

SCOMM

131:4

Emergency Drills Requirement

Documented fishing vessels of any crew size beyond the Boundary Line, or vessels with more than sixteen people on board within the Line, are required to conduct monthly emergency drills. Drills must be conducted by a trained Drill Instructor.

What to cover in monthly drills:

1. Abandoning vessel.
2. Fighting a fire.
3. Retrieving person overboard.
4. Minimizing flooding.
5. Launching/recovering lifeboats/rescue craft.
6. Donning immersion suits/PFDs.
7. Donning SCBAs (if so equipped).
8. Giving a mayday and using visual distress signals.
9. Activating the general alarm.
10. Reporting inoperative alarms.

For Drill Instructor training in your port contact AMSEA at (907) 747-3287 or amsea@alaska.com. Check out AMSEA's website at www.amsea.org for more safety tips.

Credits:
Alaska Marine Safety Education Association (AMSEA); National Institute of Occupational Safety & Health (NIOSH); U.S. Coast Guard.

Injury data is from the Alaska Trauma Registry 1991-1998. Data from the Fishermen's Fund is from 1994-1998.

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Seven Ways to Get Hurt (or Killed) While Commercial Fishing in Alaska



(Photo: Anker MD, USCG)

... and ideas from fishermen on how to prevent them

- ▶ Commercial fishing can be rewarding and satisfying but it also has hazards. From 1994 to 1998, Fishermen's Fund reported 4,264 injuries. Seventy lives were lost in Alaska in this same period.
- ▶ Enclosed are some ways injuries and fatalities can be prevented.
- ▶ Review with your crew before and during the season.

1. Strains/Sprains

STATISTIC

Strains and sprains accounted for 47% of all Fishermen's Fund reported injuries.

PREVENTION TIPS

- ▶ Use tools to reach and rake in fish. (Petersburg seiner)
- ▶ Do stretching exercises in off season and while on watch or off duty.
- ▶ Work with fish as much as possible at a level where bending over is not necessary.
- ▶ Try to get in shape before the season.
- ▶ Use mats or grates to boost you to the right height at cleaning tables so your arms work in a neutral position. (F/V Capt. Cook)
- ▶ Get help with items too heavy to lift or move by yourself, especially when underway. Work together. (F/V Ocean Cape)



2. Machinery

STATISTIC

The largest single cause of injuries was machinery (43%).

PREVENTION TIPS

- ▶ Shut off engine/motors when working on them to prevent getting snagged.
- ▶ Run a line to a kill switch (Henderson line) where it is accessible but out of the way, so anyone on deck can reach it to shut off hydraulics. (F/V Commander)

- ▶ Limit hydraulics to safe working loads by installing relief valves. (F/V Commander)
- ▶ Don't impulsively grab at lines going out until you're aware of any hazards. (F/V Commander)
- ▶ Never use picking hooks in engine control box as they can jam boat in gear and cause collisions. (F/V Amber J)
- ▶ Wear no buckles or buttons to catch on gear. (Bristol Bay fisherman)
- ▶ Instead of wearing a net-mending knife on a piece of twine around your neck, tie it off to a belt loop. Better to tear your pants than get lynched by the seine block. (F/V Capt. Cook)

3. Falls

STATISTIC

The second leading cause of injuries was falls (34%).

PREVENTION TIPS

- ▶ Use abrasive cleanser on slick engine room surfaces. (F/V Capt. Cook)
- ▶ Good housekeeping! Keep kelp and slime off decks.
- ▶ Use rock grit or coarse sand for hydraulic leaks on deck. (Maine fisherman)
- ▶ Use absorbent pads under hydraulic leaks until fixed. (F/V Ocean Cape)
- ▶ Hang lines with monkey fists from overheads to hold onto in rough weather. (F/V Coral Lee)
- ▶ Renew worn nonskid paint on decks and in skiffs. (Bristol Bay fisherman)
- ▶ Put nonskid surface on ladder rungs and steep stairs. Use nonskid grates or mats in high risk areas.

4. Cuts and Punctures

STATISTIC

Cuts and punctures accounted for 26% of all fishermen's Fund reported injuries.

PREVENTION TIPS

- ▶ Wear protective gloves and gear.
- ▶ Tape those sharp little Victorinox knives horizontally to belt, instead of vertically, to prevent leg punctures. (Kodiak fisherman)
- ▶ To minimize infections, do dishes and/or soak in hot soapy water several times a day to clean out puncture wounds from fish or shrimp. (F/V Capt. Cook)
- ▶ If wound looks infected, wash with Betadine™, soak half hour in hot soapy water as soon as possible, then dry and bandage. Monitor closely for spreading infection.
- ▶ Replace any wire rope that develops "fish hooks". (F/V Capt. Cook)
- ▶ If you keep getting poked by your net-mending knife, round off the tip. (F/V Capt. Cook)
- ▶ Always wear safety glasses when grinding and using power tools. (F/V Predator)



5. Falling Overboard

STATISTIC

About 25% of fatalities are due to falls overboard.

PREVENTION TIPS

- ▶ Wear inflatable suspenders or vest when working on deck. Some inflatables have automatic inflation devices.
- ▶ Do not go on deck alone at night or in rough weather. If need arises, have a spotter. Wear a PFD and Man Overboard alarm. (Petersburg fisherman)
- ▶ When fishing alone, drag a line behind the boat attached to a kill switch. (F/V Troubadour - S.E. troller)
- ▶ On seiners, leave purse line in net, not on deck where it will run across deck when the net is going out. (F/V Commander)
- ▶ Install rear view mirrors on deck to see people in stern. (S.E. Longliner/gillnetter)
- ▶ Rig up man overboard rescue devices ahead of time, using the boat's hydraulics to do heavy lifting. (F/V Amber J)
- ▶ Wear an accessible knife to cut yourself from lines/webbing and to cut bottom of waders to empty water when climbing back onboard. (F/V Laconnu)
- ▶ Always carry a serrated knife you can access and use with one hand. (F/V Capt. Cook)

6. Struck by Objects

STATISTIC

23% of injuries are due to being struck by objects.

