

Table 11. Fatality Benefits Paid under Workers' Compensation Systems as of January 1, 2019

Jurisdiction	Maximum Burial Allowance	Basis of Payment For Spouse And One Child	Statutory/Limit For Dependency Benefits	Dependency Benefits		Basis Of Weekly Maximum Calculation	Spouses' Benefits End			Children's Benefits End			Additional Benefits Available
				Weekly Minimum	Weekly Maximum		When Statutory Limit is Paid	Upon Death	Upon Remarriage	If A Student, At Age	If Child is Disabled, At Age	Offsets Allowed On Dependency Benefits	
Alabama	\$6,500	66.2/3% of deceased worker's AWW	500 weeks	\$238.00	\$865.00	66.2/3% of AWW	Yes	Yes	Yes	18	Until benefits are exhausted	No	\$7,500 paid to estate if no dependents
Alaska	\$10,000	90% of the worker's spendable, after-tax, or net weekly wages	12 years (1)	\$75 to spouse, \$25 to one child, \$50 to children	\$1,211.00	120% of the SAWW	Yes	Yes	Yes	19	N/A (2)	50% of the amount paid in Social Security retirement or survivor's benefits	One-time \$5,000 lump-sum death benefit; \$10,000 to Second Injury Fund (if no qualifying dependents)
Arizona	\$5,000	35% of the average monthly wage of the deceased to be paid to spouse and to surviving children an additional 31.2/3% of the average monthly wage to be divided equally among them	None	None	\$729.56	66.2/3% of the average monthly wage	N/A	Yes	Yes	18	None	None	None
Arkansas	\$6,000	50% of deceased worker's AWW	Remarriage of spouse, attainment of age 18 of dependent child or 25 if full-time student; 450-week limit for partial dependents (3)	\$20.00	\$695.00	Maximum TTD rate	N/A	Yes	Yes	18	No age limit	None	None
California	\$10,000	See Labor Code section 4702 and various death benefits	There is a maximum amount paid per Labor Code section 4702 but that amount can be higher based on Labor Code section 4703.5	\$224.00	\$1,251.38	Maximum death benefits are awarded at 2/3 of AWW with caps set by statute	Yes	Yes	No	18	Benefits can continue	None	None
Colorado	\$7,000	66.2/3% of the deceased worker's AWW	None	\$249.96	\$987.84	91% of SAWW	N/A	Yes	Yes (5)	18	21	Dependency benefits can be reduced up to 50% of any federal survivor's benefits received	Reasonable necessary and related medical expenses for the deceased prior to death and funeral and burial benefits of up to \$7,000.00
Connecticut	\$4,000	75% of the deceased worker's spendable earnings	None	Same as TTD minimum	\$1,256.00	SAWW	N/A	Yes	Yes	18	22	None	None
Delaware	\$3,500	AWW	None (7)	\$237.88	\$713.65	66.2/3% of AWW	No	Yes	Yes	18	25	None	None
District of Columbia	\$5,000	50% of deceased worker's AWW	None	\$380.44	\$1,521.74	100% of SAWW	N/A	Yes	Yes	18	23	Benefits can continue	None
Florida	\$7,500	50% of deceased worker's AWW for spouse, 16.2/3% of AWW for child	Maximum payable is \$150,000	\$20, unless wages are less than \$20, then full wages	\$939.00	SAWW	Yes	Yes	Yes	18	22	None	Spouse may receive payment for post-secondary educational student fees
Georgia	\$7,500	Workers' TTD rate applicable	\$230,000 for surviving spouse with no dependents	\$50.00	\$575.00	2/3 of the decedent's AWW	Yes (9)	Yes	Yes	18	22	Benefits can continue	None
Hawaii	\$4,495	66.2/3% of SAWW	312 weeks	\$225.00	\$899.00	SAWW	Yes	Yes	Yes	18	22	Can continue	If no dependent, then 25% of 312 weeks multiplied by \$899 to the non-dependent parents
Idaho	\$6,000	50% of current average state wage	500 weeks for spouse, age 18 for children or age 23 if enrolled in an accredited learning institution	5% per child with dependent widow or \$36.05	60% of current average state wage or \$432.60 weekly	60% of ASW per statute	Yes	Yes	Yes	18	Until age 23 if enrolled in an accredited learning institution	Can continue past 18 if child has not received 500 weeks prior to reaching 18	Transportation of the employee's body to his or her place of residence in addition to burial expense
Illinois	\$8,000	Calculate 66.2/3% of the worker's preinjury gross average weekly wage, subject to max. and min. levels	\$500,000 or 25 years	\$565.06	\$1,506.81	Increase in SAWW	Yes	Yes	Yes	18	25	N/A	None

