

ASSAULT, TRAUMA, & CAPTIVITY COVERAGE (ATAC)



MEMBERSHIP
BENEFITS PROGRAM

(800) 767-1840 or (518) 785-1900, ext. 243
pefmbp.com

ELIGIBILITY

All active, dues-paying members of the New York State Public Employees Federation (PEF) are automatically covered at no cost, provided they have been employed in an eligible PEF position, prior to the incident.

CLAIM GUIDELINES

- Claims must be submitted within one (1) year of the date of the incident.
- ATAC coverage is limited to no more than 5 claims or \$10,000 per member per year, June 1 to May 31, whichever occurs first.
- Any member with three (3) or more claims will be referred to the President of PEF (or his/her designee) for review of their worksite.

COVERED INCIDENTS:

1. Assaults while in pursuit of his/her occupational duties.

Benefit provided:

- **\$500** for cuts, scrapes, sprains, strains, and animal bites requiring immediate medical attention sought, but additional medical follow-up not required. Missed time from work is less than three (3) full days (but must be consecutive and immediately after the incident).
- **\$1,000** for human and/or animal bites or other fluids/waste, requiring vaccination, testing, and/or medication for possible disease. Missed time from work is three (3) or more consecutive calendar days missed from the date of the incident.
- **\$1,500** for human bites or bodily fluids that require specifically, HIV or hepatitis medication or treatment (not just testing). Missed time from work is four (4) or more consecutive calendar days missed from the date of the incident.
- **\$2,000** for injuries including fractures or broken bones with extended medical treatment. Missed time from work is five (5) or more consecutive days missed from the date of the incident.
- **\$3,000** for a sexual assault. Missed time from work is five (5) or more consecutive days missed from the date of the incident.
- **\$5,000** for rape. Missed time from work is five (5) or more consecutive calendar days missed from the date of the incident.

2. Captivity for eight (8) or more hours while in the pursuit of his/her occupational duties.

Benefit provided:

\$100 per hour, up to \$1,000 per day maximum per person, per calendar year, to a maximum of \$10,000 per person, per occurrence maximum. There is an annual maximum total liability of \$300,000 for all occurrences in any fiscal year.

3. Accidental death, dismemberment, or permanent total disability during or resulting from assault or captivity.

Benefit provided:

\$10,000 per person, to a maximum of \$300,000 per incident, for all covered members involved.

ATAC REQUIREMENTS

- A claim form must be completed in full by the member.
- Release must be signed (technology signing optional).
- Proof of immediate (within 24 hours) medical attention—ER/urgent care and/or facility physician, including discharge instructions and description of care.
- An Attending Physician Statement (medical statement) must be completed by the treating physician.
- A time sheet showing work on the date of the incident, and time missed immediately after the incident, that has been signed/ approved by a supervisor.
- A police report showing assault charges OR agency security report (not just supervisor) with either security or member indicating why police did not respond and/or why police cannot file charges.

BENEFICIARY

In the event of the death of an insured person occurring under the terms of this policy, the death benefit shall be paid in the following order:

1. To spouse, if living
2. If no spouse, in equal shares to the children
3. If no children, in equal shares to the parents
4. If no parents, in equal shares to siblings
5. If no siblings, to the estate

If the beneficiaries are minors, or cannot give a valid release, payment will be provided to the duly appointed guardian or committee.

CONDITIONS

- An assault will be deemed to have occurred when such action would be a violation of the state penal code dealing with assault and results in the insured person being disabled from their usual occupation.
- Evidence of assault to be a police or peace officer's report, charging the person with assault and that the member is willing to press charges.
- Captivity exists when an employee is held against his/her will and has been refused release, in excess of eight (8) hours.
- For each loss event, benefit shall be payable under one item of coverage.
- The plan will use the NYS Penal Law definition of "assault" as the guideline for all claims: *Criminal Assault occurs when the actor causes physical injury to the victim. NYS Penal Law, Article 120. Physical injury means impairment of physical condition or substantial pain. Whether pain is suffered and the degree of pain suffered may vary among individuals but, at a minimum, excludes such things as "petty slaps, shoves, kicks, and the like."*

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