



# NATIONAL FRATERNAL ORDER OF POLICE

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## **The HELPS Retirees Act:**

### *Frequently Asked Questions*

On 17 August 2006, President George W. Bush signed H.R. 4/PL 109-280, the “Pension Protection Act,” into law. The FOP waged an intense lobbying campaign to ensure that H.R. 4 also contained the text of H.R. 2177, the “Healthcare Enhancement for Local Public Safety (HELPS) Retirees Act.” The FOP helped develop this bill and were instrumental in getting it passed in the 109<sup>th</sup> Congress.

The law provides a modest tax benefit to help retired public safety officers pay for health care by allowing the use, on a pretax basis, of up to \$3,000 annually from their pension funds (including defined benefit plans and defined contribution plans) to pay for premiums on health care and long-term care insurance. This provision went into effect on 1 January 2007.

Under the original law, in order to get the pre-tax benefit, the money must be paid directly from a pension fund to a health or long-term care insurance company. This requirement proved to be unworkable for far too many eligible public safety officers, as many pension systems were unable to make these direct payments. For this reason, the FOP worked to pass an amendment to the law with the enactment of H.R. 2617/PL 117-28, the “Consolidated Appropriations Act, FY2023.” This provision, which removed the direct pay requirement, became law in December 2022.

#### ***What is the HELPS Retirees Act?***

The *Healthcare Enhancement for Local Public Safety (HELPS) Retirees Act* was originally introduced by then-Representative J. Christopher Chocola (R-IN) as H.R. 2177. The FOP helped draft the legislation, which was ultimately incorporated into H.R. 4/PL 109-280, the “Pension Protection Act,” which was signed into law on 17 August 2006.

The Act allows eligible retired public safety officers to exclude from gross income up to \$3,000 per annum from their qualified government retirement plan, on a pre-tax basis, to pay for health care or long-term care insurance premiums.

#### ***How are public safety officers defined?***

The law defines “public safety officers” as law enforcement officers (including corrections, parole, probation, and judicial officers), firefighters, members of a rescue squad or ambulance crew, or chaplains to a fire or police department.

***Am I eligible to take advantage of this benefit?***

Public safety officers who have separated from service as a public safety officer and have attained normal retirement age or were separated due to a disability are eligible for the benefit. To take advantage of this benefit, a retiree must be receiving his or her monthly pension.

***I'm eligible for this benefit—what do I do to receive it?***

The FOP urges its members to consult a tax professional before claiming the HELPS Retirees benefit.

For those members whose pension system or retirement administrator do not issue distributions directly, they may claim their reduction on their personal 1040 tax forms on Line 5B. Refer to the [IRS 2023 publication](#) on page 6 under the title “Insurance Premiums for Retired Public Safety Officers.”

***Can I expect any additional changes to the HELPS Retirees Act?***

Yes! The FOP is working to increase the amount of this benefit from the current \$3,000 to \$6,000 by passing the [“Public Safety Health Care Retirees Act.”](#)