

Surviving Spouse Definition

Issue: Relief associations aren't always paying survivor benefits consistently with the statutory definition of a "surviving spouse," and the language is confusing.

Options:

1. Make no changes and address through education.
2. Rework the definition of a survivor to match PERA.
3. Rework the definition of a survivor to be something in between the current definition and PERA's definition.

Examples:

Scenario	Current VFRA Law	Current PERA Law
A. Married, but not living together	No	Yes
B. Married less than one year at time of member's separation from service	No	Yes
C. Married after the member separated from service	No	Yes
D. Not married, but living together	No*	No*
E. Married at least one year at time of member's separation and still married to same person at time of member's death	Yes	Yes
* Can still assign this person as the designated beneficiary if no spouse or children		