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				Weekly Minimum	Weekly Maximum		When Statutory Limit is Paid	Upon Death	Upon Remarriage	At Age	If A Student, At Age	If Child is Disabled, At Age		
Indiana	\$7,500	% of AWW	500 weeks	\$50.00	\$7,800.00	66.2/3% of AWW	Yes	Yes	Yes	18	21	Can continue	No	None
Iowa	\$10,587	80% of the worker's spendable, after-tax, or net weekly wages	None	Based on AWW of \$309.00 and the employee's marital status and number of entitled exemptions	\$1,765.00	200% of the SAWW	N/A	Yes	Yes	18	25	Benefits can continue	No	None
Kansas	\$5,000	66.2/3% of the deceased worker's AWW	\$300,000	\$391.00	\$645.00	66.2/3% of the deceased worker's AWW	Yes	Yes	No	18	23	23	No	None
Kentucky	\$89,307	40% of employee's AWW to widow and 15% of AWW to child subject to state maximum	18 or 22 if in school	None	All combined cannot exceed amount payable for total disability	110% SAWW	Yes	Yes	Yes	18	22	None specifically identified except qualification for old age social security	No	No
Louisiana	\$8,500	46.25% of AWW, subject to minimum/maximum benefits		\$177 or actual wage, whichever is less	\$665.00	75% of the SAWW	N/A	Yes	Yes	18	23	Can continue	No	A lump-sum benefit to children over age of majority if no spouse or minor dependent children; or a lump-sum benefit to parent or parents if no spouse, minor dependent children or children over age of majority
Maine	\$4,000	1/1/93-12/31/12: 80% of the worker's spendable, after-tax, or net wage; 1/1/13 and after: 2/3 of average gross weekly wages	500 weeks or until age 18 for children	None	DOI 1/1/1993-12/31/2012: \$746.37; DOI on/after 1/1/2013: \$829.30	DOI 1/1/93-12/31/12: 90% of the SAWW; DOI on/after 1/1/13: 100% SAWW	Yes	Yes	Yes	18	23	Over 18 if no surviving dependent parent	50% of the amount paid in Social Security old age benefits	\$3,000 in incidental compensation to the employee's estate
Maryland (10)	\$7,000	Deceased covered employee's AWW as a percentage of total household income	144 months or on the date of what would have been the 70th birthday of the deceased employee, provided that a minimum of 5 years of death benefits has been paid	\$25 or the AWW of the worker, whichever is less	\$1,116.00	SAWW	Yes	Yes	Continue payments to spouse for 2 years after remarriage if no dependent children	18	23	Continue for duration of dependent's disability	Disability retirement paid to employees of governmental units or quasi-public corporations	None
Massachusetts	\$11,067.28	66.67% of the AWW of the deceased worker plus six dollars more a week for each child	250 weeks	\$110.00	\$1,000.00	SAWW as of October 1st	Yes	Yes	No	18	18	Can continue	No	Burial costs (11)
Michigan	\$6,000	Using same formula for calculating ITD benefits: 80% of the worker's after-tax, or net weekly wages, taking into account 1 dependent	500 weeks	\$511.46	\$921.00	Using same formula for calculating ITD benefits: 80% of the worker's after-tax AWW	Yes	Yes	Continue payments to spouse for 2 years after remarriage if no dependent children	18	18 (12)	18 (12)	No	None
Minnesota	\$15,000	60% of deceased worker's daily wage	Benefit ends after 10 years or 10 years after the last child is no longer dependent; minimum payable is \$60,000	None	102% of SAWW for preceding year	Set by statute, same as TTD	Yes	Yes	No	18	25	Can continue	Federal government survivor benefits	If no dependents, \$60,000 is paid to the estate
Mississippi	\$5,000	Spouse gets 35% of deceased's AWW, child gets 10%; subject to maximum of \$494.48 combined	450 weeks; remarriage for spouse; ages 18-23 for child	\$25.00	\$494.48	SAWW	Yes	Yes	Yes	18	23	450 weeks	No	An immediate payment of \$1,000 to the spouse

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				Weekly Minimum	Weekly Maximum	Statutory Limit For Dependency Benefits		When Statutory Limit is Paid	Upon Death	Upon Remarriage	Payment Upon Remarriage	At Age	If A Student, At Age		
Missouri	\$5,000	(13) and (14)	Refer to notes (13), (14), and (15)	\$40.00	\$97,64, but see (14)	105% of SAWW, but see (14)	N/A	Yes	Yes	2-year lump sum	(13)	Can continue for life	No	(14) and (16)	
