



~ Death and Survivor Benefits ~

October 2009

Death and Survivor Benefits



We're here to help. Contact us:

**Internet:**Website: www.trsl.orgE-mail: web.master@trsl.org

Your questions will be answered within 1-2 business days.

**Phone:**

Main: 225-925-6446

Toll free (outside Baton Rouge area):

1-877-ASK-TRSL (1-877-275-8775)

Telecommunications Device for the Deaf (TDD): 225-925-3653

After normal office hours, you can leave a message for a return call the following business day.

**Mail:**

PO Box 94123, Baton Rouge, LA 70804-9123

Send overnight or certified mail to our physical address below.

**Fax:**

225-922-2522

**Visit**

8401 United Plaza Boulevard, Suite 300

Baton Rouge, LA 70809-7017

Office hours are 8 a.m. - 4:30 p.m.

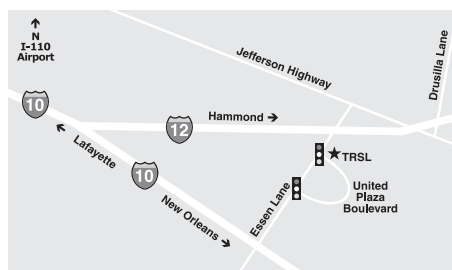
Monday-Friday (excluding holidays)

Member Access

Get secure, online access to your TRSL account information 24-hours a day through **Member Access** on our website. Click on the Member Access link at www.trsl.org, and follow the easy instructions. If you have any problems with registration, contact the TRSL HelpDesk at support@trsl.org.

Directions to TRSL's office

TRSL is located in Baton Rouge in the Louisiana Retirement Systems Building at 8401 United Plaza Boulevard, which is just off Essen Lane between Interstates 10 and 12.



From Lafayette: Exit I-10 and turn left on Essen Lane, or exit I-12 and turn right on Essen Lane;

From New Orleans: Exit I-10 and turn right on Essen Lane;

From Hammond: Exit I-12 at Jefferson Highway/Drusilla Lane, turn left on Drusilla Lane, then right on Jefferson

Highway. Proceed to Essen Lane, and turn left. Turn at the United Plaza Boulevard traffic signal on Essen Lane at the sign that reads: "LA RETIREMENT SYSTEMS BLDG."

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Financial protection for your loved ones

What you need to know

TRSL wants to make sure that your loved ones receive any benefits to which they are entitled in the event of your death. That's why it's important to understand the provisions that govern death and survivor benefits, including the distinction between survivors and beneficiaries.

Survivors are spouses and/or minor children of members who were actively working at the time of death. Survivor benefits may be payable if the member had at least five years of retirement service credit. Eligibility for these benefits is also based on other factors, including the member's date of marriage and age of the member's children.

Beneficiaries are not required to be related to an actively employed member or retiree. Upon the death of an actively working member, beneficiaries (or the member's estate if no beneficiaries are designated) are entitled to receive the employee contributions remaining in the member's account unless survivor benefits are payable. Designated beneficiaries of retirees receive a retirement benefit from TRSL based upon the retirement option chosen by the retiree at the time he or she retired or entered DROP.



Get fast, secure access to your retirement account information 24 hours a day, seven days a week!

Visit www.trsl.org and click on **MEMBER ACCESS!**

Reporting the death

Survivors and beneficiaries should contact TRSL as soon as possible upon the death of an active member or retiree. When a death is reported, TRSL will ask for the following information:

- Full name and Social Security number of the deceased
- Date of death
- Full name, address, and phone number of the survivor or contact person
- Names and ages of any surviving minor children or other eligible dependent children

Payment of benefits

TRSL issues benefit payments on the first of each month. The first benefit check is mailed to the survivor or beneficiary's mailing address.

As required by state law, the second payment and all subsequent payments of a benefit to a survivor or beneficiary must be deposited directly in a financial institution selected by the survivor or beneficiary.

REMEMBER: The retirement benefit of a TRSL retiree will be discontinued upon notification of his or her death. TRSL will automatically reclaim any benefits paid after the retiree's date of death.

Survivor Benefits

What you need to know

If an actively working member had at least five years of service credit, two of which were earned immediately prior to death, the surviving spouse and/or minor child(ren) are eligible for survivor benefits from TRSL as outlined on pages 8-12.

NOTE: For members with fewer than five years of TRSL service credit, a lump-sum refund of the member's contributions is paid to either the named beneficiary, who may or may not be the surviving spouse or minor child(ren) of the member, or to the member's succession if there is no named beneficiary.

