



PENSION & INVESTMENT PLANS

# Survivor Benefits

2021 EDITION

Department of  
**MANAGEMENT  
SERVICES**

▶ Retirement



## DISCLAIMER

As much as possible, this guide is written in nontechnical terms, avoiding the formal language of retirement laws and rules. If questions of interpretation arise as a result of the attempt to make the retirement provisions easy to understand, Chapter 121 of the Florida Statutes and Chapters 60S and 19 of the Florida Administrative Code must remain the final authority.

The information provided in this guide is based on the Florida Retirement System (FRS) laws and rules in existence as of July 2021 and is subject to modification based on changes in the law or the Florida Administrative Code.

Representatives from participating agencies are not agents of the Department of Management Services' Division of Retirement (division) or the State Board of Administration (SBA). The division and the SBA are not responsible for erroneous information provided by representatives of participating agencies.

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## CONTACTING THE DIVISION

When you write to the division, include your full name, the last four digits of your Social Security number, your mailing address, and your daytime telephone number.

If you are writing to the division, address your correspondence to:

**DIVISION OF RETIREMENT  
P.O. BOX 9000  
TALLAHASSEE, FL 32315-9000**

The following telephone numbers and fax number will help you reach the Division of Retirement.

Telephone (Toll-Free) .....	844-377-1888
Telephone.....	850-907-6500
Fax number.....	850-410-2010

If you have a hearing or speech impairment, you may call the division via T.D.D. through the Florida Relay System by dialing 711 or 800-955-8771.

You may visit the division at the address below without an appointment, but you must bring a photo ID. Our hours are Monday through Friday from 8:00 a.m. until 5:00 p.m., Eastern time, except on designated state holidays.

The Division of Retirement is located at:

**3189 S BLAIR STONE RD  
TALLAHASSEE, FL 32301-6812**

# WHAT IS SURVIVOR BENEFIT RETIREMENT?

The FRS provides survivor benefits to its members who die prior to retirement or prior to beginning Deferred Retirement Option Program (DROP) participation. Members of the FRS Pension Plan (Pension Plan) and FRS Investment Plan (Investment Plan) who die prior to retirement have different survivor benefit options depending upon whether the member is vested and whether the member's death is in the line of duty.

## **Types of Survivor Benefit Retirement**

Two types of survivor benefit retirement are available under the FRS, regular and in-line-of-duty survivor benefit retirement:

1. You may be eligible for regular survivor benefit retirement if your death is a result of an illness or injury not related to your FRS employment.
2. You may be eligible for in-line-of-duty survivor benefit retirement if your death results from an illness or injury that occurs during and as a result of the performance of your duties as required by your FRS employer.

If you have retired or are participating in DROP, the benefit payable to your surviving beneficiary depends upon the payment option that you chose at retirement. The benefits described in this book do not apply to you or your surviving beneficiaries.

## **Survivor Benefit Eligibility**

To qualify for a regular survivor benefit retirement, the FRS member must be vested.

### **Pension Plan Members**

#### Regular Survivor Benefits

To qualify for a regular survivor benefit retirement, the Pension Plan member must be vested. If the member was within one year of vesting, the surviving spouse or beneficiary who qualifies as a joint annuitant may use the member's accumulated leave balance to pay the contributions required to establish the needed service credit or purchase enough optional service credit to vest the member for a monthly retirement benefit.

If the Pension Plan member is not vested, the surviving beneficiary can receive a refund of the member's contributions.

### In-Line-of-Duty Survivor Benefits

A Pension Plan member is eligible from the first day of employment for in-line-of-duty survivor benefits payable to the surviving spouse or eligible dependent children.

If you are a member of the Teachers' Retirement System, contact the division regarding your survivor benefit information (see contact information on Page 2).

## **Investment Plan Members**

### Regular Survivor Benefits

If the Investment Plan member is vested, the surviving beneficiary is eligible to receive the full value of the member's vested Investment Plan account balance.

If the Investment Plan member is not vested, the surviving beneficiary is eligible to receive a distribution of only the member's employee contributions, plus earnings.

### In-Line-of-Duty Survivor Benefits

An Investment Plan member is eligible for in-line-of-duty survivor benefits from the first day of employment. The surviving spouse or the guardian on behalf of the dependent child can choose to do the following:

- Surrender the member's Investment Plan account balance to the FRS Trust Fund to receive a monthly benefit; or
- Receive the Investment Plan account balance as the survivor benefit.

**Reference:** Sections 121.091(5) and 121.591(3) and (4), Florida Statutes

## **SURVIVOR BENEFIT COVERAGE**

Since June 1, 2002, the FRS has offered two primary retirement plan options: the Pension Plan, the defined benefit plan administered under part I of Chapter 121, Florida Statutes; and the Investment Plan, a defined contribution plan created under part II of Chapter 121, Florida Statutes. Both plans are funded by employee and employer contributions.

Survivor benefit coverage is available under both of these plans but may or may not be available under other state-administered retirement systems and programs.

### **The Pension Plan**

Under the Pension Plan, the employee and the FRS participating employer make monthly contributions to provide the member with lifetime benefits after retirement, provided that the member meets certain age and/or service requirements. The service benefit is determined by a formula that is based on the member's earnings, length of service, and membership class percentage value at retirement.

The following apply if the member's death is not in the line of duty:

- If the member is vested, a beneficiary who qualifies as a joint annuitant may receive a current or future monthly retirement benefit. Normal retirement or any reduction for an early retirement benefit is based on the age the member would have been when monthly benefits begin.
- If the member is not vested or the beneficiary does not qualify as a joint annuitant, the beneficiary is eligible for a refund of employee contributions.