Montana	\$4,000	66 2/3% of preinjury wage, not to exceed SAWW, and it must be divided equally between beneficiaries	If the beneficiary dies after 500 weeks of benefits to the spouse; or until the spouse remarries	50% of SAWW	May not exceed the state's average weekly wage at time of injury	100% of SAWW	Yes	Yes	N/A	N/A	18	Can continue for life	N/A	For dependent parent or dependent brother or sister, if no other dependents exist, up to statutory maximums or, if no dependents, \$3,000 must be paid to dependent's surviving parent(s)	
Nebraska	\$10,000	75% of the deceased worker's AWW	None	\$49.00	\$855.00	75% of deceased worker's AWW	N/A	Yes	Yes	Two years indemnity in one lump sum	19 (17)	Can continue	No	None	
Nevada as of January 1, 2016 (18)	\$10,000	50/50	None	None	\$831.88	SAWW	N/A	Yes	Yes	N/A	18	18 (exception, incapable of supporting self)	No	None	
New Hampshire	\$10,000	No set calculation	18 (or 25, if full-time student)	\$316.50	\$1,582.50	150% of AWW	N/A	Yes	Yes	Benefits cease	18	As long as the incapacity continues	No	None	
New Jersey	\$3,500	70% of wages	Lifetime with exceptions	\$246.00	\$921.00	Decedent's wages	Yes	Yes	Yes	450 weeks minus amount already paid	18	Can continue	No	None	
New Mexico	\$7,500	66 2/3% of AWW	100% of the SAWW for 700 weeks	66 2/3% of SAWW	66 2/3% of AWW as stated in Statute 52-1-46	66 2/3% of AWW as stated in Statute 52-1-46	Yes	Yes	Yes	2-year lump sum	18	Benefit can continue if dependent incapable of self-support	No	None	
New York	\$10,500 to \$12,500, depending on county (19)	Spouse gets 36 2/3% of deceased worker's AWW and child gets 30% of deceased worker's AWW	(20)	\$30.00	\$904.74	2/3 of the deceased worker's AWW for the 52 weeks prior to death, up to the statutory weekly maximum benefit	N/A	Yes	Yes	2-year lump sum	18	When blindness or physical disability ends	Spouse's benefit reduced by spouse's share of Social Security survivors insurance (21)	N/A	
North Carolina	\$10,000	66 2/3% of the deceased worker's AWW, divided equally (22)	500 weeks (22)	\$30.00	\$1,028.00	66 2/3% of AWW (22)	Yes	No	No (22)	N/A	500 weeks or until child turns 18, whichever is longer	18	No	None	
North Dakota	\$10,000	66 2/3% of the worker's preinjury wage, as well as \$15 per child per week	\$300,000 or death	\$576 (23)	\$1,200.00	125% of SAWW	Yes	Yes	Yes	Lump sum equal to 104 weeks' compensation (24)	18	Can continue, NDCG 65-01-02 (9)	None	A lump sum of \$2,500 to the decedent's spouse or guardian of the children and \$800 for each dependent child (25)	
Ohio	\$5,500	Discretionary based on circumstances	None	\$475.00	\$950.00	66 2/3% of AWW, not to exceed the SAWW	N/A	Yes	Yes	1 payment = two years of benefits	19	Continue until death or disability ends	None	Dependents may receive funeral expenses up to the maximum and depending on the circumstance, may be eligible for other comp., such as scheduled loss that "accrued" prior to the injured worker's death	
Oklahoma	\$10,000	85% of deceased worker's AWW, plus statutory lump sum (70% to spouse and 15% to child)	None	None	\$867.71	70% of the deceased worker's AWW up to a maximum of 100% of the SAWW	N/A	Yes	Yes	2-year lump sum	18	No age limitation; weekly income benefit continues as long as child is physically or mentally incapable of self-support	None	N/A	

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				Weekly Minimum	Weekly Maximum		When Statutory Limit Is Paid	Upon Death	Upon Remarriage	Payment Upon Remarriage	At Age	If A Student, At Age			If Child Is Disabled, At Age
Oregon	\$20,141,000 (26)	Monthly benefit of 4.35 times 66.2/3% of the state AWW plus 4.35 times 25% of the state AWW for one child (27)	None	N/A	N/A	4.35 times 10 percent of the state average weekly wage	Yes	Yes	Yes	3-year lump sum	19	26 (29)	Can continue for life	None	None
Pennsylvania	\$7,000	60% of deceased worker's AWW	N/A	No less than 50% of SAWW	\$1,049.00	100% of SAWW	Yes	Yes	Yes	2-year lump sum	18	23	For duration of disability	None	None