Definition of a minor child

State law defines a minor child as an unmarried child under the age of 21 or an unmarried, full-time student under the age of 23 who is the natural child or legally adopted child of a TRSL member.

- The TRSL member must be listed as the parent on the child's birth certificate or final adoption papers.
- If a male member of TRSL is not listed as the parent on the child's birth certificate, a court must make a judgment of filiation declaring the paternity of the child.
- Stepchildren do not qualify for survivor benefits.

An unmarried child who is totally and permanently disabled, either physically or mentally, will be considered a "minor child" provided that he or she remains unmarried and the State Medical Disability Board certifies that he or she was totally and permanently disabled prior to age 21.

In cases where the deceased is a TRSL retiree, if the designated beneficiary is someone other than the spouse, the election of the retirement beneficiary will be voided if there are minor children.

No surviving minor child shall receive a survivor's benefit from more than one parent at any one time. If two survivor benefits are applicable, only the larger shall be paid.

Regular Plan or School Food Service Plan A

Survivor benefits for eligible spouses

Deceased members with at least five, but less than 10 years of service credit

- The surviving spouse with a minor child(ren) shall be paid 50 percent of the monthly benefit the member would have received at the 2.5-percent formula (3 percent for Plan A) or \$600, whichever is greater.

Conditions: The surviving spouse must be the natural or adoptive parent of the member's minor child. If the spouse remarries before age 55, the benefit ceases and shall resume only upon divorce from or death of the new spouse. All benefits cease when there is no longer an eligible minor child.

Deceased members with at least 10, but less than 20 years of service credit:

- The surviving spouse with no minor children shall be paid the monthly benefit the member would have received at the 2.5-percent formula (3 percent for Plan A) under Option 2 or \$600, whichever is greater. (*See notation about Option 2 on next page.*)

Conditions: The spouse must have been married to the member at least one year prior to the member's death. If the spouse remarries before age 55, the benefit ceases and shall resume only upon divorce from or death of the new spouse.

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- The surviving spouse with a minor child(ren) shall be paid 50 percent of the monthly benefit the member would have received at the 2.5-percent formula (3 percent for Plan A) or \$600, whichever is greater.

Conditions: The spouse must have been married to the member at least one year prior to the member's death. If the spouse remarries before age 55, the benefit ceases and shall resume only upon divorce from or death of the new spouse. When minor child benefits are no longer payable to eligible children, the spousal benefit reverts to the Option 2* retirement benefit.

Deceased members with 20 or more years of service credit, or 10 years of service credit at age 60:

- The surviving spouse with no minor children will be eligible for a monthly benefit at the 2.5-percent formula (3 percent for Plan A) under Option 2* or \$600, whichever is greater.

Conditions: The spouse must have been married to the member at least one year prior to death. Remarriage, at any age, does not impact payment of benefit.

- The surviving spouse with a minor child(ren) shall be paid 50 percent of the monthly benefit the member would have received at the 2.5-percent formula (3 percent for Plan A) or \$600, whichever is greater.

Conditions: The surviving spouse must have been married to the member at least one year prior to death. When minor child benefits are no longer payable to eligible children, the spousal benefit reverts to the Option 2* retirement benefit.

**Option 2 provides the retiree with a reduced monthly benefit and continues the same lifetime benefit to the beneficiary after the death of the retiree. This is the greatest lifetime benefit a retiree can select for his or her spouse. See page 16 for information about retirement benefit options.*

Survivor benefits for eligible minor children

If the deceased member had at least five years of TRSL service credit, the eligible minor children shall receive a monthly benefit equal to 50 percent of the surviving spouse's benefit or \$300 per child, whichever is greater, not to exceed two children.

Example: If the greater monthly benefit is \$300 per child, the maximum child benefit payable would be \$600.
(\$300 × two children maximum = \$600)

If there are four eligible minor children, each would receive \$150 per month.



For your convenience, all TRSL forms are available online!

Visit the TRSL website at www.trsl.org.

School Food Service Plan B

Survivor benefits for Plan B members who were actively employed at the time of death are slightly different than Regular Plan and Plan A benefits. They are as follows:

Survivor benefits for eligible spouses

Deceased members with at least 20 years of service credit:

- The surviving spouse is eligible for a benefit equivalent to Option 2*. (See notation about Option 2 on page 9.)

Conditions: The spouse must have been married to the deceased member at least one year immediately prior to death, and be at least 50 years of age. If the spouse remarries or becomes eligible for survivor or retirement benefits from Social Security, the benefit ceases.

Deceased members with at least 30 years of service credit at age 55, or 10 years of service credit at age 60:

- The surviving spouse is eligible for a lifetime benefit, regardless of remarriage.

