 A. Disabled persons, eligible spouses, and eligible dependents shall be afforded continued health  
 147 insurance coverage as provided in this section, the cost of which shall be paid by the nonparticipating  
 148 employer to the Department of Human Resource Management or from the Fund on behalf of a participating  
 149 employer *or contributing nonprofit private institution of higher education*, as applicable. If any disabled  
 150 person or eligible spouse is receiving the benefits described in this section and would otherwise qualify for  
 151 the health insurance credit described in Chapter 14 (§ 51.1-1400 et seq.) of Title 51.1, the amount of such  
 152 credit shall be deposited into the Line of Duty Death and Health Benefits Trust Fund or paid to the  
 153 nonparticipating employer, as applicable, from the health insurance credit trust fund, in a manner prescribed  
 154 by VRS.

155 B. 1. The continued health insurance coverage provided by this section for all disabled persons, eligible  
 156 spouses, and eligible dependents shall be through separate plans, referred to as the LODA Health Benefits  
 157 Plans (the Plans), administered by the Department of Human Resource Management. The Plans shall comply  
 158 with all applicable federal and state laws and shall be modeled upon state employee health benefits program  
 159 plans. Funding of the Plans' reserves and contingency shall be provided through a line of credit, the amount  
 160 of which shall be based on an actuarially determined estimate of liabilities. The Department of Human  
 161 Resource Management shall be reimbursed for health insurance premiums and all reasonable costs incurred  
 162 and associated, directly and indirectly, in performing the duties pursuant to this section (i) from the Line of  
 163 Duty Death and Health Benefits Trust Fund for costs related to disabled persons, deceased persons, eligible  
 164 dependents, and eligible spouses on behalf of participating employers *and contributing nonprofit private*  
 165 *institutions of higher education* and (ii) from a nonparticipating employer for premiums and costs related to  
 166 disabled persons, deceased persons, eligible dependents, and eligible spouses for which the nonparticipating  
 167 employer is responsible. If any nonparticipating employer fails to remit such premiums and costs, the  
 168 Department of Human Resource Management shall inform the State Comptroller and the affected  
 169 nonparticipating employer of the delinquent amount. In calculating the delinquent amount, the Department of  
 170 Human Resource Management may impose an interest rate of one percent per month of delinquency. The  
 171 State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise  
 172 distributable to such nonparticipating employer.

173 2. In the event that temporary health care insurance coverage is needed for disabled persons, eligible  
 174 spouses, and eligible dependents during the period of transition into the LODA Health Benefits Plans, the  
 175 Department of Human Resource Management is authorized to acquire and provide temporary transitional  
 176 health insurance coverage. The type and source of the transitional health plans shall be within the sole  
 177 discretion of the Department of Human Resource Management. Transitional coverage for eligible dependents  
 178 shall comply with the eligibility criteria of the transitional plans until enrollment in the LODA Health  
 179 Benefits Plan can be completed.

180 C. 1. a. Except as provided in subdivision 2 and any other law, continued health insurance coverage in any

181 LODA Health Benefits Plans shall not be provided to any person (i) whose coverage under the Plan is based  
182 on a deceased person's death or a disabled person's disability occurring on or after July 1, 2017 and (ii) who is  
183 eligible for Medicare due to age.

184 b. Coverage in the LODA Health Benefits Plans shall also cease for any person upon his death.

185 2. The provisions of subdivision 1 a shall not apply to any disabled person who is eligible for Medicare  
186 due to disability under Social Security Disability Insurance or a Railroad Retirement Board Disability  
187 Annuity. The Department of Human Resource Management may provide such disabled person coverage  
188 under a LODA Health Benefits Plan that is separate from the plan for other persons.

189 3. Continued health insurance under this section shall also terminate upon the disabled person's return to  
190 full duty in any position listed in the definition of deceased person in § 9.1-400. Such disabled person shall  
191 promptly notify the participating or nonparticipating employer *or the contributing nonprofit private*  
192 *institution of higher education*, VRS, and the Department of Human Resource Management upon his return to  
193 work.