Rhode Island	\$20,000	Spouse receives weekly rate for total incapacity of deceased and \$40 per week for each dependent child	None	None	\$1,253.00	Weekly rate for total incapacity payments of deceased	Yes	Yes	Yes	Payments go to remaining dependents	18	23	Can continue	None	None
South Carolina	\$2,500	Spouse receives 50% of award, dependent children divide remaining 50% equally	500 weeks	\$75 if wages are > \$75; otherwise, comp rate is equal to wages	\$845.74	100% of SAWW	N/A	N/A	No	No	(30)	(30)	Can receive benefits for maximum weeks	None	None
South Dakota	\$10,000	66.2/3% of the worker's preinjury wage (31)	None	\$403.00	\$805.00	100% of SAWW	N/A	Yes	Yes	2-year lump sum	18	22	Can receive benefits for life	None	Children receive \$50 per month until age 18 and can receive up to \$2,000 a year for up to 5 years for college expenses at a SD post-secondary school
Tennessee	\$10,000	(32)	\$418,050.00	\$139.35	\$929.00	450 X SAWW	Yes	Yes	Yes	None	18	22	Can continue but not to exceed the maximum total benefit	None	\$20,000 paid to estate if no dependents, excluding burial expenses
Texas	\$10,000	50/50	Minimum of 364 weeks	None	\$938.00	100% of SAWW	N/A	Yes	Yes (33)	2-year lump sum (33)	18	25	Until death or no longer has the disability	None	No additional benefits available; if dependency benefits are not paid for 364 weeks, any remainder to be paid to the Texas Workers' Compensation Subsequent Injury Fund
US Federal Programs - FECA	\$800	The surviving spouse receives 45% and the child receives 15% of employee's monthly pay	None	GS-2, step 1	GS-15, step 10	GS-15, step 10	Yes (if before age 55)	Yes	Yes	2-year lump sum	18	23	Can continue	FERS automatic death benefit cannot be received concurrently	\$200 administrative fee to the estate; death gratuity up to \$100,000 for employee for death due to service with an Armed Force in a contingency operation
US Federal Programs - Longshore	\$3,000	66.2/3 of AWW	Death or independence	\$377.69	\$1,510.76	200% of NAWW	N/A	Yes	Yes	2-year lump sum	18	23	Can continue	None	If no qualifying dependents, \$5,000 paid to the Special Fund
Utah	\$9,000 for funeral and burial expenses	66.2/3% of AWW not to exceed 85% of SAWW; apportioned equally among all dependents	312 weeks; however may be extended when beneficiary remains wholly dependent	\$45.00	\$747.00	85% of SAWW at the time of injury	Yes, except when beneficiary remains wholly dependent	Yes	Yes	Up to one year of benefits	18	18	Benefits continue as long as child is dependent	Reduced by 50% of Social Security death benefits	None
Vermont	\$10,000	71.2/3% AWW	Varies with dependent	\$437.00	\$1,311.00	150% of SAWW	There is no statutory limit, but after minimum of 330 weeks, spousal benefits end at age 62, when eligible for Social Security or with remarriage or with death of spouse	Yes	Yes	Balance of 330 weeks of benefits, if applicable	18	No age limit while enrolled in educational or vocational training institution	Can continue	None	None
Virginia	\$10,000	66.2/3% of AWW	500 weeks	\$270.50	\$1,082.00	100% of SAWW	Yes	Yes	Yes	No	18	23	Can continue	None	Reasonable transportation expense for the deceased, not to exceed \$1,000

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				Weekly Minimum	Weekly Maximum		When Statutory Limit is Paid	Upon Death	Upon Remarriage	Payment Upon Remarriage	At Age	If A Student, At Age			If Child is Disabled, At Age
Washington	\$10,315	62% of worker's wage on DOI, up to statutory maximum	N/A	(34) \$1,433.15	120% of SAMW	N/A	Yes	Yes	Yes	2-year lump sum (3-year law enforcement officers and fire fighters)	18	23	Can continue, possible for life	None	Immediate payment equal to 100% of SAMW based on DOI
West Virginia	\$7,000	The benefit received by the deceased worker		Federal minimum wage	The benefit received by the deceased worker	N/A	Yes	Yes	Yes	None	18	25	Can continue for life	None	None
Wisconsin	\$10,000	Four multiplied by the annual wage up to a maximum of \$304,800.00	\$304,800.00	N/A	110% of the SAMW	Yes	Yes (36)	N/A	N/A	Payments can continue beyond the child's 18th birthday but may not continue for more than a total of 15 years	18	Stature is silent on the child's status of student/non-student	None	None	(37)
