

WISCONSIN

DWD


Fatal Claims

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 DWD Division of Worker's Compensation


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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


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Fatality: Denied Claim

- Denial letter
 - Reason for denial and appeal rights
- Death certificate or autopsy report
- Police report (if applicable)
- Attorney General reviews denials



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Death Benefits

Dependents

- Spouse or minor child(ren), greater of:
 - 4 x annual earnings (box #2 on WKC-13A), or
 - 200 x average weekly wage (AWW) (box #5 on WKC-13A)
- Benefits to minor children = restricted account



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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)



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Death Benefits (cont.)

- Funeral expense: Up to \$10,000
- To WISBF: \$20,000 (§ 102.49(5)(a))




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PPD or PTD Dies


- Death certificate or autopsy report (is death related to claim?)
- Up to date payment information (WKC-13)
 - Division will provide worksheet
 - Additional payments due? If so, to whom?
- Initiate monthly death benefit payments per § 102.47(1) and § 102.47(2)


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Death Before PPD


- Final medical report via doctor's experience and review of records
- Contact information for dependents
 - Accrued PPD to estate
 - Unaccrued PPD pays funeral expense, remainder to dependents as death benefit
 - If no dependents, remainder to WISBF


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Questions?

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<p>Jason Przybylo In Training 608-405-4147 Jason.Przybylo@dwd.wisconsin.gov</p>	


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