

FLORIDA RETIREMENT SYSTEM INVESTMENT PLAN TERMINATION AND REEMPLOYMENT AFTER RECEIVING THE HEALTH INSURANCE SUBSIDY BENEFIT

Toll Free: 844-377-1888 Locally: 850-907-6500 Email: Retirement@dms.fl.gov

To begin receiving a health insurance subsidy (HIS) benefit, you must terminate all employment relationships with and cease providing services to all FRS employers and retire by receiving a distribution from your Investment Plan account. You are not considered retired if you receive a Required Minimum Distribution (RMD) or an automatic de minimis distribution. If you are dually employed with one or more FRS employers, you must terminate employment from all positions, even if one of those positions is not an FRS covered position. You must terminate from all positions that include, but are not limited to:

- full time work
- part time work
- other personal services (OPS)
- election poll work
- substitute teaching
- adjunct instructing
- contractual services
- third-party companies providing services to FRS employers

Beginning July 1, 2023, Volunteer Services in accordance with section 121.091(15), Florida Statutes do not constitute employment by or provision of services to an FRS employer.

You are subject to the following termination requirement and reemployment restriction in the first 12 calendar months following your investment plan distribution date that could affect your HIS benefits:

TERMINATION REQUIREMENT: 1st through 6th calendar months

During the first six calendar months following your distribution date, excluding your month of distribution, you cannot be in an employment relationship with and must cease providing services to all FRS employers. An employment relationship with an FRS employer in any capacity during this six-calendar month period may nullify your eligibility for HIS benefits, and you and your FRS employer may be held jointly and severally liable for repayment all HIS benefits. This means that each party can be held fully responsible for the repayment of the total amount of retirement benefits. **There are no exceptions to the six-calendar month termination requirement.**

Example of a violation:

- You terminate from FRS employment on July 31 and receive a distribution from your Investment Plan account in November. Your six-calendar month termination period is from December to May. You apply for HIS benefits in November but become employed with an FRS employer in January. This employment voids your eligibility for HIS benefits. Your HIS benefits are voided, and you and your FRS employer will be held jointly and severally liable to repay the HIS benefits you received in December and January.

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REEMPLOYMENT LIMITATION: 7th through 12th calendar months

During the 7th through 12th calendar months following your distribution date, you may engage in an employment relationship with or provide services to an FRS employer if, and only if, you suspend your monthly HIS benefits. If your HIS benefits are not suspended, you and your FRS employer may be held jointly and severally liable to repay all HIS benefits you received during the months in which you were employed. An exception to the reemployment restriction is provided for retired law enforcement officers reemployed as school resource officers in accordance with section 121.091(9)(f), Florida Statutes. If you provide services to an FRS employer in any capacity, you **MAY** be determined to have an employment relationship.

Example of a suspension of benefits:

- You terminate from all FRS employment on September 30 and receive a distribution from your Investment Plan account in January. Your 7th through 12th calendar month period is from August to the following January. You apply for HIS benefits in January, the same month you received a distribution, but become employed with an FRS employer in August. Your HIS benefits must be suspended from August through the following January. Your benefits will resume in February when you reach your 13th calendar month of retirement.

If you are in an employment relationship with or provide services to an FRS employer during the 7th through 12th calendar months following your distribution, excluding your month of distribution, you must notify the division by submitting a [Form FR-23, Florida Retirement System Pension Plan Notification of Reemployment for Suspension of Retirement Benefits](#). You can obtain this form from our website, frs.myflorida.com, or by contacting the division using the information provided above. If you are providing volunteer services to an FRS employer in accordance with section 121.091(15), Florida Statutes, you and your employer are both required to maintain adequate records to document adherence to the criteria listed in the statute.

Beginning with the 13th calendar month from your distribution date, there are no restrictions on working for an FRS employer.

For more information about the effects of reemployment on your HIS benefits, visit our website, frs.myflorida.com, where you can view our "[READY.SET.RETIRE.](#)" guide that further explains the FRS reemployment provisions. If you have questions regarding your Investment Plan account call 1-866-446-9377, option 4, or visit the [MyFRS website](#).

Disclaimer:

As much as possible, this guide is written in nontechnical terms, avoiding the formal language of retirement laws and rules. If questions of interpretation arise as a result of the attempt to make the retirement provisions easy to understand, chapter 121 of the Florida Statutes, chapters 60S and 19 of the Florida Administrative Code, and applicable federal law remain the final authority.