Wyoming	\$10,000	(38)	None	2/3 of SAMW	Cannot exceed more than 2x the SAMW (38)	N/A	Yes	Yes	No	Can continue	21	25	Can continue	None	Spouse can apply to WC based upon need and receive an additional 12 months' award not to exceed 1/3 SAMW; this is renewable until the spouse dies or remarries
Canadian Jurisdictions Participating (stated in Canadian currency)															
British Columbia as of January 1, 2016 (39)	\$9,006.74	85% of permanent total disability award rate - 50% of federal benefit (CPP) for dependents	None	\$257.07 (40)	Permanent total disability award	N/A	Yes	N/A	N/A	Benefits can continue possibly for life	19	25	Benefits can continue possibly for life	Dependency benefits can be reduced up to 50% of any federal survivor's benefits received (42)	Yes (43)
New Brunswick (44)	\$17,283.60	(45)	(46)	None	(47)	Yes	Yes	Yes	(49)	Can continue	18	21	Can continue	(50)	None
Nova Scotia	\$4,000 up to \$5,000 on certain conditions	For spouse, 85% of worker's net average earnings before the accident; for child, \$196 per month	When the spouse reaches 65 or the worker would have reached 65, whichever is later	None	137.5% of the average industrial wage for Nova Scotia	Until age 65 or until the deceased would have reached age 65, whichever is later	Yes	No	N/A	Can continue for life	18	25	Can continue for life	CPP survivor benefits	In the absence of a surviving spouse, a monthly payment up to 85% of the worker's net average earnings before the accident is payable to the dependent child
Ontario	No maximum	Lump sum (base amount adjusted according to the spouse's age when worker died) plus periodic payments (85% of worker's net average earnings) to be paid until youngest child turns 19, at which point periodic payment is calculated as though no dependent children	\$122,825.02	Benefit amount varies depending on the date of injury, the number of dependents, and maximum net average earnings (51)	In accordance with the legislation	No	Yes	No	N/A	Can continue for life	19	30	Can continue for life	Offset if CPP paid to spouse in relation to death	Labour market re-entry assistance for the spouse is available if requested within one year of the worker's death
Prince Edward Island	\$7,500	Lump-sum amount plus monthly benefit as prescribed by regulation	Until age 65 or until the deceased would have reached age 65, whichever is later	None	Wage-loss benefits that would have been payable to the worker	Yes	Until age 65 or until the deceased would have reached age 65, whichever is later	N/A	N/A	For duration of disability	18	22	For duration of disability	CPP survivor benefits	In the absence of a surviving spouse, a lump-sum payment of \$10,000 per child is available

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Saskatchewan	\$13,524 (52)	90% of worker's net earnings less probable deductions	5 years, to age 65, or until youngest child is 18	\$51,465	\$1,528.51	Earnings loss benefits that would have been payable to the worker	Yes	No	N/A	18	25	For duration of disability	Federal government survivor benefits at 50% (after 12 months); payments for children no offset	None
Notes:														
1 Alaska - Spouse 52 years of age or older, or permanently disabled; is not subject to 12-year limitation.														
2 Arizona - There is no age limit for a child who is wholly dependent upon the deceased employee and incapable of self-support by reason of mental or physical disability.														
3 Arkansas - If total amount of weekly compensation is less than \$7,000 per week.														
4 California - If total amount of specified safety officers may be entitled to continued benefits until age 19 under Labor Code section 4703.5.														
5 Colorado - Upon remarriage, a lump sum is available only if there are no other dependents.														
6 Delaware - When spouse remarries or if minor dependents reach 18 years of age (or 25 if attending an accredited higher learning institution).														
