

Death benefits may be available to eligible beneficiaries of NHRS members who die prior to retirement, while they are In Service.

Explanation of Terms

Accumulated Contributions — The sum of all mandatory NHRS contributions deducted from a member's compensation, any additional contributions and any contributions made by a member for purchases of service credit, plus credited interest.

Active Member — A member who is actively contributing to NHRS on Earnable Compensation or on amounts received from an employer-funded disability plan, provided both member and employer contributions are made and the member is earning Creditable Service. Members may also be considered as active for purposes of eligibility for some NHRS benefits if on Workers' Compensation without having terminated NHRS-covered employment, on an approved Family Medical Leave Act (FMLA) with an NHRS-covered employer, or on active military duty.

Creditable Service — Service credit earned as an active member of NHRS, plus any service credit granted or purchased under the provisions of RSA 100-A.

Earnable Compensation — The compensation paid to a member that may be included in calculating Average Final Compensation (AFC).

Group I — Employees and teachers.

Group II — Firefighters and police officers.

In Service — A member is deemed In Service for the purpose of eligibility for pre-retirement death benefits if the member is an active member, is on leave under the provisions of the FMLA, or is receiving workers' compensation without having terminated NHRS-covered employment, or is on active military duty.

Normal Service Retirement:

Members vested prior to Jan. 1, 2012

- Group I and Group II members who are age 60 or older regardless of Creditable Service
- Group II members who have attained age 45 and have at least 20 years of Creditable Service

Members not vested prior to Jan. 1, 2012

- Group I members who are age 60 or older regardless of Creditable Service
- Group II members - Minimum age/Creditable Service requirements and benefit multiplier are on a sliding scale based on years of Creditable Service as of Jan. 1, 2012 outlined in RSA 100-A:5,II(d). For more information, see: <https://www.nhrs.org/members/benefits/service-retirement/g-ii-non-vested-1-1-12>

Members hired on or after July 1, 2011

- Group I members who are age 65 or older regardless of Creditable Service
- Group II members who have attained age 52.5 and have at least 25 years of Creditable Service

Beneficiary Designations

Designation Form

Members must complete a *Designation of Death Beneficiary(ies) (Pre-retirement)* form (D-NHRS-2), to name the person or persons whom they want to receive an eligible death benefit and/or return of any of the member's existing Accumulated Contributions upon the member's death. To obtain a beneficiary designation form, members may visit the NHRS website at <https://www.nhrs.org/members/forms>.

Single Primary Beneficiary

One person designated by a member to receive 100% of any death benefit and/or refund of the member's Accumulated Contributions, which may be payable if the member dies before retirement.

Multiple Primary Beneficiaries

More than one person designated by a member to each receive a portion of any death benefit and/or refund of the member's Accumulated Contributions, which may be payable if the member dies before retirement.

Contingent Beneficiary(ies)

A person(s) designated by a member to receive any death benefit and/or refund of the member's Accumulated Contributions, which may be payable if the member dies before retirement and the single primary beneficiary (or all of the multiple primary beneficiaries) predecease the member.

Member's Estate

Members may designate an estate as a primary beneficiary. Also, if both the designated primary beneficiary (single or multiple) and the contingent beneficiary(ies) predecease the member, the member's estate will receive any death benefit and/or refund payable if the member dies before retirement.

Member's Trust

Members may designate a trust as a primary or contingent beneficiary. (Monthly pension benefits cannot be paid to a trust.) In addition to a *Designation of Death Beneficiary(ies) (Pre-retirement)* form (D-NHRS-2), the member must also complete a *Designation of Trust as Beneficiary* form (NHRS Trust), acknowledging an understanding and satisfaction of all the terms, conditions, and requirements applicable to designating a trust as beneficiary. Please visit the NHRS website at <https://www.nhrs.org/members/forms> to obtain a copy of a *Designation of Death Beneficiary(ies) (Pre-retirement)* form (D-NHRS-2).

Incomplete and/or Missing Beneficiary Designation Forms

All beneficiary designation forms must be completed and signed in the presence of a notary public or justice of the peace, who must notarize the document. If a designation form is not notarized, benefits might not be payable according to a member's wishes, but in accordance with applicable New Hampshire law.

Changing Beneficiary Designations

Members may change beneficiary designation by completing a new beneficiary designation form, including notarization, and filing the form with NHRS.