The following apply if the member's death is in the line of duty:

- Survivor benefits are available starting with the first day of employment.
- The spouse or surviving dependent children are eligible for a monthly retirement benefit based on a percentage of the base pay at the time of the member's death.
- If the member's length of service provides a service retirement benefit with a higher monthly benefit than the survivor benefit, the surviving spouse or dependent

children may choose the service-based retirement benefit instead of the survivor benefit.

Survivor benefit coverage provided through the Pension Plan is the main focus of this publication.

**Reference:** Sections 121.091(4) and (7), 121.4501, 121.591(3) and 121.70, Florida Statutes

## The Investment Plan

Under the Investment Plan, both the FRS participating employer and member make monthly contributions to the member's Investment Plan account. The member controls how the contributions are invested among the plan's available investment funds. The benefit available under this plan is the vested amount that has accumulated, plus earnings, in the member's Investment Plan account after terminating from all employment with FRS participating employers.

However, if an Investment Plan member or a Hybrid member dies in the line of duty, monthly survivor benefits may be available under section 121.591(4), Florida Statutes.

If the death of the Investment Plan member is not in the line of duty, the surviving beneficiary is entitled to receive the full value of the member's Investment Plan account balance:

- If the member has less than one year of service, only the employee contributions and earnings can be distributed.
- If the member has one or more years of Investment Plan service, the employer and employee contributions plus earnings will be distributed.
- If the Investment Plan member transferred a present value of his or her Pension Plan service to the Investment Plan, the transferred value and earnings are subject to the Pension Plan's vesting requirement (six years if initially enrolled prior to July 1, 2011, or eight years if initially enrolled on or after July 1, 2011).
- Contact the MyFRS Financial Guidance Line at 1-866-446-9377 and select option 4 for more information.

The Division of Retirement administers the in-line-of-duty survivor benefit program for the Investment Plan. An eligible survivor of an Investment Plan member who wishes to receive a monthly survivor benefit must apply for benefits with the division.



In-line-of-duty survivor benefit eligibility requirements for Investment Plan members are similar to the requirements for members of the Pension Plan, as described elsewhere in this booklet (see Page 18), except for the following stipulation:

- All moneys accumulated in a member's Investment Plan account must be transferred to the FRS Trust Fund.

Once the division receives and approves an application for survivor benefits from the Investment Plan member's surviving spouse or on behalf of surviving dependent children, monthly retirement benefits will be paid retroactively to the month following the member's death.

## **SURVIVOR BENEFIT ELIGIBILITY**

The survivor benefits described in this guide apply to FRS benefits paid through the Pension Plan. If you are a member of the Investment Plan, you will need to call the MyFRS Financial Guidance Line toll-free at 1-866-446-9377 and select option 4 for information regarding your survivor benefits if your death is not in the line of duty.

Upon your death, the FRS provides, under certain circumstances, survivor benefits for your beneficiary or joint annuitant. The type of benefit provided will depend on your status in the system at the time. Survivor benefits may be provided for the beneficiary or beneficiaries of the following:

- A non-vested member (see Page 14);
- A vested member before retirement (see Page 15);
- A member who dies in the line of duty (see Page 18); or
- A retired member (including a DROP participant), depending on the benefit payment option chosen at retirement (see Page 20).

Terms related to the FRS and this guide are defined below.

**Vest, Vested, or Vesting** – These terms refer to meeting age and/or length-of-service conditions under a retirement plan, as required to qualify for a future benefit.

Under the **Pension Plan**:

- If you were initially enrolled in the FRS before July 1, 2011, you will be vested in the Pension Plan after six years of service, unless your covered employment ended before July 1, 2001.
- If you were initially enrolled in the FRS on or after July 1, 2011, you will be vested in the Pension Plan after eight years of creditable service, regardless of your membership class.
- Before July 1, 2001, the vesting requirement in the Pension Plan depended upon your membership class; seven years for Senior Management Service Class (SMSC), eight years for the Elected Officers' Class (EOC), or 10 years of creditable service for all other classes. If you terminated covered employment before July 1, 2001, and you were more than one year away from vesting at the time, you must return to covered employment for one work year in order to be covered by six-year vesting. However, if you were within one work year of the vesting requirements before July 1, 2001, you will vest upon working the number of months that were required for you to vest before you terminated.

**Note:** Special provisions apply for the surviving spouse of a member who dies within one year of vesting (see Page 14).

**Normal Retirement** – The age or date when you first become eligible to retire without a reduction of benefits.

If you are a member of the Regular Class, SMSC, or EOC, you will qualify for normal retirement as follows:

If initially enrolled in the FRS before July 1, 2011, you qualify for normal retirement when

- You are vested and age 62 or the age after 62 when you become vested; or
- You have 30 years of creditable service before age 62.

If initially enrolled in the FRS on or after July 1, 2011, you qualify for normal retirement when

- You are vested and age 65 or the age after 65 when you become vested; or
- You have 33 years of creditable service before age 65.

If you are a Special Risk Class member, you will qualify for normal retirement as follows:

If initially enrolled in the FRS before July 1, 2011, you qualify for normal retirement when

- You are vested and age 55 or the age after 55 when you become vested;
- You have 25 years of Special Risk Class service before age 55; or
- You are age 52 and have a combined total of 25 years of Special Risk Class service and up to four years of active duty wartime military service under section 121.111(2), Florida Statutes; or
- You have 30 years of creditable service before age 62.

If initially enrolled in the FRS on or after July 1, 2011, you qualify for normal retirement when

- You are vested and age 60 or the age after 60 when you become vested;
- You have 30 years of Special Risk Class service before age 60; or
- You have 33 years of creditable service before age 65.

If you are a Special Risk Administrative Support Class member with at least the number of years of creditable service in the Special Risk Class that is required for you to vest, you qualify for normal retirement based upon the Special Risk Class requirements. Otherwise, you must meet the requirements for normal retirement for Regular Class members.

