

These Rules are Current to January 1, 2020

**TEACHERS' PENSION PLAN
POST-RETIREMENT GROUP BENEFIT RULES**

Effective January 1, 2004

Background

Until 2004, the *Public Service Benefit Plan Act*, R.S.B.C. 1996, c 386, provided legislative authority for group benefits provided to retired members of the Teachers' Pension Plan continued under the *Public Sector Pension Plans Act*, S.B.C. 1999, c 44. The Pensioner Group Benefit Funding Regulation, B.C. Reg. 141/95, set out the subsidy schedules for the payment of benefit premiums for retired plan members.

Order in Council 440/02, approved and ordered May 30, 2002, delegated authority for determining post retirement group benefits for Teachers' Pension Plan members to the Teachers' Pension Board of Trustees pursuant to section 3 of the *Public Service Benefit Plan Act*. Prior to May 30, 2002, the provincial government had entered into contracts and administered group benefits for both active government employees and retirees. As of May 30, 2002, the board was granted authority to determine the terms and conditions of group benefit coverage for its retired members and the rates and methods of contributions.

Effective January 1, 2004, the *Pension Statutes Amendment Act*, 2003 amended Schedule D to the *Public Sector Pension Plans Act* to add a new Part 2.1 - Post Retirement Group Benefits. The new part confirms the authority of the Teachers' Pension Board of Trustees to administer group benefits for retired plan members. Section 18.3 of Part 2.1 provides that the board may determine the type of group benefits, who will be eligible to receive benefits and the terms and conditions of coverage. In addition, section 18.3 authorizes the board to collect contributions for group benefit premiums and to determine contributions required from, and subsidy levels provided to, retired plan members.

Effective January 1, 2004, references to "pensioner" in the *Public Service Benefit Plan Act* were removed pursuant to the *Pension Statutes Amendment Act*, 2003, and the Pensioner Group Benefit Funding Regulation was repealed.

Beginning January 1, 2004, the Teachers' Pension Plan Post Retirement Group Benefit Rules, made under the authority of Part 2.1 of Schedule D of the *Public Sector Pension Plans Act* and Article 11 of the Teachers' Pension Plan Joint Trust Agreement, constitute the rules for the provision of group benefits to retired members of the Teachers' Pension Plan.

Effective January 1, 2020, Medical Services Plan premiums ceased to be payable. Therefore, the post retirement group benefit rules are amended effective January 1, 2020, to remove all references to such premiums.

Post-retirement group benefits are contingent benefits and are subject to the availability of funding. Coverage for these benefits can be increased, decreased or eliminated at the discretion of the Teachers' Pension Board of Trustees.

Interpretation

- 1 (1) This document of the Teachers' Pension Board of Trustees constitutes the post-retirement group benefit rules of the Teachers' Pension Plan.
- (2) In this document, unless the context requires otherwise:
 - (a) words in the singular include the plural, and words in the plural include the singular;
 - (b) where a word or expression is defined, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
 - (c) headings are used for ease of reference only and do not form part of the Plan;
 - (d) the use of the word "may" is to be construed as permissive and empowering; and
 - (e) the use of the word "must" is to be construed as imperative.

[Note: Sections of this document that are identical or similar to, or that correspond to, the group benefit rules made for the College Pension Plan, the Public Service Pension Plan, and the Municipal Pension Plan under the Act are given identical section numbering to the rules of those other group benefit plans, even though this means breaking the normal sequential section numbering system of this document.]

Definitions

- 2 (1) In this document:
 - "carrier"** means the provider of the dental plan or the extended health care plan set out in section 3(1);
 - "dental plan"** means the contract for dental care benefits entered into by the board and the carrier that relates to retired plan members and their dependents;
 - "dependent"** in respect of the dental plan or the extended health care plan, means the dependent or spouse of the retired plan member as those terms are defined in the respective plan;

“extended health care plan” means the contract for extended health care benefits entered into by the board and the carrier that relates to retired plan members and their dependents;

“Medical Services Plan” [Definition repealed]

“pensionable service of the member” [Definition repealed]

“premium” means

- (a) in relation to the dental plan, the monthly amount of fees or costs payable by the retired plan member for coverage under the dental plan for the member and the member's dependents, and
- (b) in relation to the extended health care plan, the monthly amount of fees or costs payable by the retired plan member for coverage under the extended health care plan for the member and the member's dependents;
- (c) [Repealed]

“retired plan member” has the same meaning as in section 18.1 of Schedule D of the *Public Sector Pension Plans Act*;

- (2) The definitions in section 1(1) and Part 13 of the Teachers' Pension Plan rules, except where a contrary definition is set out in this document, apply to this document.