194 4. Such continued health insurance shall be suspended for the Plan year following a calendar year in  
195 which the disabled person whose coverage under the Plan is based on a disability occurring on or after July 1,  
196 2017, has earned income in an amount equal to or greater than the salary of the position held by the disabled  
197 person at the time of disability, indexed annually based upon the annual increases in the United States  
198 Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of  
199 Labor Statistics of the U.S. Department of Labor. Such suspension shall cease the Plan year following a  
200 calendar year in which the disabled person has not earned such amount of income. The disabled person shall  
201 notify the participating or nonparticipating employer *or the contributing nonprofit private institution of*  
202 *higher education*, VRS, and the Department of Human Resource Management no later than March 1 of the  
203 year following any year in which he earns income of such amount, and notify the participating or  
204 nonparticipating employer, *the contributing nonprofit private institution of higher education*, VRS, and the  
205 Department of Human Resource Management when he no longer is earning such amount. Upon request, a  
206 disabled person shall provide VRS and the Department of Human Resource Management with documentation  
207 of earned income.

208 **§ 9.1-402. Payments to beneficiaries of certain deceased law-enforcement officers, firefighters, etc.,**  
209 **and retirees.**

210 A. The beneficiary of a deceased person whose death occurred on or before December 31, 2005, while in  
211 the line of duty as the direct or proximate result of the performance of his duty shall be entitled to receive the  
212 sum of \$75,000, which shall be paid by the nonparticipating employer or from the Fund on behalf of a  
213 participating employer *or a contributing nonprofit private institution of higher education*, as applicable, in  
214 gratitude for and in recognition of his sacrifice on behalf of the people of the Commonwealth.

215 B. The beneficiary of a deceased person whose death occurred on or after January 1, 2006, while in the  
216 line of duty as the direct or proximate result of the performance of his duty shall be entitled to receive the  
217 sum of \$100,000, which shall be paid by the nonparticipating employer or from the Fund on behalf of a  
218 participating employer *or the contributing nonprofit private institution of higher education*, as applicable, in  
219 gratitude for and in recognition of his sacrifice on behalf of the people of the Commonwealth.

220 C. Subject to the provisions of § 27-40.1, 27-40.2, 51.1-813, or 65.2-402, if the deceased person's death (i)  
221 arose out of and in the course of his employment or (ii) was within five years from his date of retirement, his  
222 beneficiary shall be entitled to receive the sum of \$25,000 or, if the deceased person's death occurred on or  
223 after January 1, 2025, \$75,000, which shall be paid by the nonparticipating employer or from the Fund on  
224 behalf of a participating employer *or a contributing nonprofit private institution of higher education*, as  
225 applicable. *For a campus police officer employed by a contributing nonprofit private institution of higher*  
226 *education, such officer's date of retirement shall be determined by VRS in consultation with the contributing*  
227 *nonprofit private institution of higher education.*

228 **§ 9.1-402.1. Payments for burial expenses.**

229 It is the intent of the General Assembly that expeditious payments for burial expenses be made for  
230 deceased persons whose death is determined to be a direct and proximate result of their performance in the  
231 line of duty as defined by the Line of Duty Act. Upon the approval of VRS, at the request of the family of a  
232 person who may be subject to the line of duty death benefits, payments shall be made to a funeral service  
233 provider for burial and transportation costs by the nonparticipating employer or from the Fund on behalf of a  
234 participating employer *or a contributing nonprofit private institution of higher education*, as applicable.  
235 These payments would be advanced from the death benefit that would be due to the beneficiary of the  
236 deceased person if it is determined that the person qualifies for line of duty coverage. Expenses advanced  
237 under this provision shall not exceed the coverage amounts outlined in § 65.2-512. In the event that a  
238 determination is made that the death is not subject to the line of duty benefits (i) *in the case of an employer*  
239 *that is a state agency or political subdivision of the Commonwealth*, VRS or other Virginia governmental  
240 retirement fund of which the deceased is a member will deduct from benefit payments otherwise due to be  
241 paid to the beneficiaries of the deceased payments previously paid for burial and related transportation

242 expenses and return such funds to the nonparticipating employer or to the Fund on behalf of a participating  
 243 employer, as applicable, *and (ii) in the case of a contributing nonprofit private institution of higher*  
 244 *education, VRS (a) will deduct from benefit payments otherwise due to be paid to the beneficiaries of the*  
 245 *deceased payments previously paid for burial and related transportation expenses and return such funds to*  
 246 *the Fund and (b) may employ reasonable methods, including the procedures set forth in the Virginia Debt*  
 247 *Collection Act (§ 2.2-4800 et seq.), to recover from the deceased person's estate any payments previously*  
 248 *paid for burial and related transportation expenses and return such funds to the Fund.* The Virginia  
 249 Retirement System shall have the right to file a claim with the Virginia Workers' Compensation Commission  
 250 against any employer to recover burial and related transportation expenses advanced under this provision.

