

Emergency Personnel Survivors Benefit Board Meeting Minutes
Vermont State Treasurer's Office

Date: March 6, 2025

Location: Microsoft Teams and 109 State Street, 4th Floor (Treasurer's Office small conference room).

Board Members Present: John P. Marcus (via Teams), Michael Desrochers (via Teams), Gavin Boyles (in person), Leslie Welts (in person)

Others Present: Ashlynn Doyon (in person), Justin St. James (in person)

Call to Order & Initial Discussion

- Meeting begins; Leslie and Gavin are present in person.
- Clarification that the Board is not waiting for the applicant to attend the meeting.
- Technical check—some participants can see and hear, others report blurry visuals.

Discussion of Application of Gail M. Turner

- Mr. Marcus inquired about other board members' view of how the application should be evaluated in light of the fact that the decedent's passing was caused by brain cancer.
- Mr. Boyles explained his view of the facts and the law:
 - Mr. Turner was less than 65 years old, had been screened for cancer previously, was a non-smoker, and had been a firefighter for 41 years.
 - Further, the application materials show that Mr. Turner was approved for workers' compensation benefits on the basis of his cancer being caused by his work as a firefighter.
 - Under the workers' compensation definition of diseases that arise out of firefighting duty, Mr. Turner's brain cancer is presumed to have been caused by his duties.
 - Based on these facts and laws, this is the sort of claim the legislature likely intended to be compensable under 20 VSA chapter 181.
- Attorney Welts agreed with that analysis and noted that the statutes could be clearer with respect to the application of workers' compensation definitions and assumptions to the Board's work.
- Attorney Welts moved that the Board approve payment of the \$80,000 benefit based on the application of Gail Turner. Mr. Desrochers seconded the motion. The motion was approved unanimously.
- Mr. Boyles stated that the Treasurer's Office will ensure payment to Mrs. Turner.

Discussion of Funding and Legislative Action

- **Ms. Doyon provided a legislative update and facilitated a Board discussion of policy considerations and funding needs.**
- **Treasurer's Office Primary Concern:** Ensuring sufficient funds are available to pay out benefits under expanded eligibility.
- Suggested provision that the Emergency Board (Governor & finance chair) should have authority to appropriate additional funds outside of legislative sessions if needed.
- Prior proposals included a 12-18 month window for fund reassessment.
- **Concerns over expanded definitions** (e.g., parent, child, domestic partner) in the House bill:
 - The broad definition of "domestic partner" might allow benefits to go to a short-term partner before a child.
 - Need for reconciliation between expanded eligibility and the existing statutory order of operations.
 - The House bill expanded definitions but did not adjust prioritization rules.
- A similar proposal in a prior year passed the House but stalled in the Senate.
- Update on funding request:
 - A \$220,000 appropriation is included in the Budget Adjustment Act.
 - The conference committee agreed on the allocation, and it is likely to pass.
 - Awaiting the Governor's approval, with a high probability of enactment.
- A Board member inquired whether the proposed changes would affect Title 20.
 - Yes. House bill replaces existing language, while the Senate bill significantly revises it.
 - The law remains in Title 20, Chapter 181, but wording and scope are altered.
- The Board discussed the importance of specificity in legislative language to avoid interpretation issues; the Board members agreed it would be useful to have a Board-specific guidance document explaining the statutory structure, its relationship to the workers' compensation statute, etc.
- Attorney Welts noted a need to clarify the effective date of any legislative changes.

Public Comment

- No members of the public were present either virtually or in person; there was no public comment.

Adjournment

- No board action required on legislative matters at this time.
- The Treasurer's Office will ensure monitoring of legislative developments, and will circulate a draft of proposed guidelines for the Board's consideration.