

CASE SUMMARIES

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Administrative Review/Health Insurance Premiums for Police Officer Following Line Of Duty Pension

There has been another Illinois Appellate Court case that affirms the circuit court ruling and held that the police officer who pensioned out on an IOD was entitled to receive health insurance premiums from the Village after he was denied the benefit from his employer. This has been a second case in five months that has held in favor of the police officer.

In this particular case, the police officer responded to a residential burglar alarm. While doing a perimeter check of the building, he slipped and fell, injuring his shoulder. Below is the case caption and the court holding. If you have questions or need a complete copy of the decision, please contact me at Map.Legal@sbcglobal.net.

DeRose v. the City of Highland Park, No. 2-07-0938 (Nov.4, 2008) Appellate Court of Illinois, Second District

Summary Holding: Defendant, the City of Highland Park, appeals the trial court's judgment in favor of plaintiff, Pierino DeRose, on plaintiff's complaint seeking benefits from defendant under the Public Safety Employee Benefits Act (Employee Benefits Act) (820 ILCS 320/1 et seq. (West 2000)), which entitles certain public employees in certain situations to recover their health care premiums from their employers. On appeal, defendant argues that plaintiff was not responding to an "emergency" (as that term is used in the Employee Benefits Act) when he was injured and is therefore ineligible for benefits under the Employee Benefits Act. For the reasons that follow, we affirm the judgment of the trial court.