251 **§ 9.1-403. Claim for payment; costs.**

252 A. Every beneficiary, disabled person or his spouse, or dependent of a deceased or disabled person shall  
 253 present his claim to the chief officer, or his designee, of the employer for which the disabled or deceased  
 254 person last worked on forms to be provided by VRS. Upon receipt of a claim, the chief officer or his designee  
 255 shall forward the claim to VRS within seven days. The Virginia Retirement System shall determine eligibility  
 256 for benefits under this chapter. The Virginia Retirement System may request assistance in obtaining  
 257 information necessary to make an eligibility determination from the Department of State Police. The  
 258 Department of State Police shall take action to conduct the investigation as expeditiously as possible. The  
 259 Department of State Police shall be reimbursed from the Fund or the nonparticipating employer, as  
 260 applicable, for the cost of searching for and obtaining information requested by VRS. The Virginia  
 261 Retirement System shall be reimbursed for the reasonable costs incurred for making eligibility determinations  
 262 by nonparticipating employers or from the Fund on behalf of participating employers *or contributing*  
 263 *nonprofit private institutions of higher education*, as applicable. If any nonparticipating employer fails to  
 264 reimburse VRS for reasonable costs incurred in making an eligibility determination, VRS shall inform the  
 265 State Comptroller and the affected nonparticipating employer of the delinquent amount. In calculating the  
 266 delinquent amount, VRS may impose an interest rate of one percent per month of delinquency. The State  
 267 Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise  
 268 distributable to such nonparticipating employer.

269 B. 1. Within 10 business days of being notified by an employee, or an employee's representative, that such  
 270 employee is permanently and totally disabled due to a work-related injury suffered in the line of duty, the  
 271 agency or department employing the employee shall provide him with information about the continued health  
 272 insurance coverage provided under this chapter and the process for initiating a claim. The employer shall  
 273 assist in filing a claim, unless such assistance is waived by the employee or the employee's representative.

274 2. Within 10 business days of having knowledge that a deceased person's surviving spouse, dependents, or  
 275 beneficiaries may be entitled to benefits under this chapter, the employer for which the deceased person last  
 276 worked shall provide the surviving spouse, dependents, or beneficiaries, as applicable, with information about  
 277 the benefits provided under this chapter and the process for initiating a claim. The employer shall assist in  
 278 filing a claim, unless such assistance is waived by the surviving spouse, dependents, or beneficiaries.

279 C. Within 30 days of receiving a claim pursuant to subsection A, an employer may submit to VRS any  
 280 evidence that could assist in determining the eligibility of a claim. However, when the claim involves a  
 281 presumption under § 65.2-402 or 65.2-402.1, VRS shall provide an employer additional time to submit  
 282 evidence as is necessary not to exceed nine months from the date the employer received a claim pursuant to  
 283 subsection A. Any such evidence submitted by the employer shall be included in the agency record for the  
 284 claim.

285 **§ 9.1-404. Order of the Virginia Retirement System.**

286 A. 1. The Virginia Retirement System shall make an eligibility determination within 45 days of receiving  
 287 all necessary information for determining eligibility for a claim filed under § 9.1-403. The Virginia  
 288 Retirement System may use a medical board pursuant to § 51.1-124.23 in determining eligibility. If benefits  
 289 under this chapter are due, VRS shall notify the nonparticipating employer, which shall provide the benefits  
 290 within 15 days of such notice, or VRS shall pay the benefits from the Fund on behalf of the participating  
 291 employer *or contributing nonprofit private institution of higher education* within 15 days of the  
 292 determination, as applicable. The payments shall be retroactive to the first date that the disabled person was  
 293 no longer eligible for health insurance coverage subsidized by his employer.