If you reach normal retirement based upon age, then your normal retirement date is the first of the month in which you reach your normal retirement age and are vested. For example, if you initially enrolled in the FRS before July 1, 2011, and turn 62 on May 30, your normal retirement date would be May 1.

If you reach your normal retirement based upon years of service, then your normal retirement date is the first of the month after the month in which you complete the required years of service. For example, if you initially enrolled in the FRS before July 1, 2011, and reach 30 years of service in May, your normal retirement date would be June 1.

**Early Retirement** – Under the Pension Plan, early retirement is an elective, service-based retirement that occurs before the member reaches the normal retirement age or date. If you retire early, you will receive a reduced retirement benefit because eligibility requirements for normal retirement have not been met. Your benefit is reduced by 5 percent for each year remaining until you attain the normal retirement age. For less than a full year, the reduction is prorated on a month-by-month basis. You must be vested to take an early service retirement. Disability benefits are not reduced for early retirement, and vesting is not required for in-line-of-duty disability or in-line-of-duty survivor benefits.

## **BENEFICIARY DESIGNATION**

As an FRS member, you are encouraged to designate a beneficiary or beneficiaries and keep your designation up to date.

### **Before You Retire**

If you are a Pension Plan member, your surviving spouse is automatically your beneficiary unless you designated someone else after your most recent marriage.

You may designate your beneficiary or beneficiaries either jointly or sequentially or specify that any benefits due be paid through a trust. If you do not name a beneficiary and are not survived by a spouse or if none of your named beneficiaries are living upon your death, your beneficiary will be determined by Florida law. Your beneficiary would be determined under section 121.091(8)(a), Florida Statutes, as follows:

... if no beneficiary designated by the member survives the member, the beneficiary shall be the spouse of the deceased, if living. If the member's spouse is not alive at his or her death, the beneficiary shall be the living children of the member. If no children survive, the

beneficiary shall be the member's father or mother, if living; otherwise, the beneficiary shall be the member's estate.

You may verify and designate a beneficiary or beneficiaries from your FRS Online account. Go to [frs.fl.gov](https://frs.fl.gov); log in to FRS Online; select Beneficiary under Member Information; and fill in the required information. Alternatively, you may designate your beneficiary by completing and submitting Form BEN-001 to the division. You can locate this form on the Forms page of the division's website.

Before you retire, you may change your beneficiary at any time. This is important to remember if your beneficiary dies, if your marital status changes, or if you have children. Your will, trust agreement, or divorce decree have no bearing on how your Pension Plan survivor benefits are paid. Only a beneficiary who qualifies as a joint annuitant may be eligible to receive a monthly benefit upon your death (see Page 12 for the definition of joint annuitant).

You can check your current beneficiary designation on the Beneficiary page of your FRS Online account at [frs.fl.gov](https://frs.fl.gov) (see Page 27 for FRS Online login instructions). If your current beneficiary information is not listed, contact the division (see contact information on Page 2).

If you die after you are vested, your beneficiary must qualify as a joint annuitant to be eligible to receive an immediate or future monthly benefit. If you name a beneficiary who does not qualify as a joint annuitant, your beneficiary can receive only a refund of any personal contributions you have made to the system.

If you die in the line of duty, your spouse or unmarried children under the age of 18 will be eligible to receive in-line-of-duty death benefits, regardless of any other beneficiary you may have designated.

## When You Retire

You must name a beneficiary when you apply for retirement and select a benefit payment option (see Page 20). This beneficiary designation will replace all previous designations.

- If you choose benefit payment Option 1 or 2, you may name as beneficiary any person, organization, or trust or your estate. You may name one or more beneficiaries to receive benefits jointly or sequentially.
- If you choose benefit payment Option 2, you may name one or more contingent beneficiaries to receive any benefits remaining after your death and the death of your primary beneficiary or beneficiaries.
- If you choose either benefit payment Option 3 or 4, your beneficiary must qualify as your joint annuitant. If you choose Option 3, you may name more than one joint annuitant and specify the proportion of the benefit to be paid to each. A joint annuitant is defined as the following:
  - ◆ Your spouse;
  - ◆ Your natural or legally adopted child who is either under age 25 or who is physically or mentally disabled and incapable of self-support (regardless of age);
  - ◆ Your parent or grandparent who was dependent upon you for at least half of his or her financial support at the time of your death; or
  - ◆ A person for whom you are the legal guardian and who was dependent upon you for at least half of his or her financial support at the time of your death.

## After You Retire

### Changing Your Beneficiary

If you choose benefit payment Option 1 or 2, you may change your beneficiary designation at any time by submitting a completed Form FST-12, Florida Retirement System Pension Plan Beneficiary Designation Form (Retired Members Only), to the division. You may obtain this form by contacting the division (see contact information on Page 2) or going to the Forms page of the division's website, [frs.myflorida.com](http://frs.myflorida.com).

If you choose benefit payment Option 3 or 4, you may change the designation of your joint annuitant only twice after your retirement benefit has begun.

When you change your joint annuitant, your monthly benefit will be adjusted based on your current age and the age and status of your new joint annuitant. The benefit adjustment will become effective the first of the month after the division receives the required forms. This could result in a reduction of your benefits. To change your joint annuitant, notify the division and include your new joint annuitant's name, date of birth, and relationship to you. The division will inform you of the amount that your revised monthly benefit would be if you make the decision to change your joint annuitant designation.

### **Joint Annuitant Nullification**

If you name your spouse as your joint annuitant under Option 3 or 4 and you become divorced, your former spouse will remain entitled to receive a continuing monthly benefit upon your death unless you change or nullify your joint annuitant designation. You may remove your former spouse as joint annuitant from your account by nullifying your joint annuitant designation, unless prevented by a Qualified Domestic Relations Order. To do this, you must submit to the division a notarized Joint Annuitant Nullification, Form JA-NUL, and a copy of your divorce papers. Nullification forms are available from the division (see contact information on Page 2).