PREVENTION TIPS

- ▶ Rig extra safety chains or stays on boom, side stays and power block as preventors.
- ▶ Keep a sharp knife on a pole to cut hung up lines that are under tension to keep you out of the line of tension. (F/V Trident)
- ▶ Avoid pinched toes by painting bright yellow stripes around pot launchers and rigging "preventors" so launchers don't go all the way to the deck. (F/V Ocean Cape)

7. Bruises/Contusions

STATISTIC

Bruises and contusions account for 13% of all Fishermen's Fund reported injuries.

PREVENTION TIPS

- ▶ When crabbing, traditional Type III USCG approved lifevests will provide some protection from pots. (Dutch Harbor fisherman)
- ▶ Wear hard hats when working with overhead gear.
- ▶ Paint hazard areas bright yellow.
- ▶ Use duct tape and foam rubber to soften tight quarters or places that cannot be avoided by tall people.

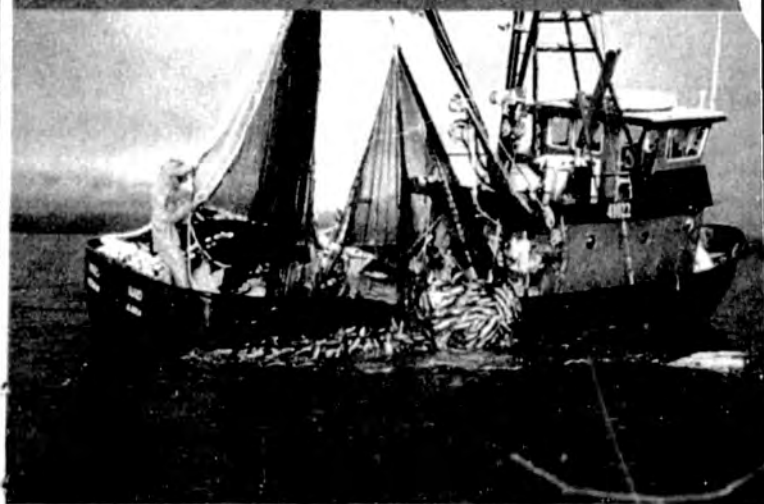
Other Good Practices

- ▶ Safety orientations covering emergency gear and procedures should be given to all new crew before leaving harbor.
- ▶ Seiners: develop ways to get fish out of net without having to lift entire net. Use wedges, straps, etc., to roll part of the net in to minimize stress on rigging and reduce center of gravity from block to increase stability. (F/V Commander)
- ▶ Use double hose clamps on all plumbing, including the deck hose outlet. (F/V Greta)
- ▶ Train crew in basic vessel operations such as navigation and anchoring. (F/V Greta)
- ▶ Have a sea anchor.
- ▶ In a rough anchorage use a fifty pound weight near anchor (a kellet or sentinel) and a surge buoy fifteen fathoms from bow. (Ketchikan fisherman)
- ▶ Keep all work areas well illuminated at night.
- ▶ Develop safety procedures and be open to ways to minimize risks.

Got other deck safety ideas you'd like to share? Submit them to AMSEA at amsea@alaska.com and look for them on our website at www.amsea.org



Commercial Fishermen's Fund



February 2003
State of Alaska
Frank H. Murkowski, Governor

**Are you an injured
Commercial Fisherman?**

**If so, you may qualify for benefits
under the Alaska Fishermen's Fund.**

Injured Fisherman's Checklist

The following checklist is included to help you avoid processing delays. Please be sure to check each box before submitting your claim.

Getting Treatment

☐ *Was treatment received within 60 days of injury?*

Completing the Fishermen's Fund Report

☐ *Is the form filled out completely and accurately?*

☐ *Is the form signed and dated?*

☐ *Is a copy of license or permit attached?*

Completing the Physician's Report of Injury

☐ *Has the report been completed by the doctor or provider?*

Filing the Claim

☐ *If you have medical insurance, did you apply with them first and send a copy of the explanation of benefits to Fishermen's Fund?*

☐ *Did you submit your claim?*

Responding To Fishermen's Fund Inquiries

- *Respond to written and verbal communications in a timely manner to avoid delays.*
- *Notify Fishermen's Fund of any address changes.*

Alaska Commercial Fishermen's Fund

Table of Contents

What is the Fishermen's Fund?	2
Qualifying for Benefits	3
How to File and Avoid Delays.....	3
Primary Insurance Considerations	4
Approvals, Denials, Appeals	9
What is Covered?	10
To Whom Are Benefits Paid?	12
Requesting More Benefits/Time	13
Appendix A—Alaska Statutes – Title 23	14
Appendix B—Administrative Code – Chapter 55 .	18
Appendix C—Vessel Owner/Crewman Agreement	23
Fisherman's and Physician's Reports.....	center

**For your convenience required Reports
of Injury/Illness and Vessel/Site Insurance
are in the Center of this Booklet.**

Fishermen's Fund
P.O. Box 21149
Juneau, AK 99802-1149

Toll Free: 1 888 520 2766
Phone: 1 907 465 2766
Fax: 1 907 465 2797

EMAIL: FishFund@labor.state.ak.us
WEB SITE <http://www.labor.state.ak.us/wc/ffund.htm>

Alaska Department of Labor and Workforce Development
Greg O'Claray, Commissioner

What is The Fishermen's* Fund?

Established in 1951, the Fishermen's Fund provides for the treatment and care of Alaska licensed commercial fishermen who have been injured while fishing in Alaska.

Benefits from the Fund are financed from revenue received from each resident and nonresident commercial fisherman's license and permit fee.

The Commissioner of Labor and Workforce Development oversees administration of the program with the assistance of the Fishermen's Fund Advisory and Appeals Council.

The council is composed of the Commissioner or his designee, who serves as chairman, and five members appointed by the Governor.