Death Benefits

Ordinary Death Benefit (non job-related death)

If the member had at least 10 years of service or was eligible for Service Retirement at the time of death and the member's spouse is the only designated beneficiary, then the surviving spouse may choose to receive either an annual pension until death equal to 50% of the member's Service Retirement pension, OR, a lump sum payment equal to the member's annual Earnable Compensation plus a refund of the member's Accumulated Contributions. If the member had at least 10 years of service or was eligible for Service Retirement at the time of death and either leaves no surviving spouse or designated someone other than the surviving spouse as beneficiary at the time of death, then the member's designated beneficiary(ies) will receive a lump sum payment equal to the member's annual Earnable Compensation and a refund of the member's Accumulated Contributions.

If the member did not have at least 10 years of service and was not eligible for Service Retirement, then the member's spouse or the member's designated beneficiary(ies), if other than the surviving spouse, will receive a lump sum payment equal to the member's annual Earnable Compensation and a refund of the member's Accumulated Contributions.

In accordance with the federal Heroes Earnings Assistance and Relief Tax (HEART) Act of 2008, beneficiaries of NHRS members who die on or after January 1, 2007 while performing qualified military service will receive Ordinary Death Benefits.

Accidental Death Benefit (job-related death)

A refund of the member's Accumulated Contributions is payable to the member's designated beneficiary(ies) in addition to the Accidental Death Benefit described below.

If the member was married at the time of death, then the surviving spouse of a Group I member will receive an annual pension until death equal to 50% of the member's Average Final Compensation (average of the member's highest-paid years of membership service). The annual pension for the surviving spouse of a Group II member will be equal to 50% of the member's annual rate of Earnable Compensation at the date of the member's death.

If the member leaves no surviving spouse, or if the surviving spouse remarries or dies, then the annual pension will be payable to the member's children under age 18.

If the member leaves no surviving spouse and no children under age 18, then the pension will be payable to the member's dependent mother or father for life.

If the member leaves no survivors who are eligible for the annual pension, then the member's designated beneficiary(ies) will receive a lump sum payment equal to the member's base salary plus accrued benefits not paid at the time of death.

Death of Members Who Are Not In Service

If a member's death occurs when the member is not in service, only a refund of the member's Accumulated Contributions will be payable to the member's designated beneficiary(ies) or estate.

Members Who Are Eligible to Receive a Monthly Benefit

Pre-selection

Pre-selection allows an eligible member to elect a maximum Survivorship Option for a beneficiary(ies) in the event of the member's death while eligible to receive a monthly pension benefit and before filing an application for Service Retirement. The maximum Survivorship Option provides a lifetime pension equal to the amount the member would have received under the joint and 100% Survivor Option, calculated as if Service or Early retirement had occurred on the day before the member's date of death. If a member dies while a pre-selection is in effect and if the beneficiary named under the Survivorship Option is the same as the beneficiary named under the *Designation of Death Beneficiary(ies) (Pre-retirement)* form, then the member's designated beneficiary(ies) may choose to receive either the Survivorship Option or the lump sum payment under the Ordinary Death Benefit or Accidental Death Benefit, whichever applies to the member.

Eligibility to submit a Pre-selection form

- Group I and Group II Members who are in active service in an NHRS-covered position who have not filed an application for retirement.
- Group I and Group II Members who are not in active service who are eligible for a service retirement under RSA 100-A:5, I(a), RSA 100-A:5, II(a) or RSA 100-A:19-b, but have not filed an application for retirement.

Beneficiary Designations under a Pre-selection

Members must file a pre-selection form with NHRS. Members may designate a single beneficiary or multiple beneficiaries:

- A single beneficiary may include any one person.
- Multiple beneficiaries must include the member's children. The only other person who may be named as one of the multiple beneficiaries is the member's spouse. The member's beneficiaries will receive that percentage of the maximum Survivorship Option specified by the member at the time of the pre-selection. (The total combined percentages designated by the member must equal 100%.)

New Hampshire Retirement System, 80 Commercial Street, Concord, NH 03301-5031
Phone: (603) 410-3500 - Fax: (603) 410-3501 ~ Website: www.nhrs.org - Email: info@nhrs.org

The New Hampshire Retirement System (NHRS) is governed by New Hampshire RSA 100-A, rules, regulations, and Federal laws including the Internal Revenue Code. NHRS also implements policies adopted by the Board of Trustees. These laws, rules, regulations, and policies are subject to change. Even though the goal of NHRS is to provide information that is current, correct, and complete, NHRS does not make any representation or warranty as to the current applicability, accuracy, or completeness of any information provided. The information herein is intended to provide general information only, and should not be construed as a legal opinion or as legal advice. Members are encouraged to address specific questions regarding NHRS with an NHRS representative. In the event of any conflict between the information herein and the laws, rules, and regulations which govern NHRS, the laws, rules, and regulations shall prevail.