Once your joint annuitant designation is nullified, your former spouse will not be eligible to receive a continuing benefit and your future benefits will be paid as if your former spouse had died before you. The law does not allow a nullification to be reversed.

If you retired under Option 4, your benefit would be reduced by one-third beginning with the month your joint annuitant nullification is effective. You are not required to name a new joint annuitant. However, if you do elect to designate a new joint annuitant, there will be an additional adjustment to your benefit.

**Reference:** Sections 121.021(28) and (46) and 121.091(8) and (12),  
Florida Statutes  
Rule 60S-4.011, Florida Administrative Code

## NOTIFICATION OF DEATH

Please arrange for someone to notify the Division of Retirement of your death. Likewise, if you are retired and you selected benefit payment Option 3 or 4, notify the division of the death of your joint annuitant. This notification can be provided by telephone, in writing, or through FRS Online at [frs.fl.gov](http://frs.fl.gov) (see Page 27 for more information on FRS Online).

After being notified of your death, the division will explain any benefits that may be payable to your estate or your beneficiary and if additional documentation is needed. The division will provide the necessary application forms if a survivor benefit is payable.

Regardless of the benefit payment option you select, if your bank did not accept your direct deposit or refused to cash the payment sent in the month of your death, your estate will be entitled to receive the retirement benefit issued at the end of the month of your death. Any retirement benefits issued in your name and dated after the month of your death must, by law, be returned or repaid to the division. Timely notification of your death will help to prevent an overpayment of benefits.

## REGULAR SURVIVOR BENEFITS

### **For the Beneficiary of a Non-Vested Member**

If your death occurs before you are vested and is not in the line of duty (see definition of vested on Page 8), your designated beneficiary will be eligible to receive only a refund of any personal retirement contributions you made to the system. However, if your beneficiary qualifies as a joint annuitant and you are within one year of vesting at the time of your death, your joint annuitant may be eligible to purchase enough service credit to vest you after your death, as described below.

If you die within one year of vesting while actively employed, your beneficiary, who is your spouse or other eligible joint annuitant (see definition of joint annuitant on Page 12), may become entitled



to receive a benefit by using one of the following methods to purchase the service credit needed to vest for benefits:

- Use your accumulated unused hours of annual, sick, and compensatory leave to purchase service credit; or
- Purchase up to one year of creditable service for periods of out-of-state or in-state service that you would have been eligible to claim had you lived and vested.

Employee contributions were not required between Jan. 1, 1975, and June 30, 2011, for employees of state agencies, district school boards, and community colleges and between Oct. 1, 1975, and June 30, 2011, for employees of county governments, municipalities, and special districts. Effective July 1, 2011, employee contributions are again required. If you were an FRS member during these periods of time when employee contributions were not required, your employer paid all required contributions. Employer contributions are not refundable, so there would not be any refund of required employee contributions payable to your beneficiary for service credit earned during these employee non-contributory periods.

If you purchased optional service credit, such as credit for a leave of absence, refunded service, or military service, your beneficiary would receive a refund of those contributions. Payments or transfers made to the FRS Trust Fund to buy into the Pension Plan for the purpose of transferring membership from an eligible plan to the Pension Plan are not considered personal contributions and are not eligible to be refunded.

Even if you have not made any employee contributions, your death should be reported to the division (see Page 14).

**Reference:** Sections 121.021(28) and 121.091(7), Florida Statutes  
Rule 60S-4.008, Florida Administrative Code

## **For the Beneficiary of a Vested Member**

If your death occurs after you are vested and is not in the line of duty, your designated beneficiary who qualifies as a joint annuitant may select one of the following:

- A refund of your personal retirement contributions, if any;
- A lifetime monthly benefit calculated as if you had retired the month after your date of death and had chosen an

Option 3 benefit payment (see exception for beneficiaries under age 25 in the note below). The benefit would be adjusted for early retirement if you died before reaching normal retirement age (see definition of early retirement on Page 10 and normal retirement on Page 8); or

- An Option 3 benefit deferred to a future date and based on the age you would have been when the benefit payment began. If you die before reaching your normal retirement date, a deferred benefit will be higher for your beneficiary than an immediate benefit would (see more on Page 17).

**Note:** If your joint annuitant who is not your spouse is under age 25 at the time the benefit payments begin, your joint annuitant will receive your Option 1 benefit amount only until age 25. No benefits are payable after age 25 unless your joint annuitant is totally and permanently disabled and incapable of self-support, in which case benefit payments will continue for the duration of the disability.

An application for benefits is required from your joint annuitant before benefits can begin. In order for the joint annuitant to begin receiving a monthly benefit effective the month following your death, a timely application must be made. In addition, your joint annuitant may choose a future date for benefits to begin.

If your FRS covered employment is terminated by your death and if your joint annuitant chooses an Option 3 benefit, your joint annuitant will have the right to purchase any creditable service you were eligible to purchase before your death, such as a leave of absence, refunded service, or military service.

If your beneficiary does not qualify as a joint annuitant, your beneficiary would not be entitled to a lifetime monthly benefit upon your death. Instead, your beneficiary would be entitled to receive a refund of your personal retirement contributions, if any, including any payments you may have made by personal remittance or by a rollover of funds to purchase optional service. Payments or transfers made to the FRS Trust Fund to buy into the Pension Plan for the purpose of transferring membership from an eligible plan to the Pension Plan are not considered personal contributions and are not eligible to be refunded.

**Reference:** Sections 121.021(28) and 121.091(7) and (12), Florida Statutes  
Rule 60S-4.008, Florida Administrative Code

## **Reduction of Survivor Benefits for Early Retirement**

If you are vested but have not yet reached your normal retirement date, you may choose to take early retirement. Your early retirement benefit is reduced 5 percent for each year that your age at retirement is younger than your normal retirement age.