Fishermen's Fund Advisory and Appeals Council

District 1

Wrangell and areas south
Russell Cockrum

District 2

Areas north of Wrangell to include Yakutat
Tim Grussendorf

District 3

Areas west of Yakutat to east coast of
Alaska Peninsula, including Prince William Sound,
Cook Inlet, and Kodiak
James Herbert

District 4

Areas west of Alaska Peninsula to
Cape Newenham, including Bristol Bay
Edwin Anderson

District 5

Areas north of Cape Newenham, including
Kuskokwim, Yukon, Kotzebue, and the Arctic
Paul Wold

* Fishermen's refers to both sexes

Qualifying for Benefits

- Crewmembers with injury or illness directly connected to operations as a commercial fisherman **must hold valid commercial fishing licenses or limited entry permits before the time of injury or illness to qualify for benefits.** Note: Eligibility of a limited entry permit holder is based on the embossed date of the permit, not the date on which it was paid or when payment was received.
- Onset of injury or illness must be onshore in Alaska or on Alaska waters.
- Initial treatment must be received within 60 days after onset of injury or illness.
- An application must be submitted within one (1) year after initial treatment.
- Each treatment must be documented by a medical chart note and submitted.

How to File and Avoid Delays

It is the fisherman's responsibility to see that a claim is filed. If the medical provider agrees to file a claim with your insurance company, the Fishermen's Fund, or a federal program such as Medicare, Veterans' Affairs, or the Indian Health Service, it remains the responsibility of the fisherman to see that the claim is complete and filed appropriately.

Immediately following an injury or illness:

- Tell the appropriate medical facility personnel that two reports must be completed:

Fisherman's Report of Injury or Illness

Physician's Report of Injury or Illness

- The fisherman and physician must each fully complete their respective report. These two reports need be completed only once, by the fisherman upon his initial treatment, and by the initial treating physician. All items must be answered and comments provided. (The reports are printed back to back and

included in the center of this booklet. They are also available from most doctors, hospitals, clinics, and some harbormaster offices in Alaska, the Fishermen's Fund and its web site at <http://www.labor.state.ak.us/wc/ffund.htm>

Fishermen's Fund Fisherman's Report

Completing the Report:

- Attach copy of crewmember license or limited entry permit. A copy of the valid license or permit accompanying your application will expedite your claim as much as two to four months. (#10.)
- Note the vessel owner's Protection and Indemnity (P&I) deductible. (#12.)
- Note whether insured by health insurance or covered by a public program such as Medicare, Veterans Administration (VA), Indian Health Service (IHS). (#13.)
- Describe in detail injury or illness and how it was directly connected with commercial fishing. (#14.)
- Be specific as to the geographic location where injury or illness occurred, such as nearest landmark, miles or hours from a reference point. Give latitude and longitude if known. (#15.)
- Sign and date application. (#19.)
- Submit the reports immediately. The Fisherman's Report is considered the fisherman's application for Fund benefits.
- Include a permanent mailing address and advise of address changes. Benefits may be denied if you do not receive and respond to an inquiry.

Please respond completely and promptly.

Failure to do any of the above can delay your claim.

When do the Fund's benefits kick in?

The Fund is an emergency fund payer of last resort, which means that benefits are awarded only after full consideration of other coverage from private health or vessel insurance, and public programs, including Veterans' Affairs or Medicare. (Medicaid is an exception.)

Processor Activities and Processor/Tender Vessels

A worker whose injury or illness is directly connected to a processing activity does not qualify for Fund benefits, but may be covered under Workers' Compensation.

A fisherman on a freezer or troller vessel who becomes injured or ill as a result of processing activities related to freezing the product would generally not be covered.

However, a fisherman injured or becoming ill on a tender vessel is usually covered unless the incident was directly connected to processing activities.

Withdrawing an Application

Withdrawing an application requires a written request from the applicant fisherman.

Primary Insurance Considerations

If you have medical insurance, the Fund must have a written statement—Explanation of Benefits (EOB)—verifying you have filed a claim for each of your medical expenses with your health insurance carrier.

Vessel or Site P&I (Protection and Indemnity) Insurance

If the fisherman applicant does not indicate the P&I deductible on the application, a Report of Vessel or Site Insurance will be requested to verify whether P&I coverage exists, and if so, the amount of the deductible and the name of the vessel owner's insurance carrier or adjuster. If the deductible is unknown, benefits will be limited to \$2,500.

If expenses exceed, or will be expected to exceed, the deductible under a vessel owner's P&I policy, the fisherman applicant must file with the vessel owner's insurance carrier. These expenses are usually covered under the P&I policy. Expenses not covered should be submitted to the Fishermen's Fund. Otherwise, eligible expenses paid from the Fund which exceed the P&I deductible will be recovered under 8 Alaska Administrative Code (AAC) 055.010 (e) and by exercising subrogation rights under 8 AAC 055.035.

The vessel owner's deductible payment to the insurance company is considered a contribution to the insurance liability covered under the policy and is not recoverable from the Fishermen's Fund.

A vessel owner who pays for transportation or medical expenses for the injured or ill fisherman may be reimbursed if an agreement exists verifying that the employer advanced the money or paid any medical treatment on their behalf. A crewmember may be reimbursed if there is verification that the employer deducted the payments directly from wages due the injured or ill fisherman. Reimbursement cannot be made without the above supporting information.

Alternatively, the injured or ill fisherman and the vessel owner may complete the Vessel Owner-Crewmember Agreement, both signing to attest their understanding that the expenses paid by the owner were paid as a loan to the crewmembers. The wording of the form may be revised to fit the circumstances. There is no assurance this agreement in any way complies with marine law. (Agreement in Appendix C)

Indian Health Service (IHS) Beneficiaries

- A fisherman who is eligible to receive direct care services from an IHS facility is expected to utilize these services when possible. In the event that an IHS recipient chooses not to use an IHS facility when it is available, the fisherman must justify to the Council his/her reason for not using the IHS facility.
- The Fund covers (pays for) services for IHS eligible individuals for items and services that are not covered by IHS; i.e., eyeglasses, chiropractic care, and dentures, if a legitimate claim is filed. However, direct care services that are covered by the IHS are not eligible for benefits from the Fund.
- If an IHS facility makes a referral to another facility that is not an IHS facility, the Fishermen's Fund is responsible for the first \$2,500. The Fund should be provided with a copy of the billing form to pay the claim.
- When a direct care provider is not available, the Fishermen's Fund will pay emergency or urgent care at a non-IHS facility. Limitations on a fisherman's time are taken into consideration when determining "not available." (Opinion of Attorney General 611-01-0269)

Fishermen's Fund Physician's Report

Completing the Report:

Questions 1-4 may be answered by attaching medical records and noting, "See attached chart notes."