294 2. Two years after an individual has been determined to be a disabled person, VRS may require the  
 295 disabled person to renew the determination through a process established by VRS. If a disabled person  
 296 refuses to submit to the determination renewal process described in this subdivision, then benefits under this  
 297 chapter shall cease for the individual, any eligible dependents, and an eligible spouse until the individual  
 298 complies. If such individual does not comply within six months from the date of the initial request for a  
 299 renewed determination, then benefits under this chapter shall permanently cease for the individual, any  
 300 eligible dependents, and an eligible spouse. If VRS issues a renewed determination that an individual is no  
 301 longer a disabled person, then benefits under this chapter shall permanently cease for the individual, any  
 302 eligible dependents, and an eligible spouse. If VRS issues a renewed determination that an individual remains

303 a disabled person, then VRS may require the disabled person to renew the determination five years after such  
304 renewed determination through a process established by VRS. The Virginia Retirement System may require  
305 the disabled person to renew the determination at any time if VRS has information indicating that the person  
306 may no longer be disabled.

307 3. For any medical review conducted for the purpose of making an eligibility determination pursuant to  
308 this section, VRS shall require such review to be conducted by a licensed health practitioner. For purposes of  
309 this section, "licensed health practitioner" means a person licensed to practice medicine or osteopathic  
310 medicine pursuant to the provisions of Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1, a person licensed to  
311 practice nursing pursuant to the provisions of Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1, or a person  
312 licensed to practice psychology pursuant to the provisions of Chapter 36 (§ 54.1-3600 et seq.) of Title 54.1.  
313 "Licensed health practitioner" includes a person issued a comparable license, as determined by VRS, by the  
314 District of Columbia or a state that is contiguous to the Commonwealth.

315 B. The Virginia Retirement System shall be reimbursed for all reasonable costs incurred and associated,  
316 directly and indirectly, in performing the duties pursuant to this chapter (i) from the Line of Duty Death and  
317 Health Benefits Trust Fund for costs related to disabled persons, deceased persons, eligible dependents, and  
318 eligible spouses on behalf of participating employers *and contributing nonprofit private institutions of higher*  
319 *education* and (ii) from a nonparticipating employer for premiums and costs related to disabled persons,  
320 deceased persons, eligible dependents, and eligible spouses for which the nonparticipating employer is  
321 responsible.

322 C. The Virginia Retirement System may develop policies and procedures necessary to carry out the  
323 provisions of this chapter.

324 **2. That any nonprofit private institution of higher education, as defined in § 23.1-100 of the Code of**  
325 **Virginia, that has established a campus police department pursuant to § 23.1-810 of the Code of**  
326 **Virginia on or before the effective date of this act shall elect whether it will be a contributing nonprofit**  
327 **private institution of higher education under the Line of Duty Act (§ 9.1-400 et seq. of the Code of**  
328 **Virginia), as amended by this act, in the manner and on such forms as prescribed by the Virginia**  
329 **Retirement System within 180 days of the effective date of this act. Any nonprofit private institution of**  
330 **higher education that establishes a campus police department on or after the effective date of this act**  
331 **shall elect whether it will be a contributing nonprofit private institution of higher education under the**  
332 **Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, in the manner and**  
333 **on such forms as prescribed by the Virginia Retirement System within 180 days of the establishment of**  
334 **the campus police department. Any election made pursuant to this enactment shall be irrevocable and**  
335 **a nonprofit private institution of higher education that does not make an election within the time**  
336 **period set forth in this enactment shall be deemed to have made an irrevocable election that such**  
337 **institution's campus police officers will not be covered by the Line of Duty Act (§ 9.1-400 et seq. of the**  
338 **Code of Virginia), as amended by this act.**

339 **3. That the provisions of this act shall apply only to campus police officers employed by a contributing**  
340 **nonprofit private institution of higher education whose death or disability occurred on or after the**  
341 **effective date of such institution's irrevocable election to fund the cost of benefits under the Line of**  
342 **Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, and to participate in the**  
343 **Line of Duty Death and Health Benefits Trust Fund, established pursuant to § 9.1-400.1 of the Code of**  
344 **Virginia, as amended by this act.**

345 **4. That each contributing nonprofit private institution of higher education shall pay its pro rata share**  
346 **of the initial costs to implement this act, as determined by the Virginia Retirement System.**