If you are vested and die before reaching normal retirement, the Option 3 monthly benefit payable to your joint annuitant is reduced in the same manner.

**If you were initially enrolled in the FRS prior to July 1, 2011,** and you complete between 20 and 30 years of creditable service before your death, the reduction for early retirement paid to your joint annuitant would be based on the number of years and months your date of death was earlier than one of the following, whichever provides a higher benefit:

- Your normal retirement age; or
- The date on which you would have attained 30 years of service.

**If you were initially enrolled in the FRS on or after July 1, 2011,** and you complete between 23 and 33 years of creditable service before your death, the reduction for early retirement paid to your joint annuitant would be based on the number of years and months your date of death was earlier than one of the following, whichever provides a higher benefit:

- Your normal retirement age; or
- The date on which you would have attained 33 years of service.

Your joint annuitant may choose to defer receiving payment of the Option 3 benefit to a future date. The benefits will be calculated as of that deferred date, based on the age you would have attained if you had lived to the time benefit payments begin. Your joint annuitant may receive a higher benefit for a shorter period of time by deferring the receipt of benefit payments until a date nearer to your normal retirement age.

**Reference:** Sections 121.021(28) and 121.091(3), (7), and (12), Florida Statutes  
Rules 60S-4.008, Florida Administrative Code

## IN-LINE-OF-DUTY DEATH SURVIVOR BENEFITS

You are covered for in-line-of-duty death survivor benefits from your first day of employment. If you are a Pension Plan member in any membership class other than the Special Risk Class and if your death arises out of or in the actual performance of the required duties of your job while employed in an FRS covered position, your spouse will be eligible to receive all FRS benefits due, even if you named someone else as your beneficiary. Your spouse is entitled to a lifetime monthly benefit equal to half of your contracted salary, regardless of your length of service. If you have a dependent child or children at the time of your death and the child or children are not married or if your spouse dies before your youngest child reaches age 18, the benefit will be paid on behalf of your unmarried children until the youngest child reaches age 18.

Effective July 1, 2017, this provision was extended to include all non-Special Risk Class members of the Investment Plan as well.

Effective July 1, 2016, for members enrolled in the Special Risk Class, the surviving spouse or dependent children of Pension Plan Special Risk Class members are eligible to receive 100 percent of the member's base salary at the time of death. For spouses or dependent children of Investment Plan members who die in the line of duty, the survivor can elect to transfer the member's Investment Plan account to the Pension Plan in order to receive a monthly death benefit. The death benefit provided would be equal to 100 percent of the member's contracted salary at the time of death. The monthly benefit would be payable until the later of the

- Death of the surviving spouse; or
- Month the youngest dependent child reaches age 18 (or age 25 if unmarried and a full-time student).

This provision for Special Risk Class members applies to those members who died in the line of duty on or after July 1, 2002.

After you retire, if you initially returned to covered employment prior to July 1, 2010, and became a renewed member, your

surviving spouse or dependent children would be eligible for in-line-of-duty death survivor benefits.

If you initially returned to FRS covered employment following retirement on or after July 1, 2010, through June 30, 2017, you are not eligible for renewed membership and would not be eligible for in-line-of-duty death survivor benefits during this period.

If you are a Pension Plan retiree and were reemployed in a regularly established position on or after July 1, 2017, you are not eligible for renewed membership or in-line-of-duty survivor benefits.

If you are a retiree from the Investment Plan, the Senior Management System Optional Annuity Plan (SMSOAP), the State Community College System Optional Retirement Plan (SCCSORP), or the State University System Optional Retirement Program (SUSORP) and you are reemployed in a regularly established position on or after July 1, 2017, you are enrolled as a renewed member of the Investment Plan, the SUSORP, or the SCCSORP and the survivor benefits depend upon the plan. If you are a renewed member of the Investment Plan and your death occurs in the line of duty, your surviving spouse or dependent children would be eligible for in-line-of-duty death survivor benefits under the Pension Plan if the application is approved and your Investment Plan account balance is transferred to the FRS Trust Fund. Otherwise, the Investment Plan account balance is the survivor benefit.

Certain members may be entitled to a presumption that their death from specified diseases occurred in the line of duty:

- Firefighters, law enforcement officers, and correctional officers whose death occurred as a result of heart disease or hypertension; and
- Firefighters, paramedics, emergency medical technicians, law enforcement officers, and correctional officers whose death occurred as a result of hepatitis, meningococcal meningitis, or tuberculosis.
- Effective July 1, 2019, firefighters whose death occurred as a result of certain cancers (see section 112.1816, Florida Statutes) or cancer related treatments.

You are retired for benefit purposes when your DROP participation begins; you are not covered for these survivor benefits if you are a DROP participant.

**Reference:** Sections 112.18, 112.181, 112.1816, 121.021(14), and 121.091(4)(a), (7), (12), Florida Statutes  
Rule 60S-4.008, Florida Administrative Code

## BENEFIT PAYMENT OPTIONS

When you retire under the Pension Plan or enter DROP, you must choose one of the four benefit payment options. You will not begin receiving your retirement benefits until you have selected a benefit option. Once you cash or deposit any benefit payment or after the first calendar month of your program participation, your option selection cannot be changed.

If you are married and select Option 1 or 2, your spouse must acknowledge your option selection in writing. Continuing lifetime monthly benefits paid under Options 3 and 4 may be paid only to a beneficiary who qualifies as a joint annuitant (see Page 21).

The Option 1 benefit is the maximum form of lifetime payment but covers only your retired lifetime. If you select Option 2, 3 or 4, your benefit will be reduced from the Option 1 amount to account for the added coverage given under these options. The actuarial reduction is based on the benefits provided under each of these options and is actuarially equivalent to the Option 1 benefit. However, while an Option 1 benefit covers only the member with no guarantee of duration, the other benefit payment options potentially provide monthly benefits to a beneficiary.