Questions 5-14 require very little time to complete, and a clerical assistant may answer most of them.

Questions 6 and 7 must be answered by the initial treating physician, to confirm that the injury is directly connected with the commercial fishing operations of the fisherman applicant.

Chart notes or medical records are required, as an attachment to the Physician's Report, but do not substitute for it. The physician may use the "see attached" notation for numbers 2 & 4 on the Physician's Report if the form is signed and the fishing-related questions are answered.

The Physician's Report serves many purposes, such as providing the necessary information in a logical order and concise manner to expedite processing and approvals for payment.

When bills are received for the treatment of an injury or illness for which an application has not been filed, the fisherman and all medical providers will be sent a letter informing them no action can be taken until an application has been filed.

Council Review

When the Fishermen's Fund administrator cannot immediately approve an application for benefits, it must go before the Fishermen's Fund Advisory and Appeals Council for review. The Council meets twice a year, usually in November and March.

Common reasons for delays that require the Council's review:

1. No response to an inquiry about items on an application.
2. Failure to seek treatment within 60 days of the onset of the injury or illness.
3. No evidence of a license at the time of injury or illness.
4. Injury or illness unrelated or not directly connected to operations of a commercial fisherman in Alaska.

Just Cause

The Council may approve benefits when just cause is demonstrated for the delay in the following circumstances:

- Initial treatment is received more than 60 days after the onset of injury or illness.
- Complete responses to inquiries are not received within 90 days.
- An application was received more than 1 year after the initial treatment.

Just cause for the delay should be explained in writing.

Establishing Just Cause for:

Not Seeking Treatment within 60 Days of Injury or illness

Not Filing within One (1) Year of Initial Treatment

Not Responding to an Inquiry within 90 Days.

Not Responding to an Inquiry for, or Receiving an Explanation of Benefits (EOB) within 180 Days

When a fisherman does not meet the timelines established above, and the Council has determined just cause for the delay exists, the Council may allow the administrator to approve benefits if:

- A written statement is received from a physician or fisherman which: states the late treatment or surgery was necessary to correct injuries or illnesses such as a hernia, carpal tunnel, or musculoskeletal condition; and notes the injury was directly connected to the commercial fishing activity described in the fisherman's application; and states that any delay in treatment was for the purpose of allowing the physician or fisherman to observe whether remedial treatments or time would correct the condition.
- A letter from the provider (i.e., hospital, medical clinic, etc.) or from an insurance company or public program noting the delay in filing or responding timely was their fault; or,

- Verbal or written evidence from the fisherman applicant that the late filing or response was due to their medical condition, fishing responsibilities, or an emergency requiring the fisherman's attention.

Approvals, Denials, Appeals

Applications must be sent to the administrator.

When a decision indicates, "Your claim cannot be approved by the administrator," it does not mean the fisherman is denied benefits. Often further information is required to enable approval by the administrator, or by law the application requires approval by the Council.

Reconsideration or Appeal

In the event the administrator cannot approve an application, all parties will be notified in writing of the reason. The application will be reviewed and a final determination made at the next meeting of the Fishermen's Fund Advisory and Appeals Council. Parties will be notified of the time and place of the meeting and may submit written information supporting the application or may appear before the Council. A Notice of the Council's decision will be mailed to all parties, usually within four weeks. A decision may be reconsidered or appealed as noted below.

In some cases the Council will deny benefits unless certain conditions are satisfied by a certain time. The fisherman, therefore, must read the Council decision carefully and fulfill all the conditions to assure the best opportunity for approval.

- Under Alaska Statute 44.62.540(a), the fisherman has the right to file a Petition of Reconsideration to the Council within 15 days after the mailing of the decision.
- Under Alaska Administrative Code 8 AAC 055.030(d), the fisherman has the right to appeal the decision of the Council to the Commissioner of Labor within 45 days after receipt of the notice of the decision. The appeal must contain a complete statement of the justification including a description of the relief sought.

- A request for reconsideration or appeal must be in writing, signed by the claimant, and filed by mail or in person at the Office of the Commissioner, Department of Labor and Workforce Development, PO Box 21149 (1111 West 8th Street), Juneau, AK 99802. Otherwise, the Council decision is final.

What is Covered?

Related costs of transportation, medical care, hospitalization, prescriptions, therapy, and chiropractic care will be paid for an occupational injury or illness if it is "directly connected with operations as a commercial fisherman" in Alaska waters or on shore preparing or dismantling boats or gear used in commercial fishing.

Those costs noted above that are necessitated by a cardiovascular disease may be paid if "attributable, directly or indirectly, to the fishing endeavor" (AS 23.35.080). A fisherman is also entitled to "such assistance after discharge from the hospital during period of convalescence as allowed in consideration of the condition of the Fund" (AS 23.35.090).

The total allowance for any one heart attack is \$2,500.

Covered Injuries or Illnesses. Occupational illnesses or diseases which may be covered include: hernias, varicose veins of the leg; rheumatism, arthritis, musculoskeletal ailments such as bursitis, traumatic sciatica and tenosynovitis; the respiratory diseases bronchitis, pneumonia, and pleurisy caused by or aggravated by the fishing endeavor.

With respect to a pre-existing injury, if subsequent aggravation is attributable strictly to that injury, and does not amount to a new injury, then, as with a recurring disability, benefits will not be awarded (AS 23.35.130, Opinion of Attorney General).