7 Delaware - Compensation shall be payable under this section to or on account of any child beyond the age of 18 years if and while mentally or physically handicapped and actually dependent upon the deceased for at least 50 percent of their support at the time of the worker's death (19 Del. C. §2330(c)).														
8 Georgia - Until age 65 or 400 weeks from the date of injury, whichever provides greater benefits.														
9 Georgia - Effective October 1, 2011, Maryland's dependency benefits changed due to enactment of a new law. The information provided in this chart does not apply to certain public service officers of a county, unless the municipal corporation or county has made an election to be included in the new statutory provisions. Therefore, the benefits for certain public service officers have not changed from previous charts with the exception of the amount of the SAMW, which is \$11,160 for January 1, 2019. There are also more nuances to the statute than can be reflected in a chart of this nature. In accordance with Section 9-683.3(f) of the Labor and Employment Article, all dependents who are neither a dependent spouse nor a dependent child shall be entitled to no more than a total of \$75,172.00, collectively, as their portion of the total death benefits payable, effective January 1, 2019. Since January 1, 2012, this benefit limit has been adjusted annually by the same percent applicable to the adjustment of the State Average Weekly Wage.														
10 Massachusetts - Maximum burial allowance under G.L. c. 152, §33 is eight (8) times the average weekly wage in the Commonwealth as determined by G.L. c. 151A, §29.														
11 Michigan - Magistrate may order continued payment up to age 21.														
12 Missouri - So long as there is one "total dependent" (such as the spouse or a minor child), the weekly death benefit payment is 66 2/3% of the worker's preinjury weekly wage, not to exceed 105% of state average weekly wage. Additional total or partial dependents do not increase the payment amount.														
13 Missouri - Mo. Rev. Stat. § 287.010.1, effective 01/01/2014, defines "occupational diseases due to toxic exposure" as the following: mesothelioma, asbestosis, occupational diseases due to toxic exposure" as the following: mesothelioma, asbestosis, berylliosis, coal worker's pneumoconiosis, silicosis, silicothelioblastosis, manganism, acute myelogenous leukemia, and myelodysplastic syndrome. Mo. Rev. Stat. § 287.200.4, effective 01/01/2014, provides enhanced benefits to employees due to toxic exposure, which result in a Permanent Total Disability or Death as follows: (a) For occupational diseases due to toxic exposure, but not including mesothelioma, an amount equal to 200% of the State's Average Weekly Wage (as of the date of diagnosis) shall be paid to the employee for 100 weeks; (b) If the employee is diagnosed with mesothelioma (and if the employer has accepted mesothelioma liability) an amount equal to 300% of the State's Average Weekly Wage shall be paid to the employee for 212 weeks; provided that any employee who obtains an award for mesothelioma shall not receive more benefits than such employee would receive having only obtained benefits for mesothelioma. (c) The amounts due to the employee during his or her lifetime for an award of Permanent Total Disability due to any other compensable cause shall be paid to the employee after the enhanced benefits for occupational diseases due to toxic exposure have been exhausted. (d) Should the employee die before all of the enhanced benefits for "occupational diseases due to toxic exposure" have been paid, the remainder of the enhanced benefits are payable to the employee's spouse or child, natural or adopted, legitimate or illegitimate, in addition to the benefits provided for a death due to any other compensable cause. If there is no surviving spouse or child and the employee, in his or her lifetime, has not received all of the enhanced benefits for "occupational diseases due to toxic exposure," the remainder of such enhanced benefits shall be paid as a single payment to the estate of the employee.														
14 Missouri - Dependency benefits end at various times depending upon a determination made in the award; spouses—lifetime or until remarriage; children—until they reach age 18 (22 years if a full-time student); and other situations described in §287.240 (4)(b), RSMo.														
15 Missouri - Mo. Rev. Stat. § 287.243 allows for an additional, one-time payment of \$25,000.00 to the survivor(s) of an employee who was killed in the "line of duty" while serving as a "public safety officer," as defined in the statute.														
16 Nebraska - Benefits cease when a child dies, marries, or reaches the age of 19, or if enrolled as a full-time student and ceases to be so enrolled or reaches the age of 25. A child who originally qualified as a dependent by virtue of being less than 19 may, upon reaching age 19, continue to qualify if he or she is physically or mentally incapable of self-support; is actually dependent; or is enrolled in an educational institution.														
17 Nevada - 2016 responses. No 2019 data were provided.														
18 Nevada - Reimbursement for funeral expenses or memorial services shall not exceed \$10,000 for the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester, and in all other counties the reimbursement shall not exceed \$10,500.														