### Options 1 and 2

**Option 1:** Provides you with a monthly benefit payment for your lifetime. Option 1 does not provide a continuing benefit to your beneficiary. Upon your death, the monthly benefit will stop and your beneficiary will be entitled to receive only a refund of personal contributions you paid, if any, which exceed the amount you received in benefits. If you wish to provide a beneficiary with a continuing benefit after your death, you should consider selecting a different benefit payment option.

**Option 2:** Provides you with a reduced monthly benefit payment for your lifetime. If you die after you have received benefit payments for 120 months or more, no benefits will be payable to your beneficiary. However, if you die within 10 years (120 months) of retiring, your beneficiary will receive a monthly benefit payment in the same amount you were receiving for the balance of the 120-month period. No further benefits are then payable. If you participate in DROP, your program participation is part of the 120-month period.

### **Options 3 and 4**

Under Options 3 and 4, you may provide a continuing benefit to your spouse or other dependent beneficiary who is your joint annuitant. To qualify as a joint annuitant, an individual must be

- Your spouse;
- Your natural or legally adopted child who is either under age 25 or who is physically or mentally disabled and incapable of self-support;
- Your parent or grandparent, as long as you provide at least half of his or her financial support; or
- A person for whom you are the legal guardian, as long as you provide at least half of his or her financial support.

**Option 3:** Provides you with a reduced monthly benefit payment for your lifetime and a continuing benefit to your surviving joint annuitant. No further benefits are payable after both you and your joint annuitant die. Upon your death,

- ◆ The benefit payment to your surviving joint annuitant will be the same amount you were receiving if the joint annuitant is your spouse, your parent or grandparent, or someone age 25 or older for whom you are the legal guardian.
- ◆ If your joint annuitant is your natural or legally adopted child (or someone for whom you are the legal guardian) who is under age 25 at the time of your death, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until he or she reaches age 25.

- ◆ If your joint annuitant is your natural or legally adopted child, or a person for whom you are the legal guardian, who is physically or mentally disabled and incapable of self-support at the time of your death, regardless of age, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until no longer disabled.

**Option 4:** Provides you with an adjusted monthly benefit payment while both you and your joint annuitant are living and a reduced continuing benefit to the survivor. No further Option 4 benefits are payable after both you and your joint annuitant die.

If your joint annuitant dies first, your benefit is reduced to two-thirds of the monthly benefit paid when you both were living.

In the event that you die first,

- ◆ The benefit payment to your surviving joint annuitant will be equal to two-thirds of the monthly benefit paid when you both were living if the joint annuitant is your spouse, your parent or grandparent, or someone age 25 or older for whom you are the legal guardian; or
- ◆ If your joint annuitant is your natural or legally adopted child, or a person for whom you are the legal guardian, who is under age 25 at the time of your death, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until he or she reaches age 25; or
- ◆ If your joint annuitant is your natural or legally adopted child, or a person for whom you are the legal guardian, who is physically or mentally disabled and incapable of self-support at the time of your death, regardless of age, your joint annuitant will receive a benefit payment in the amount of your Option 1 benefit until he or she is no longer disabled.

**Reference:** Section 121.021(28) and 121.091(6) and (12), Florida Statutes Rules 60S-4.004, 4.010, and 6.001(36), Florida Administrative Code



## DROP AND SURVIVOR BENEFITS

The Deferred Retirement Option Program (DROP) is available under the Pension Plan for members who have reached their normal retirement date. DROP participation allows you to effectively retire while continuing to work without terminating your employment until the end of your participation period. While you are participating in DROP, your monthly retirement benefits, plus interest, accumulate on a tax-deferred basis in the FRS Trust Fund. Your monthly benefit will increase by the applicable cost-of-living adjustment each July while participating in DROP. During your program participation, you continue to work and earn a salary but do not earn additional service credit.

When your DROP participation ends, you must terminate all employment relationships with all FRS participating employers (including positions that are not reported for retirement) to receive your DROP accumulation and begin receiving your monthly retirement benefit. Your monthly benefit will be the amount determined when your participation began, based on your service credit and salary at that time, plus any annual cost-of-living adjustment. If you fail to meet termination requirements of remaining off all payrolls, stop providing services regardless of compensation, and being unemployed from all FRS employers for six calendar months after your DROP termination date, you will void your retirement and forfeit your program benefits and your membership in the Pension Plan will be reinstated.<sup>1</sup>

If you die while participating in DROP, your beneficiary will receive your DROP accumulation and, depending on the option you selected at retirement, may also be eligible to receive a continuing monthly benefit.

If you die after applying for DROP participation but before your application is finalized, your beneficiary who qualifies as a joint annuitant may cancel your application and apply for an Option 3 survivor benefit (see the Survivor Benefits for the Beneficiary of a Vested Member section on Page 15). The effective retirement date

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<sup>1</sup> Exceptions to termination when DROP ends exist for participants who hold elective office covered by the EOC. Contact the division for more details (see contact information on Page 2).

would be the first of the month following the month that your death occurs. In terms of your joint annuitant's survivor benefit, service credit will be granted through the month that death occurs.

If you chose Option 3 or 4 and your joint annuitant dies while you are participating in DROP, you may name a beneficiary to receive only your accumulated program benefits if you die while participating in DROP. This special type of beneficiary designation does not provide a continuing benefit after your death and does not qualify as a joint annuitant change.

As a DROP participant, you may change your joint annuitant or remove your former spouse as joint annuitant from your account (see Page 13). If this causes your retirement benefit to change, your projected DROP accumulation will be changed.