POST RETIREMENT GROUP BENEFITS

Group benefit program to be provided to retired plan members

- 3 (1) The program of post-retirement group benefits for retired plan members and their dependents are those set out in the following:
 - (a) the dental plan;
 - (b) the extended health care plan;
 - (c) [Repealed]
- (2) The terms and conditions under which the group benefits may be provided to retired plan members and their dependents are as set out in each plan referred to in subsection (1).

Dental plan premiums

- 4 (1) If a retired plan member
 - (a) applies for and is enrolled in, or continues to be enrolled in, the dental plan,

- (b) commences to receive or is in receipt of a pension, the amount of which is, subject to section 9, sufficient to pay the dental plan premium which the member is required to pay, and
 - (c) elects or has elected, in writing to the plan administrative agent, to have the member's monthly dental plan premium deducted from the member's pension and remitted to the dental plan carrier,
- the plan administrative agent must pay to the dental plan carrier the fees and costs required by the contract for dental care for coverage for the member and, if elected, the member's dependents.
- (1.1) The payment of the fees and costs under subsection (1) must, subject to section 9, be funded by deducting from the retired plan member's pension 100% of the monthly premium for coverage under the dental plan for the member and, if elected, the member's dependents.
 - (2) [Repealed]
 - (3) A retired plan member referred to in subsection (1) must pay 100% of the premium for dental plan coverage of the member's dependents, if such coverage is elected by the retired plan member.
 - (4) [Repealed]

Extended health care plan premiums

- 5 (1) If a retired plan member
- (a) applies for and is enrolled in, or continues to be enrolled in, the extended health care plan,
 - (b) commences to receive or is in receipt of a pension, the amount of which is, subject to section 9, sufficient to pay the monthly extended health care plan premium which the member is required to pay, and
 - (c) elects or has elected, in writing to the plan administrative agent, to have the member's monthly extended health care plan premium deducted from the member's pension and remitted to the extended health care plan carrier,
- the plan administrative agent must pay to the extended health care plan carrier the fees and costs required by the contract for extended health care for coverage for the member and, if elected, the member's dependents.
- (1.1) The payment of the fees and costs under subsection (1) must, subject to section 9, be funded by deducting from the retired plan member's pension 100% of the monthly premium for coverage under the extended health care plan for the member and, if elected, the member's dependents.
 - (2) [Repealed]
 - (3) A retired plan member referred to in subsection (1) must pay 100% of the premium for extended health care plan coverage of the member's dependents, if such coverage is elected by the retired plan member.

- (4) Despite subsection (2), a retired plan member referred to in subsection (1) who is a dependent continuing to receive a pension after the death of another retired plan member must contribute 100% of the premium for extended health care plan coverage.

Medical Services Plan premiums

6 [Repealed]

7 [Section Not Used]

Payment from employer contributions

8 [Repealed].

Insufficient monthly pension to cover monthly premiums

- 9 (1) Despite sections 4 and 5, if a retired plan member's monthly pension payment is not or ceases to be sufficient to pay all of the monthly premiums under sections 4(1.1), 4(3), 5(1.1) and 5(3), the member may, subject to subsection (2), elect to have coverage under the dental plan or the extended health care plan, or both, by paying directly to the carrier the monthly premiums which the member would otherwise be required to pay under sections 4(1.1), 4(3), 5(1.1), or 5(3), as the case may be.
- (2) If the retired plan member described in subsection (1) does not make an election pursuant to subsection (1), or if after making such elections the member's monthly pension payment is still insufficient to pay all of the monthly premiums required under sections 4(1.1), 4(3), 5(1.1) and 5(3), the plan administrative agent must cancel the coverage of the member and the member's dependents under one or more of the dental plan and the extended health care plan as of the date determined by the plan administrative agent.
- (3) Before canceling any coverage under subsection (2), the plan administrative agent must give the retired plan member 30 days written notice of the intention to cancel coverage.
- (4) Any shortfall in the amounts owing by a retired plan member under subsection 4(1.1), 4(3), 5(1.1) and 5(3), shall remain an obligation of the member.

Appeals

- 10 (1) Appeals of the carrier's decisions with respect to the post-retirement group benefits provided herein will be subject to the carrier's benefit review and appeal process.
- (2) For greater certainty, appeals referred to in subsection (1) will not be subject to the appeal process established under Article 8 of the Teachers' Pension Plan Joint Trust Agreement.