19 New York - Reimbursement for funeral expenses or memorial services shall not exceed \$10,000 for the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester, and in all other counties the reimbursement shall not exceed \$10,500.														
20 New York - Benefits end for spouse upon remarriage or upon death and end for children upon turning 18 or, if still in school, 23 (if not blind or physically disabled). If blind or physically disabled, then the benefits end when the blindness or physical disability ends, after age 18 or 23 as appropriate. If benefits are paid to dependent parents or grandparents, they end upon death. For brothers, sisters, or grandchild, they end at age 18, or in school, 23.														
21 North Carolina - Spouse's share of death benefit is reduced by 5% of the spouse's share of the survivors' insurance benefits under the Social Security Act for each ten dollars of deceased's average weekly wage in excess of \$100, but the reduction shall not exceed 50% of the spouse's share of the survivors' insurance benefits under the Social Security Act as set forth in Workers' Compensation Law §16.														
22 North Carolina - A widower/widow may receive lifetime payments or benefits until widow/widower remarries if he or she is totally disabled at the date of decedent's death, and a child will receive weekly payments for 500 weeks or until age 18, whichever is longer.														
23 North Dakota - The minimum benefit is equal to 60% of the SAMW unless the amount exceeds the employee's net wages, in which case the employee receives net wages as a weekly compensation rate.														
24 North Dakota - Marriage settlement exception—if a spouse has received a partial lump sum previously, that amount is deducted from the 104 weeks.														
25 North Dakota - Also available are scholarships for spouse and children (up to age 26) of decedent; the award may not exceed \$10,000 per year per individual for no more than 5 years (NDCC 65-09-20.1).														
26 Oregon - The insurer must pay for final disposition of the body, including transportation, up to 20 multiplied by the state AWV. If after 60 days of claim acceptance there is remaining benefit, the insurer must pay the remainder to the estate of the worker.														
27 Oregon - The maximum monthly benefit for all children when there is a surviving spouse is 4.35 times 133 and 1/3 percent of the state AWV. If the sum of individual benefits exceeds this maximum, the benefit for each child must be reduced proportionally. The monthly benefit for a child without a surviving parent, who is 19 to 26 years of age and attending secondary education, is 4.35 times 66 2/3 percent of the state AWV. Benefits payable under ORS 656.204(6) during secondary education are generally not subject to proportional reduction.														
28 Oregon - "Dependent" means any of the following relatives of the worker who, at the time of the accident, depended in whole or in part on the earnings of the deceased worker for support: parent, grandparent, grandchild, grandnephew, grandniece, half-sister, niece, or nephew. A dependent benefit is 50 percent of the average monthly support the dependent actually received from the worker during the 12 months preceding the injury. The maximum benefit for all dependents may not exceed 4.35 times 10 percent of the state AWV, except the monthly benefit for a dependent without a surviving parent, who is 19 to 26 years of age and attending secondary education, is 4.35 times 66 2/3 percent of the state AWV. Benefits payable under ORS 656.204(6) during secondary education are generally not subject to proportional reduction.														
29 Oregon - Benefits are paid for up to 48 months while the child is completing secondary education, obtaining a GED certificate, or attending a program of higher education.														
30 South Carolina - Children's benefits vest upon the parent's death. If a child is under 19 or disabled, once vested he or she is entitled to benefits until the statutory limit is paid; if over 19 but a student, he or she can receive benefits until age 23.														
31 South Dakota - If the weekly wage is below 50% of the SAMW, the calculation is wages, less income tax and Social Security.														
32 Tennessee - Directed by TN Code Annotated 50-6-209, 210.														
33 Texas - If deceased employee was a first responder, then spouse receives death benefits for life, regardless of remarriage.														
34 Washington - The Washington State Legislature has increased the minimum workers' compensation benefits for claims with dates of manifestation (DOM) on or after July 2, 2008. This change results in three different possible minimum rates: -15% of the state average monthly wage (SAMW) + \$1000 for spouse + \$1000 for each dependent child up to five dependent children -100% of the worker's gross monthly wage -Minimum time-loss rate in effect prior to July 2, 2008														
35 Wisconsin - Upon a spouse's death any unpaid balance goes to the spouse's estate.														
36 Wisconsin - The department will reassign the death benefits to children unless a showing is made that reassignment results in an undue hardship for the spouse.														