**Reference:** Section 121.091(13), Florida Statutes  
Rule 60S-11.004, Florida Administrative Code

## AFTER FRS RETIREMENT

### Cost-of-Living Adjustment (COLA)

Florida law provides Pension Plan retirees (including DROP participants) whose benefit is based in whole or in part on service earned prior to July 1, 2011, with an annual COLA in their July benefit payment, which is paid at the end of July.

The increase is calculated on the amount of your June FRS benefit. The annual COLA does not apply to any Health Insurance Subsidy benefit, Florida National Guard supplemental benefit, or Institute for Food and Agricultural Sciences supplemental benefit you may receive. Your individual COLA is calculated when you retire based on your years of service before July 1, 2011, divided by your total years of service at retirement, and multiplied by 3 percent.

If you have not been retired for 12 calendar months at the time of your first COLA, it will be prorated based on the number of months you have been retired as of July 1. For example, if you retired effective Jan. 1, your first COLA would be half of your calculated COLA multiplied by your June benefit, based on six months of retirement.

**Reference:** Section 121.101(3), Florida Statutes

## Health Insurance Subsidy (HIS)

If you have health insurance coverage after retirement or after your DROP termination date,<sup>2</sup> you may be eligible for a monthly supplemental payment to help pay some of the cost of this insurance. The amount of the subsidy is based on your total service credit at retirement. The formula is \$5 multiplied by your total years of service, with the minimum monthly subsidy payment being \$30<sup>3</sup> and the maximum monthly subsidy payment being \$150.

It is your responsibility (or your joint annuitant's responsibility if you are deceased) to apply for the HIS benefit.

For Pension Plan members, the form to apply for this supplemental benefit (Form HIS-1, Health Insurance Subsidy Certification Form) is automatically mailed to you in the Retiree Packet you will receive around the same time you receive your first monthly benefit payment. This form is also available on the Forms page of the division's website, [frs.myflorida.com](http://frs.myflorida.com), or you may request this form from the division (see contact information on Page 2).

For Investment Plan members, complete Form HIS-IP, Application for Health Insurance Subsidy for Investment Plan Retirees, and Form HIS-IP-2, Health Insurance Subsidy Certification for Investment Plan Retirees. These forms are available on the Forms page of the division's website, [frs.myflorida.com](http://frs.myflorida.com), or you may request them from the division (see contact information on Page 2). In addition, these forms are available on the Forms page of the [MyFRS.com](http://MyFRS.com) website, or you may request these forms by calling the MyFRS Financial Guidance Line at 1-866-446-9377 and selecting option 4.

The HIS Program payments for current retirees and surviving beneficiaries are funded through a separate contribution rate paid by FRS participating employers. HIS benefits are subject to annual legislative appropriation and are not a guaranteed benefit.

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<sup>2</sup> Members participating in DROP are not eligible to receive the HIS benefit until their termination of employment and until their monthly benefits begin.

<sup>3</sup> The joint annuitants of non-vested members who die in the line of duty may still be eligible for the minimum HIS benefits.

If there are not enough funds to pay full benefits to all participants, the Legislature may reduce or cancel future benefits.

**Reference:** Section 112.363, Florida Statutes  
Rule 60S-4.020, Florida Administrative Code

## **Insurance Coverage After Retirement**

Under state law, Florida public employers that provide group health insurance plans for active employees must offer their retiring employees the opportunity to continue participating in their group health plans. The cost of health and hospitalization insurance premiums paid by a retiree cannot exceed the total (employee and employer) premium cost applicable to an active employee.

You may lose your eligibility to participate if you choose not to continue participating in your employer's group plan at retirement, initially choose to continue but subsequently stop participating, or defer your retirement to a future date. The Division of Retirement lacks authority over and responsibility for employer group health and hospitalization plans. Discuss this provision with your employer when you are preparing to retire or to end your DROP participation.

**Reference:** Sections 110.123 and 112.0801, Florida Statutes

## FRS ONLINE

FRS Online is available seven days a week and provides you convenient access via the internet to a secure web environment with your Pension Plan information.

FRS Online can be accessed by visiting the FRS Online home page at [frs.fl.gov](http://frs.fl.gov).

- **If you have previously accessed FRS Online**, enter your username and password where prompted and then click on the Login Securely button to log in to your FRS Online account.
- **If you have previously accessed FRS Online but forgot your username and/or password**, click on the Forgot Login link and follow the instructions. You may also contact the Division of Retirement for assistance logging in to your account (see contact information on Page 2).
- **If you have not previously accessed FRS Online**, use the Register Here button or Create Account link to establish your FRS Online account.

After you are logged in, you can navigate the modules of your FRS Online account from the navigation bar on the left side of the screen.

## FREQUENTLY ASKED QUESTIONS

- 1) Q. May I make my Option 3 selection before I retire so that my spouse will qualify for my Pension Plan monthly benefit at the time of my death?**

A. No, you may not choose a benefit payment option before you apply for retirement. However, if you are vested at the time of your death, your spouse or other joint annuitant will automatically qualify for an Option 3 benefit.
- 2) Q. May I designate more than one beneficiary?**

A. Yes, you may designate as many beneficiaries as you wish, either jointly or sequentially. Beneficiaries named jointly will share your benefits equally or in the percentage amounts you specify. Naming your beneficiaries sequentially allows you to name alternative beneficiaries if your first named beneficiary dies before you do.
- 3) Q. May I name a minor child as my designated beneficiary?**

A. Yes, you may designate a minor child as a beneficiary.
- 4) Q. If I name my minor child as my beneficiary, what benefits would my minor child qualify for if I die prior to retirement?**

A. If your minor child is your designated beneficiary at the time of your death, your minor child could qualify to receive a benefit equal to your Option 1 benefit amount until reaching age 25 or, if disabled, until no longer disabled.
- 5) Q. I am not retiring for a few years but wish to change my beneficiary. How do I do this?**

A. To change your beneficiary before you retire, log in to your FRS Online account and change your beneficiary designation on the Beneficiary page of your account. You can also submit a completed Form BEN-001 to the division. This form is available from your human resource office or by contacting the division (see contact information on Page 2). This form can also be found on the Forms page of the division's website at [frs.myflorida.com](http://frs.myflorida.com).