Survivor benefits for eligible minor children

Minor child benefits are paid by Social Security for Plan B members.

NOTE: If a TRSL member, regardless of plan type, dies within 30 days after the date of retirement or the beginning of DROP, any retirement option previously selected will be canceled. The member will be treated as an active member at the time of death, and any survivor benefits or refunds due will be paid in accordance with state law.

For more information on survivor benefits, please see the TRSL website, www.trsl.org, or call 225-925-6446 or 1-877-ASK-TRSL (1-877-275-8775 toll free outside the Baton Rouge area).

Applying for survivor benefits

To apply for survivor benefits, the applicant should complete the *Application for Survivor Benefits* (Form 13) and forward it to TRSL. The following documents should accompany the application:

- Copy of marriage certificate
- Copies of birth certificates (spouse and minor children)
- *Student Attendance Certification* (Form 13C) for each unmarried child over the age of 21, but not yet 23, who is a full-time student
- *Statement of Dependent's Marital Status* (Form 13M), for each eligible child age 18 and older
- Certified copy of the death certificate
- Copies of Social Security cards of spouse and minor children
- Certified copy of the legal court document confirming the name of minor children's tutor, when applicable
- Completed W-4P tax withholding form
- *Direct Deposit of Benefits* (Form 15D)

REMEMBER: The surviving parent or tutor of a minor child is required to sign all forms on behalf of the child for survivor benefits or beneficiary payments.

Disability survivor benefits

TRSL offers a disability retirement pension for members who are totally and permanently incapacitated for further performance of their job duties. These benefits are subject to eligibility and recertification requirements.

More information on qualifying and applying for disability survivor benefits can be found in TRSL's handbook *Disability Retirement*, which is available on the TRSL website, www.trsl.org.

Beneficiary Payments

What you need to know

The payment of benefits to a beneficiary depends upon whether the deceased member was a retiree or actively working member at the time of death.

If the deceased member was a retiree

The designated beneficiary of a deceased TRSL retiree will receive a retirement benefit from TRSL based upon the retirement option chosen by the retiree at the time he or she retired or entered DROP.

For more information about retirement benefit options, see page 16.

If the retiree's death occurred within 30 days after his or her retirement date or DROP begin date, the individual will be treated as an actively working member and an Option 2* benefit will be paid to the surviving spouse.

If there is no surviving spouse, a monthly survivor benefit will be paid to the eligible minor child(ren) under the survivor benefit provision (see pages 10-11). If there is no surviving spouse or minor children, the member's employee contributions will be paid to the most recently designated beneficiary prior to submission of the retirement or DROP application.

In cases where there is no designated beneficiary, the employee contributions will be paid to the member's estate.

**Option 2 provides the retiree with a reduced monthly benefit and continues the same lifetime benefit to the beneficiary after the death of the retiree. This is the greatest lifetime benefit a retiree can select for his or her spouse. See page 16 for information about retirement benefit options.*

If the deceased member was actively working at the time of death

A lump-sum refund of the member's contributions will be paid to the designated beneficiary (or the member's estate, if no beneficiary is named) in the following situations:

- deceased member had less than five years of service credit, or
- deceased member had five or more years of service credit, but no eligible surviving spouse or minor children.

If the deceased member had at least five years of service credit and had eligible survivors, survivor benefits will be paid. See page 7 for information about survivor benefits.



**We are here to help you!
Contact us anytime...**

225-925-6446 • 1-877-ASK-TRSL • web.master@trsl.org

Applying for a refund of member contributions when no survivor benefits are payable

A spousal beneficiary, whose name is listed on the most recent beneficiary form on file at TRSL, will need to complete the *Application by Spouse for Refund of Deceased Member's Contributions* (Form 13A-S).

If the beneficiary(ies) is someone other than the spouse, each beneficiary, whose name is listed on the most recent beneficiary form on file at TRSL, will need to complete an *Application by Nonspousal Beneficiary for Refund of Deceased Member's Contributions* (Form 13A).

The following documents are needed to process a refund of contributions:

- Certified copy of the death certificate
- Copy of Social Security card(s) for the beneficiary(ies)
- Certified copy of the legal court document confirming the name of minor children's tutor, if applicable, or copy of the minor child's birth certificate certifying full name of natural parent still living
- Federal tax identification number, if the refund is payable to a succession (estate), and a certified copy of the documents by which the succession representative was appointed; OR affidavit of small succession if total amount due estate is less than \$50,000 and deceased has no immovable property; OR Judgment of Possession

REMEMBER: The surviving parent or tutor of a minor child is required to sign all forms on behalf of the child for survivor benefits or beneficiary payments.