37 Wisconsin - Special lump-sum payment equal to 75 percent of the primary death benefit, but not less than \$50,000, if deceased employee is law enforcement officer, correctional officer, fire fighter, rescue squad member, diving team member, national or state guard member or emergency management personnel.														
38 Wyoming - If the actual monthly earnings is less than 75% of the SAMW, 90% of actual wage will be the monthly payment; if the actual monthly earnings are greater than 75% of the SAMW, the monthly payment would be 2/3 of the actual monthly wage; spouse benefits pay 100 months, children's benefits are calculated on the months until the child reaches the age of majority.														
39 British Columbia - No 2019 data were provided.														
40 British Columbia - This figure assumes the benefits apply to a surviving spouse with no children. The weekly amount is based on the minimum monthly payment of \$1,117.04, which is calculated by multiplying this figure by 12 months, dividing by 365 days, and multiplying by 7 days. The minimum is the actual minimum paid by the Board. Federal benefits are not deducted from this minimum amount.														
41 British Columbia - This figure assumes there is a surviving spouse with two dependent children using the 2016 maximum wage rate of \$80,600. If there are additional children, a benefit of \$345.66 per child would be added to the weekly maximum.														

Table 11 Fatality Benefits Paid under Workers' Compensation Systems as of January 1, 2019

Jurisdiction	Maximum Burial Allowance	Basis Of Payment For Spouse And One Child	Statutory/Limit For Dependency Benefits	Dependency Benefits		Basis Of Weekly Maximum Calculation	Spouses' Benefits End		Payment Upon Remarriage	Children's Benefits End		Offsets Allowed On Dependency Benefits	Additional Benefits Available
				Weekly Minimum	Weekly Maximum		When Statutory Limit Is Paid	Upon Death		Upon Remarriage	At Age		
42	British Columbia - Note that dependency means a member of the worker's family (a spouse, parent, grandparent, stepparent, child, grandchild, stepchild, sibling or half sibling, and a person who stood in the place of a parent to the worker or to whom the worker stood in place of a parent, whether related to the worker by blood or not) who was wholly or partly dependent on the worker's earnings at the time of the worker's death, or who, but for the incapacity due to the accident, would have been so dependent.												
43	British Columbia - The following funeral/burial benefits are available: emergency lump sum to spouse of \$2,660.14; up to \$1,423.00 for transportation of the body; grief counseling for dependents; and vocational rehabilitation under section 16(2) of the Statute.												
44	New Brunswick - Provides a burial amount equal to 40% of the NBI/AE and an additional amount equal to 50% of the NBI/AE for additional death benefits; in 2019 the NBI/AE is \$43,209.00.												
45	New Brunswick - A surviving spouse must select between two options within a one-year time frame. The spouse will receive 80% of the NBI/AE for one year until the option is made. After which, the option of 85% or 60% plus lump sum must be chosen. An annuity would also be received according to section 38.54 of the WC Act. Dependent children also receive a percentage of the NBI/AE on a scale determined by the child's age.												
46	New Brunswick - At age 65, or where a worker is 63 or more as of the date of the accident, for 2 years. In the case of an invalid child, ongoing; other dependent children up to age 21, if still in school.												
47	New Brunswick - The benefits cannot exceed the compensation that would have been payable to the worker had that worker survived and been unable to work, assuming that estimated capable earnings are zero. When benefits are paid to multiple recipients, benefits are prorated in proportion to the dependency level to ensure benefits do not exceed the maximum benefits payable. The survivor receives a portion of the deceased salary and increases it annually by the percentage increase in the NBI/AE.												
48	New Brunswick - The amount must not exceed the amount that would be received by the injured worker had he or she survived, which is 1.5 multiplied by NBI/AE of \$43,209 (2019) for a maximum of \$64,800.												
49	New Brunswick - Benefits payable under this plan are subject to a family-means test. This means that should the surviving spouse remarry or live with a new spouse, and the net earnings of the new spouse plus the benefits paid to the surviving spouse exceed 85% of the net family income, then only the portion that does not exceed 8.5% is payable to the dependent surviving spouse.												
50	New Brunswick - If a surviving spouse remarries or increases his/her earnings, or receives a new benefit, the new income would be calculated in the annual review. Does not apply to dependent children benefits.												
51	Ontario - If there is a spouse + children then for 2018 the minimum periodic payment on an annual basis is \$23,248.16 and the maximum periodic payment on an annual basis is \$90,300.00.												
52	Saskatchewan - 2018 amount.												