What is Not Covered? Conditions of Coverage

Noncovered Illnesses and Diseases and Other Conditions. Illnesses or diseases and other conditions not covered include strep throat, tonsillitis, the common cold, influenza, ulcers, cancer, appendicitis, insect bites, salmonella, giardia, smok-

ing related conditions, cracked teeth or loose fillings from eating. Sexually transmitted diseases or drug or alcohol related injuries, and those caused by not following good hygiene and health practices, or improper care are not covered. Ear infections caused from diving in a commercial fishery are covered but not when due to a cold.

Chronic Conditions. Chronic injuries, although aggravated by the fishing endeavor, may not be covered since they are usually pre-existing and not directly connected to the operations of a fisherman.

Three-Month Gap in Treatment. The Council must reassess the treatment of an injury or illness when there is a three-month gap in the treatment. A doctor's statement is required noting how the treatment was directly connected to the prior commercial fishing injury.

Fifth Injury Within Eight Years to the Same Area of the Spine. A doctor's statement is required when an application for benefits is received to cover expenses related to the fisherman's fifth injury or illness for the same area of the spine within eight years. The statement is necessary to determine whether it is a new acute injury or illness or if it is a chronic condition, which is not covered.

Dental and Eye. Dentures, glasses or contact lenses lost or broken may be replaced or repaired only when lost or broken in activities directly connected to operations as a fisherman. A claim for dental injury without other bodily damage must be supported by a doctor's report that substantiates the injury's direct connection to operations as a fisherman, or an affidavit may be required.

Carpal Tunnel. No benefits will be allowed for surgery until all other alternative treatment has been explored. If surgery is required after exploring these alternatives, the Council must review the application to see if the need for surgery is caused by the fishing endeavor. If surgery is required, the fisherman must provide in writing, or present to the Council in person, the following:

1. The extent of alternative treatment pursued;
2. A ten-year history of work experience including the number of years commercially fishing and type of fishing;

3. How the injury or illness has affected the ability to fish; and
4. Any other information considered pertinent.

Away from the Boat. An injury or illness occurring away from the boat or fishing site will be covered as long as it is directly connected to operations as a fisherman, such as injuries incurred on a dock while hauling gear to the boat or at home repairing commercial fishing gear.

Transportation. Costs are covered to and from the vessel, fishing or gear repair or storage site to the nearest medical facility where appropriate emergency care can be provided. Additional transportation costs to receive specialized or skilled care unavailable at the nearest approved medical facility must be supported by a written statement from the attending physician which clearly defines the specialized medical skill required and the nearest place where it is available. Approval of additional transportation costs may require consideration of the financial condition of the Fund.

Costs incurred for transportation after discharge from the hospital during period of convalescence may be approved to return the fisherman to the boat, home or another place that reasonably meets with the fisherman's convenience. (AS 23.35.090-100, 8 AAC 055.010 (d) and AS 23.35.080 & 100.)

To Whom are Benefits Paid?

Benefits will be paid only to the medical provider or to the fisherman — to the provider if the bill is outstanding, or to the fisherman if his payment is verified by evidence such as cancelled checks, receipts, or bills or statements from medical providers.

A vessel owner who pays a bill can be reimbursed if the Fishermen's Fund administrator receives evidence in writing that there was a prior agreement that the vessel owner would pay any medical expenses, or would advance payment with an agreement to be reimbursed. The fisherman will be reimbursed instead of the vessel owner if the fisherman submits evidence that the vessel owner deducted these expenses from the fisherman's compensation. However, these reimbursements do

not imply that such an agreement or understanding is in compliance with marine law.

See Appendix C for an example of agreement.

Requesting More Benefits or Time

Except for compelling reasons, benefits for the care of any one person involving a single injury or disability will not be paid beyond one year from the date of initial allowance, and cannot exceed \$2,500.

Requests to exceed the benefit limit or the duration of care must be in writing. They must note the "amount of relief" or additional benefits needed, or the "extent of additional time" required. Compelling reasons justifying the request must be specified. The Council must approve all requests.

Compelling reasons to exceed \$2,500 are not defined in law but must be sufficient to justify the requested benefit or time extension and must include:

- The financial status of the fisherman.
- Impact of injury or illness on the fisherman's ability to earn a living while undergoing required treatment and to continue to earn a living commercial fishing.
- Any other compelling factors that affect the fisherman's ability to pay for related expenses in excess of \$2,500, or that result in conditions that require follow-up treatment beyond one year.

Please remember to note:

How much additional relief or money is needed in excess of what the fisherman can pay and/or the amount of extended time wanted beyond one year.

Appendix A

Alaska Statutes

Title 23

Labor and Workers' Compensation

AS 23.35.010. Creation of Fishermen's Fund Advisory and Appeals Council.

There is within the Department of Labor and Workforce Development a Fishermen's Fund Advisory and Appeals Council.

AS 23.35.020. Appointment and Composition of Council.

The council is composed of the commissioner of labor and workforce development or a person designated by the commissioner and five members appointed by the governor for overlapping five year terms. The governor shall appoint one member from each of the following districts:

District 1: Wrangell and areas south;

District 2: Areas north of Wrangell to include Yakutat;

District 3: Areas west of Yakutat to East Coast of Alaska Peninsula, including Prince William Sound, Cook Inlet, and Kodiak;

District 4: Areas west of Alaska Peninsula to Cape Newenham, including Bristol Bay;

District 5: Areas north of Cape Newenham, including Kuskokwim, Yukon, Kotzebue, and the Arctic.

Sec. 23.35.030. Commissioner or designee as chair.

The commissioner of labor and workforce development or the person designated by the commissioner serves as the chair of the council.

AS 23.35.040. Duties of Commissioner and Council.

The commissioner shall consult with the council before the commissioner makes a negative decision on an appeal filed with the commissioner in relation to the care of a sick and disabled fisherman.

AS 23.35.050. Regulations.

The department may adopt regulations to carry out the purposes of this chapter, including those that are necessary or advisable to protect the fund by limiting or suspending payments from the fund. The regulations must be uniform in application.