Retirement benefit options

At the time of retirement or entering DROP, members complete an affidavit designating a beneficiary(ies) under one of the eight options in the following chart. When a retiree dies, TRSL will pay the designated beneficiary according to the benefit option reflected on the retirement affidavit.

Retirement Benefit Options	
Maximum Benefit	Retiree receives the maximum amount, and there is no beneficiary.
Option 1	Beneficiary(ies) receives a lump-sum distribution of any remaining contributions. More than one beneficiary may be designated, and can be changed at any time by member/retiree.

Lifetime Benefit Options:

Under the following lifetime benefit options, only one beneficiary may be named, and that beneficiary may not be changed.

Option 2	Beneficiary receives the same amount that the retiree was receiving every month for the remainder of the beneficiary's life.
Option 2A (Pop Up)*	
Option 3	Beneficiary receives half of the amount the retiree was receiving every month for the remainder of the beneficiary's life.
Option 3A (Pop Up)*	
Option 4	Beneficiary receives the amount specified by the retiree at the time of retirement every month for the remainder of the beneficiary's life.
Option 4A (Pop Up)*	
Annual COLA Option (ACO)	Spousal beneficiary receives lifetime benefit based upon benefit option retiree selected from above, <u>and</u> a 2.5-percent annual cost-of-living adjustment (COLA) starting on the retiree's anniversary date following what would have been the retiree's 55th birthday. Non-spousal beneficiaries are ineligible for ACO. (See <i>Annual COLA Option (ACO)</i> brochure for more details.)
*If the beneficiary dies before the member, the member's reduced benefit "pops up" to the Maximum Benefit.	

Deferred Retirement Option Plan (DROP) or Initial Lump-Sum Benefit (ILSB) beneficiary

Upon participating in DROP or ILSB, the member must designate a beneficiary for the DROP/ILSB benefit. It is possible for the member to name someone other than the person(s) named as a beneficiary(ies) of the regular retirement benefit. The following information applies to DROP/ILSB beneficiary(ies) upon the death of a DROP/ILSB retiree:

- If a DROP participant or ILSB retiree dies and **had not** begun account withdrawals, a spousal DROP/ILSB beneficiary will need to select a withdrawal method by submitting a *DROP or ILSB Retiree Spousal Beneficiary Request for Withdrawal Selection (Form 11K-S)*.
- If a DROP participant or ILSB retiree dies and **had** begun account withdrawals, the spousal DROP/ILSB beneficiary may continue the same withdrawals or change the withdrawal method previously selected by the participant in accordance with the same rules that apply to participants. To change the previously selected withdrawal method, the spousal beneficiary should complete and submit a *DROP or ILSB Retiree Spousal Beneficiary Request for Withdrawal (Form 11M-S)*.
- A nonspousal beneficiary should complete and submit a *DROP or ILSB Retiree Nonspousal Beneficiary Request for Withdrawal Selection (Form 11K)*. A nonspousal beneficiary will be required to withdraw the entire DROP/ILSB account balance at that time.
- If a DROP participant or ILSB retiree dies without having a named beneficiary or a surviving beneficiary for the DROP/ILSB account, the balance in this account will be paid to the member's estate.
- In the event that the spousal or nonspousal beneficiary dies after the member's death, any remaining DROP or ILSB account balance will be paid to the beneficiary's estate.

For more information, please see our booklet *Withdrawing from Your DROP or ILSB Account* on TRSL's website, www.trsl.org.

General Information

Keep your beneficiary information current

We encourage you to keep your beneficiary information current with us. This will help avoid possible delays in the receipt of any benefits due them.

Legal assistance

In most cases it is not necessary for a named beneficiary or survivor to contact an attorney for legal assistance in receiving payment due from a deceased member's TRSL account. TRSL staff can provide the forms and help needed to apply for survivor benefits or a refund of contributions.

Income tax

A TRSL survivor or beneficiary benefit is exempt from Louisiana state income tax. The benefit is subject to federal income tax, but the recipient may be eligible for a death benefit exclusion. To find out, TRSL recommends that you consult a professional tax advisor.

Insurance questions

For questions involving insurance, survivors or beneficiaries should contact the deceased member's insurance company or the personnel office of the deceased member's employer. If survivors do not know the name or address of the insurance company, the member's last employer should be able to help.

Need more information?

For more information on death and survivor benefits, see the TRSL website, www.trsl.org, or call 225-925-6446 or 1-877-ASK-TRSL (1-877-275-8775 toll free outside the Baton Rouge area).

The Teachers' Retirement System of Louisiana is an equal opportunity employer and complies with the Americans with Disabilities Act.

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