

Red Tape Review Rule Report (Due: September 1, 2026)

Department Name:	Public Safety	Date:	6-12-2025	Total Rule Count:	3
IAC #:	661	Chapter/ SubChapter/ Rule(s):	403	Iowa Code Section Authorizing Rule:	97A.5
Contact Name:	Josie Wagler	Email:	wagler@dps.state.ia.us	Phone:	515-725-6185

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The purpose of Chapter 403 is to outline the administration of payment for line-of-duty death benefits to beneficiaries of members who die in the line of duty.

Is the benefit being achieved? Please provide evidence.

Yes. The application and determination processes are both clearly outlined, as well as how to appeal a decision made by the board.

What are the costs incurred by the public to comply with the rule?

There are no costs incurred by the public to comply with this rule.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the Department or any other agency to implement or enforce this rule.

Do the costs justify the benefits achieved? Please explain.

Yes. There are no costs for the public to comply, and the benefit is being achieved through clarity of procedure and process as it relates to applying for line-of-duty death benefits.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The Department has determined this to be the least costly and least intrusive method to achieve the intended benefit of the rule.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

No.

RULES PROPOSED FOR REPEAL (list rule number[s]):

None.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

CHAPTER 403
PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM—
LINE-OF-DUTY DEATH BENEFIT

661—403.1(97A) Member death benefit program. As provided in Iowa Code section 97A.6, subsection 16, the board will administer the payment of line-of-duty death benefits to beneficiaries of members who die in the line of duty.

Information about the program may be obtained by mail from the Secretary of the Board of Trustees, Iowa Department of Public Safety, Peace Officers' Retirement System, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319, by telephone at (515)725-6248, or by electronic mail to asdinfo@dps.state.ia.us.

[Editorial change: IAC Supplement 6/17/09]

661—403.2(97A) Application. Application forms for the line-of-duty death benefit program may be obtained on request from the secretary. The board may accept a legible copy of a completed application for the federal Public Safety Officer Benefits Program as an application for payment of benefits from the member death benefit program. Completed application forms shall be mailed or delivered to the Secretary of the Board of Trustees, Iowa Department of Public Safety, Peace Officers' Retirement System, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319.

661—403.3(97A) Determination. After receiving a completed application for benefits from the member death benefit program, the board shall make a determination as to whether or not the application meets the requirements for payment of benefits. Prior to making a determination, the board may require the beneficiary or responsible supervisory official who has certified that the death is a line-of-duty death to submit any additional information that the board deems material to making the determination. If the determination is that the requirements for payment of benefits have been met, the board shall so notify the beneficiary or cobeneficiaries and shall instruct the secretary to prepare documents to cause the department of administrative services to issue a warrant payable to the beneficiary in the amount of the lump-sum payment provided or, if there are cobeneficiaries, to issue warrants in equal shares of the lump-sum amount payable to each of the cobeneficiaries. Payments pursuant to this rule shall come from the system's funds.

403.3(1) Denial and notification. If the board determines that the eligibility criteria have not been met, the board shall notify in writing the beneficiary or cobeneficiaries and the responsible supervisory official who certified that the death occurred in the line of duty of the determination and of the reason or reasons for the denial.

403.3(2) Appeals. If an application for benefits is denied, the beneficiary or any cobeneficiary may appeal that decision to the board by filing an appeal in writing to the secretary within 30 days of the date of the denial of the application by the board. Appeals shall be processed in accordance with contested case procedures specified in 7—Chapter 2506.

These rules are intended to implement Iowa Code Supplement section 97A.6(16).

***For rules being re-promulgated with changes, you may attach a document with suggested changes.**

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	1
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	0

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.