AS 23.35.060. Creation and Administration of Fishermen's Fund.

(a) There is created a fund, designated as the "fishermen's fund." The Department of Revenue is the custodian of the fund and the Department of Labor and Workforce Development shall administer it. The fund shall be composed of 39 percent of the money derived by the state from all commercial fishermen's licenses and money appropriated to carry out the purpose of this chapter.

(b) The legislature may appropriate up to 50 percent of the interest income earned by the state on the balance of the fishermen's fund for a grant for statewide marine safety training and education programs.

AS 23.35.070. Benefits.

A fisherman, upon becoming disabled, is entitled to receive benefits as follows: Immediately after the fisherman sustains an injury or disability arising out of an accident directly connected with operations as a fisherman, either ashore in the state or in Alaska water, or suffers an occupational disease, the fisherman is entitled to emergency treatment, transportation to the nearest place where approved medical facilities are available, medical care, and hospitalization. In this section, "Alaska water" means the inland and territorial water of the state and the fishery conservation zone adjacent to the state established by 16 U.S.C. 1811 (sec. 101, Fisheries Conservation and Management Act of 1976).

AS 23.35.080. Emergency Treatment For Cardio-Vascular Diseases.

The department may pay the costs, within the maximum limitations, of emergency treatment, transportation, medical care, and hospitalization, necessitated by a cardio-vascular disease, if the department determines that the disease is attributable, directly or indirectly, to the fishing endeavor.

AS 23.35.090. Assistance After Discharge.

A fisherman is also entitled to such assistance after discharge from the hospital during period of convalescence as the department allows in consideration of the condition of the fund.

AS 23.35.100. Transportation, Hospital, Nursing, Medical, and Surgical Expenses.

The department may pay out of the fund all reasonable transportation charges incurred under AS 23.35.080 and 23.35.090, including cost of returning the fisherman to the boat or home of the fisherman or to another place that reasonably meets with the fisherman's convenience, and the reasonable hospital, nursing, medical, and surgical expense incurred in the examination, treatment, and care of the fisherman.

AS 23.35.110. Contracts For Care.

In carrying out this chapter, the department may enter into contracts or other arrangements with hospitals and doctors in the state for furnishing care on an annual basis to persons entitled to benefits. Contracting under this section is governed by AS 36.30 (State Procurement Code)

AS 23.35.120. Cooperation With Other Agencies.

In providing care the department shall provide the type and quality of treatment that will restore the fisherman to health and productivity, if possible. The department may enter into cooperative arrangements with agencies of the federal government, other states and territories, and private clinics and rehabilitation centers for the care and treatment of fishermen.

AS 23.35.130. Duration of Care.

Except for compelling reasons, compensation may not be paid for the care of any one person involving a single injury or disability beyond a period of one year from the date of initial allowance.

AS 23.35.140. Limitation On Benefits.

(a) Except for compelling reasons:

(1) compensation may not be paid for medical care or hospitalization furnished before the ascertainable time of injury, or before authorization in the case of disability caused by an occupational disease;

(2) the total allowance for any one injury or disablement is \$2,500.

(b) The total allowance for any one heart attack is \$2,500.

AS 23.35.150. Definitions. In this chapter

(1) "approved medical facilities" and "medical care" include the facilities of, or the care and treatment prescribed or performed by, a practitioner of chiropractic licensed by the state under AS 08.20;

(3) "council" means the Fishermen's Fund Advisory and Appeals Council;

(5) "fisherman" means a person who is licensed by the state to engage in commercial fishing under AS 16.05.480 or who is the holder of a permit issued under AS 16.43 and who, at the time injury is sustained or illness is contracted, is actually so engaged or is occupied in Alaska in preparing or dismantling boats or gear used in commercial fishing;

(6) "fund" means the Fishermen's Fund;

(7) "occupational disease" means hernia; varicose veins of the leg; the respiratory diseases, bronchitis, pleurisy, and pneumonia caused by or aggravated by the fishing endeavor, but excluding the common cold and influenza; rheumatism, arthritis, and those musculoskeletal diseases (such as bursitis, traumatic sciatica, and tenosynovitis) directly caused by or aggravated by the fishing endeavor; and does not include a disease not common to both sexes, venereal disease, or a condition arising out of an attempt of a fisherman to injure self or another.

Appendix B

Alaska Administrative Code Chapter 55. Fishermen's Fund

8 AAC 055.010. Benefits.

(a) To be eligible for benefits from the fund, a person must be a fisherman who, at the time an injury is sustained or illness is contracted, is licensed in his own name by the state to engage in commercial fishing under AS 16.05.480 or AS 16.43, and who is actually so engaged in Alaska water or is occupied in the state preparing or dismantling boats or gear used in commercial fishing.

(b) Benefits for respiratory diseases are limited to bronchitis, pleurisy and pneumonia caused by or aggravated by the fishing endeavor.

(c) Unless required as a result of accidental bodily injury caused by the fishing endeavor, benefits may not be awarded for the following items:

- (1) the services of a dentist;
- (2) dental prosthetic appliances or the fitting of them;
- (3) eye refractions and hearing examinations;
- (4) eye glasses and hearing aides or the fitting of them.

(d) Transportation to return a fisherman to his home may be allowed to the extent that the costs are in addition to those which the claimant would normally have encountered had he not been injured.

(e) Compensation from the fund is limited to medical expenses that are not otherwise covered by public or private insurance. The fund may require information regarding insurance coverage, including an insurance benefits statement, and may hold a claim in abeyance pending the receipt of required information. (Eff. 3/28/74, Register 49; am 4/11/81, Register 78; am 7/28/93, Register 127)

Authority:	AS 23.35.050	AS 23.35.100
	AS 23.35.070	AS 23.35.150(6)

8 AAC 055.020. Pleadings.

(a) Proceedings before the council are commenced by filing an application, with the administrator, in writing which consists of the following:

(1) a certificate of eligibility completed by the fisherman on a form prescribed by the administrator; and

(2) a physician's report of injury or illness completed by the attending physician on a form prescribed by the administrator.

