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State of Wisconsin

Department of Workforce Development

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**WORKER'S COMPENSATION**

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February 8, 1999

INS 401

To: All Worker's Compensation Insurance Carriers and Self-Insured Employers

From: Robin Gates, Administrator 

Subject: Resumption of Payments to the Work Injury Supplemental Benefit Fund Under s.102.65(3) of the Wisconsin Statutes

This memo is official notice that insurance carriers and self-insured employers must resume payments to the Work Injury Supplemental Benefit Fund. This requirement is effective for deaths and certain injuries occurring on or after January 1, 1999.

The department is required to maintain a prudent balance in the Work Injury Supplemental Benefit Fund. This balance is set by law at three times the amount paid from the fund in the prior fiscal year. The department suspends payments into the fund by insurance carriers and self-insured employers when the balance exceeds the threshold. Payments into the fund resume when the balance drops below the threshold.

The department suspended payments into the fund effective on January of 1994 because the balance exceeded the statutory threshold. The department now projects the balance for FY 99 to fall to about 2.5 times the amount paid from the fund. The department reviewed the situation with the Worker's Compensation Advisory Council. The Council concurred with the department's recommendation to resume payments into the fund.

The department is now ordering payments into the fund by insurance carriers and self-insured employers for deaths and injuries to the hand, arm, foot, leg or eye occurring on or after January 1, 1999, as set forth in ss.102.47, 102.49 and 102.59. Please notify all of your operations handling Wisconsin claims of this requirement.

Please contact Margaret O'Connell at 608-266-5530 if you have any questions regarding this order.