Fatal Claims

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DWD Division of Worker's Compensation

Reporting a Fatality

- **CALL RIGHT AWAY!**

- Fax initial report of injury (WKC-12)

- Fax wage information (WKC-13A)

- Contact information for dependents:
  - Spouse
  - Children under 18
  - Surviving unestranged parents

Department of Workforce Development
Division of Worker's Compensation
Phone: (608) 266-1340

Fatality: Denied Claim

- Denial letter

  o Reason for denial and appeal rights

- Death certificate or autopsy report

- Police report (if applicable)

- Attorney General reviews denials

Death Benefits

Dependents

- Spouse or minor child(ren), greater of:

  o 4 x annual earnings (box #2 on WKC-13A), or

  o 200 x average weekly wage (AWW)
  (box #5 on WKC-13A)

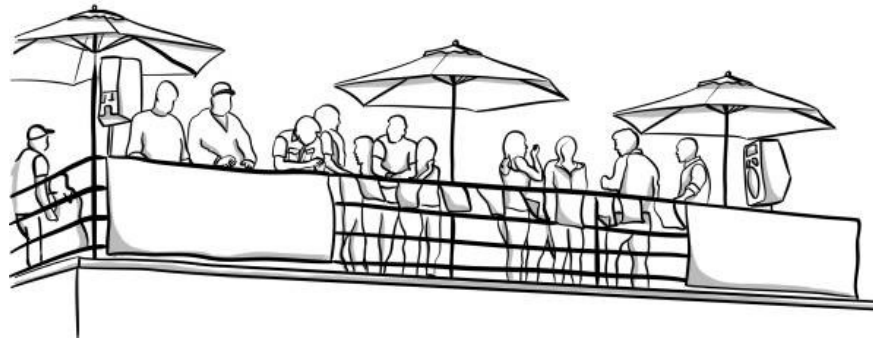- Benefits to minor children = restricted
  account

Death Benefits (cont.)

- No spouse or children, but surviving parent(s): $6,500 (may be more if parents prove dependence)

- Prehearing if dependents from multiple partners

- If no dependents, pay into Work Injury Supplemental Benefit Fund (WISBF)
  - Five annual installments or lump sum minus interest credit: § 102.49(5)(b)

Death Benefits (cont.)

- Funeral expense: Up to $10,000

- To WISBF: $20,000 (§ 102.49(5)(a))

PPD or PTD Dies

- Death certificate or autopsy report (is death related to claim?)

- Up to date payment information (WKC-13)

  o Division will provide worksheet

  o Additional payments due? If so, to whom?

- Initiate monthly death benefit payments per § 102.47(1) and § 102.47(2)

Death Before PPD

- Final medical report via doctor's experience and review of records

- Contact information for dependents

  o Accrued PPD to estate

  o Unaccrued PPD pays funeral expense, remainder to dependents as death benefit

    - If no dependents, remainder to WISBF

Questions?

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