(b) A separate application shall be filed for each separate and independent occupational injury or occupational illness for which benefits are claimed.

(c) Benefits may not be awarded unless the following conditions are either met or excused by the council for just cause:

(1) the applicant receives treatment within 60 days after the date of occupational injury or onset of occupational illness and the claim application is submitted within one (1) year after initial treatment;

(2) the applicant responds within 90 days after the date of inquiry to inquiries seeking clarification of any item on an application or of any item on a billing for services performed or goods supplied;

(3) price lists and fee determinations are submitted by the provider of care to the administrator within 30 days after the date requested; and

(4) costs are submitted by the provider of care or fisherman within one (1) year after the date they are incurred.

(d) A petition is a request for an extension of duration of care, waiver of benefit limitations, assistance after discharge from a hospital or additional transportation allowances. Petitions for extension of duration of care or waiver of benefit limitations must cite those reasons the petitioner believes justify granting the relief sought. The council may consider the condition of

the reserve balance of the fund and the petitioner's insurance coverage relating to the claimed injury in determining whether to grant the petition. Petitions for assistance after discharge from the hospital must include the dates during which hospitalization occurred. Petitions for additional transportation allowances may be considered only for the purpose of providing specialized medical skills which are unavailable at the nearest approved medical facility. The petition must include a written statement from the attending physician which clearly defines the specialized medical skill required for the petitioner and the nearest place where it is available.

(e) Petitions under (d) of this section shall be submitted to the council for review and recommendations.

(f) The administrator shall notify, in writing, each petitioner or other party of the council's decision on the petition submitted under (d) of this section. The decision of the council is final.

(g) Each applicant and petitioner is required to promptly inform the administrator of any changes to the applicant's or petitioner's address. (Eff. 3/28/74, Register 49, am 4/11/81, Register 78; am 9/10/98, Register 147)

Authority: AS 23.35.050 AS 23.35.130 AS 23.35.100 AS 23.35.140

8 AAC 055.030. Appeals.

(a) The administrator shall submit a written notice to each fisherman whose application cannot be accepted based on criteria set out in the law and regulations stating the reason why the payment cannot be made.

(b) The council shall review each application which has not been approved for payment by the administrator. Each fisherman who has an application pending before the council shall be notified in writing by the administrator of the time and place of a council session at least 10 days before the session. Each fisherman may submit additional evidence to the council in support of his claim. The evidence may be presented in writing, by personal appearance, or by both methods.

(c) The administrator shall notify, in writing, each fisherman and party with an application before the council of the council's decision on the application.

((d) A fisherman may appeal the decision of the council. The council's decision is final unless appealed to the commissioner within 45 days after mailing of the notice of the council's decision. The appeal must be in writing and must include a description of the relief sought. The commissioner's decision will be based on a consideration of the whole record and will state the facts relied upon. The decision of the commissioner is final. (Eff. 3/28/74, Register 49; am 4/11/81, Register 78; am 9/10/98, Register 147)

Authority: AS 23.35.040 AS 23.35.050

8 AAC 055.035. Right to Subrogation.

If the department pays benefits from the fund, the department, to the extent of the value of the benefits, is subrogated to the rights of the fisherman for a claim against a third party arising from an injury, disability, occupational disease, or cardiovascular disease covered by AS 23.35.010 - 23.35.150 and this chapter and to the proceeds of an insurance policy covering an injury, disability, occupational disease, or cardiovascular disease covered by AS 23.35.010 - 23.35.150 and this chapter. (Eff. 12/26/86, Register 100)

Authority: AS 23.35.050

8 AAC 055.040. Definitions.

In this chapter unless the context requires otherwise

(1) "administrator" means the individual responsible for the administration of the Fishermen's Fund program;

(2) "council" means the Fishermen's Fund Advisory and Appeals Council;

(3) "fund" means the Fishermen's Fund. (Eff. 3/28/74, Register 49)

Authority: AS 23.35.050

Appendix C

Vessel Owner (Employer) – Crewman Agreement Regarding Medical and Related Transportation or Other Expenses

I, _____,
vessel owner or operator of the

TV _____

and _____,

crewman on this vessel, have agreed that any medical or related expenses paid by the said vessel owner or operator are not business expenses of the vessel and were paid as a loan to the said crewman or paid directly to the provider of the services. If a loan, these expenses have been or will be deducted from the crewman's share or be paid. Further, any expenses eligible for reimbursement by the Alaska Commercial Fishermen's Fund that have been paid by the vessel owner are authorized by the said crewman to be paid directly to the said vessel owner or operator.

Crewman Signature

Date

Vessel Owner Signature

Date

Vessel Owner SS/TAX I.D. #

Vessel Owner Address/Phone #



Alaska Commercial Fishermen's Fund

Alaska Department of Labor and Workforce Development
P.O. Box 21149
Juneau, Alaska 99802-1149



Fishermen's Fund

FISHERMAN'S REPORT OF INJURY/ILLNESS

TOLL FREE: 1-888-520-2766
TELEPHONE: (907) 465-2766
FAX: (907) 465-2797
Email: FishFund@labor.state.ak.us
http://www.labor.state.ak.us/wc/ffund.htm

Upon completion, **MAIL IMMEDIATELY** with the Physician's Report of Injury/Illness on the reverse side.

You must file within one year of first treatment, complete every item below, and submit copy of license/gear card.

