

# PSERS Eligibility

## Issue

Should certain positions within the Department of Social and Health Services (DSHS) be eligible for the Public Safety Employees' Retirement System (PSERS) instead of the Public Employees' Retirement System (PERS) if the positions require working at a Residential Treatment Facility (RTF) or at the Special Commitment Center (SCC)?

## Background

In recent years DSHS has been making changes to their behavioral health service delivery model which has resulted in the opening of new RTFs like the two Maple Lane Units and the Clark County facility. DSHS sent [correspondence](#) to the Select Committee on Pension Policy (SCPP) in August 2023 requesting SCPP feedback on a bill draft. The proposed bill would allow certain positions to be eligible for membership in PSERS if they are serving civilly committed residents, and/or patients committed under findings that they were not guilty by reason of insanity.

## Highlights

Based on current law PSERS eligibility is defined by a combination of the member's employer and the primary responsibilities required of their position. DSHS is a PSERS employer, and positions at specific employment locations within DSHS are eligible for PSERS if their primary responsibility is nursing care to, or to ensure the custody and safety of, patient populations in state institutions or centers operated by DSHS. Employment locations<sup>1</sup> under current law include:

- ❖ Juvenile rehabilitation administration institutions.
- ❖ Mental health hospitals, like Western State Hospital and Eastern State Hospital.
- ❖ Child study and treatment centers.
- ❖ Institutions or residential sites serving developmentally disabled patients or offenders, or performing competency restoration services.

DSHS' proposal would provide current PERS employees working in RTFs and the SCC an opportunity to transfer into PSERS during a specific election window. New hires in eligible positions after the effective date of the bill would be eligible for PSERS membership. Under this proposal no prior PERS service credit would be eligible for transfer into PSERS.

## Committee Activity

The Committee received an informational briefing in October, and no further action was taken.

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<sup>1</sup>This does not include community facilities in the juvenile rehabilitation administration or state-operated living alternative facilities.