**6) Q. Whom should my beneficiary notify when I die?**

A. Your beneficiary should notify the division as soon as possible after your death. Death notification to the division can be made from the FRS Online at [frs.fl.gov](http://frs.fl.gov) or by telephone (see contact information on Page 2).

**7) Q. After I retire, how can I verify the beneficiary of my retirement account and what benefits will be due at my death?**

A. This information is available from the Beneficiary page of your FRS Online account ([frs.fl.gov](http://frs.fl.gov)) or by contacting the division (see contact information on Page 2).

**8) Q. How do I change my beneficiary designation after retiring?**

A. If you chose benefit payment Option 1 or 2, you may change your beneficiary designation at any time by submitting a completed Form FST-12, Florida Retirement System Pension Plan Beneficiary Designation Form (Retired Members Only), to the division. You may obtain this form by contacting the division (see contact information on Page 2). You can also find the form on the Forms page of the division's website, [frs.myflorida.com](http://frs.myflorida.com).

If you chose benefit payment Option 3 or 4, see the answers to questions 10 and 11.

**9) Q. After I die, can my beneficiary or joint annuitant remarry and continue receiving a benefit from my account?**

A. Yes, remarriage does not affect the benefit payment a beneficiary or joint annuitant is receiving.

**10) Q. Is it possible to change my joint annuitant after I retire?**

A. Yes, if you retire under Option 3 or 4, you may change the designation of your joint annuitant, but after retirement, you are limited to two changes only. However, your retirement benefit will be recalculated to reflect each change, and this could result in a lower retirement benefit. The division will provide you with estimates showing the change in your monthly benefit. You will be required to complete and submit Form JA-1, Florida Retirement System Pension

Plan Change of Joint Annuitant Form, to the division before your request is finalized.

- 11) **Q. How will my benefit be recalculated if I decide to change my joint annuitant?**
- A. Your monthly benefit will be recalculated using actuarial factors based on the current ages of both you and your new joint annuitant. This usually results in a reduction of benefits.
- 12) **Q. If my beneficiary or joint annuitant dies after I retire, may I change my option to receive a higher monthly benefit?**
- A. No, you may not change your option once any benefit payment has been cashed or deposited or after the first calendar month of DROP participation.
- 13) **Q. Should the retirement benefit payment issued at the end of the month of my death be returned to the Division of Retirement?**
- A. The payment should be returned only if the person responsible for your estate is unable to properly cash or deposit the benefit payment dated the end of the month of your death.
- 14) **Q. After I die, will the benefits my beneficiary or joint annuitant is receiving from my account continue to receive a COLA?**
- A. The benefit paid to your surviving beneficiary or joint annuitant will continue to receive the same COLA each July that you received. The COLA is calculated based on the amount of your June retirement benefit and is included in the benefit payment that you receive at the end of July (see Page 24 for further information).



- 15) **Q. If I select an Option 3 or 4 benefit and later divorce my spouse after retiring, may I remove him or her as my joint annuitant?**
- A. Yes, you may remove your former spouse as your joint annuitant by sending a completed Joint Annuitant Nullification Form to the division, unless a Qualified Domestic Relations Order prevents you from doing so. You may request the Joint Annuitant Nullification Form from the division.
- 16) **Q. What effect will nullifying my joint annuitant have on the amount of my retirement benefit?**
- A. When you nullify your joint annuitant designation, your benefit is adjusted as if your joint annuitant died before you. If you chose Option 3, there would be no change in the amount of your retirement benefit. However, if you chose Option 4, your benefit would be reduced by one-third, beginning with the month the joint annuitant nullification is effective.
- 17) **Q. May I name a new joint annuitant after nullifying my beneficiary?**
- A. Yes, you may change your joint annuitant twice after retirement. Each time you change your joint annuitant, your monthly benefit will be recalculated using actuarial factors based on the current ages of both you and your new joint annuitant. This usually results in a reduction of benefits.
- 18) **Q. Does nullifying my designation of my former spouse as my joint annuitant count as one of the two joint annuitant changes allowed after I retire?**
- A. No, nullifying your joint annuitant designation does not count as a joint annuitant change.
- 19) **Q. If I change my mind after nullifying my designation of my former spouse as my joint annuitant, may I cancel my nullification?**
- A. No, once you have nullified your beneficiary designation, you may not cancel your nullification.

- 20) **Q. If I die while participating in DROP, what benefits will my beneficiary receive?**
- A. Your beneficiary will receive your accumulated DROP benefits, plus interest, and if you selected Option 2, 3, or 4, your beneficiary will also receive a monthly benefit (see Page 20 for your benefit payment options).
- 21) **Q. If I choose an Option 3 or 4 benefit and my joint annuitant dies while I am participating in DROP, may I name a beneficiary to receive my program accumulation without naming a new joint annuitant?**
- A. Yes, you may name a new beneficiary to receive just your DROP accumulation if you die before completing your participation.
- 22) **Q. May I designate a beneficiary to receive my DROP accumulation who is different from the beneficiary I designate to receive the continuing monthly benefit under Option 2, 3, or 4?**
- A. No, you may not designate separate beneficiaries to receive your accumulated DROP benefits and your Option 2, 3, or 4 monthly benefit. However, under Options 2 and 3, more than one beneficiary may be named to receive these benefits jointly. Under Option 3, all beneficiaries named must be qualified joint annuitants. Under Option 4, you may name only one beneficiary, who must qualify as a joint annuitant, to receive these benefits.