1. NAME (Last, First, Middle Initial)		2. SEX ☐ M ☐ F	3. DATE OF BIRTH	4. SOCIAL SECURITY NUMBER (Optional)
5. STREET OR BOX NUMBER		6. HOME TELEPHONE ()		7. NAME OF VESSEL
8. CITY	STATE	ZIP CODE		
10. COMMERCIAL FISHING LICENSE OR PERMIT NUMBER Date Purchased _____ MUST ATTACH COPY		11. DATE AND TIME OF INJURY OR ONSET OF ILLNESS DATE: _____ TIME: _____ ☐ AM ☐ PM		
12. IS THE VESSEL/SITE INSURED BY PROTECTION & INDEMNITY (P&I) INSURANCE? ☐ NO ☐ DON'T KNOW ☐ YES If yes, deductible amount is: \$ _____ INSURANCE CARRIER: _____ HAS A CLAIM BEEN FILED? ☐ NO ☐ YES				
13. AT THE TIME OF YOUR INJURY/ILLNESS WERE YOU INSURED BY ANY PERSONAL, GROUP MEDICAL OR PUBLIC (Medicare, V.A. or Indian Health Svc., etc.) INSURANCE? BENEFITS CAN'T BE PAID UNLESS ANSWERED. ☐ NO ☐ YES, AND Name of Ins. Co./Public Program: _____				
14. STATE INJURY/ILLNESS AND NOTE IN DETAIL WHAT, WHERE AND HOW INJURY/ILLNESS OCCURRED; AND HOW DIRECTLY CONNECTED WITH COMMERCIAL FISHING				
15. GEOGRAPHIC LOCATION, NEAREST LANDMARK, LAT. & LONG., ETC. BE SPECIFIC			16. ILL/INJURED WHILE: ☐ Commercial Fishing ☐ Working on Gear/Boat ☐ Other: _____	
17. WAS THERE A WITNESS? ☐ NO ☐ YES If Yes, Name: _____ Tel. Number: () _____ Address: _____				

18. Check one Fishery Resource category AND one Gear Type category below for license/permit in effect at time of injury/illness.

Fishery Resource

- | | |
|--|--------------------------------------|
| (C) ☐ Black Cod | (P) ☐ Shrimp |
| (M) ☐ Bottomfish | (U) ☐ Urchin |
| (D) ☐ Crab, Dungeness | ☐ Other _____ |
| (K) ☐ Crab, King | |
| (T) ☐ Crab, Tanner | |
| (B) ☐ Halibut | |
| (G) ☐ Herring, roe | |
| (L) ☐ Herring, spawn | |
| (Y) ☐ Rockfish | |
| (S) ☐ Salmon | |
| (Q) ☐ Sea Cucumber | |

Gear Type

- | | |
|---|---|
| (02) ☐ Beach Seine | (21) ☐ Pound |
| (12) ☐ Dive, Hand pick | (31) ☐ Purse/Gill combo |
| (03) ☐ Drift Gill Net | (01) ☐ Purse Seine |
| (26) ☐ Jig | (10) ☐ Ring |
| (06) ☐ Long Line (under 5 tons) | (04) ☐ Set Gill Net |
| (61) ☐ Long Line (5 tons or over) | (88) ☐ Tendering (no gear) |
| (34) ☐ Net, Herring | (05) ☐ Troll, Hand |
| (09) ☐ Pot Gear (undocumented
or register length to 50 ft.) | (15) ☐ Troll, Power |
| (91) ☐ Pot Gear (register length
over 50 ft.) | (17) ☐ Trawl, Beam |
| | (07) ☐ Trawl, Otter |
| | (99) ☐ Other _____ |

CERTIFICATE

19. I swear all the above is true and certify under penalty of perjury, that I _____, have been engaged as a commercial fisherman in the State of Alaska; that while so engaged on _____ at _____ I suffered an injury or illness directly connected with my operations as a commercial fisherman; that on the above date I possessed a current valid commercial fishing license/permit issued by the State of Alaska in my name; that I believe I am entitled to benefits from the Fishermen's Fund and understand that if I or my representative files suit to recover damages from a third person I will insure the damages sought include the full value of benefits paid from the Fund and upon recovery of any damages I shall promptly pay to the Fund the total benefits that have been paid from the Fund without any deductions for litigation expenses or costs.

Release of Medical Information:

I authorize any licensed physician, hospital, laboratory or health care provider of any kind to release to the Alaska Commercial Fishermen's Fund any medical information concerning my injury/illness, or the injury/illness of the person named above for whom I have legal authority to make authorizations.

Signature _____ (Do Not Print) DATE _____
Month Day Year

Alaska Mailing Address _____

Permanent Mailing Address _____

Fisherman must promptly inform of any address changes

**Excerpts from Alaska Fishermen's Fund law appear on reverse side.
Refer to Alaska Fishermen's Fund booklet for further information.**

Fishermen's Fund

PHYSICIAN'S REPORT OF INJURY/ILLNESS

UPON COMPLETION MAIL IMMEDIATELY WITH THE FISHERMAN'S REPORT OF INJURY/ILLNESS
ON THE REVERSE SIDE

ALL ITEMS BELOW MUST BE ANSWERED (8 AAC 55.020(a)(2)) AND COMMENTS PROVIDED!

1. DATE(S) OF TREATMENT	2. FULLY DESCRIBE NATURE AND EXTENT OF INJURY/ILLNESS, AND STATE YOUR OBJECTIVE FINDINGS OR STATE, "SEE ATTACHED CHART NOTES," AND RESPOND TO ITEMS 5-14 BELOW		
3. DIAGNOSIS ☐ LEFT ☐ RIGHT			
4. DESCRIBE TREATMENT GIVEN BY YOU			
5. WAS PATIENT "INITIALLY" TREATED BY ANYONE ELSE FOR THIS INJURY/ILLNESS? ☐ NO ☐ DON'T KNOW ☐ YES IF YES, BY WHOM: _____ HOSPITAL: _____			
6. a. WAS INJURY/ILLNESS "DIRECTLY CONNECTED" WITH COMMERCIAL FISHING OPERATIONS? ☐ YES ☐ MORE LIKELY THAN NOT ☐ DON'T KNOW ☐ NO			
b. WERE ALCOHOL, DRUGS, FIGHTING OR HORSEPLAY INVOLVED? ☐ YES ☐ NO			
c. WAS INJURY/ILLNESS IN THIS REPORT CONNECTED TO A PRE-EXISTING CONDITION OR ANY OTHER CAUSE? ☐ YES ☐ MORE LIKELY THAN NOT ☐ DON'T KNOW ☐ NO STATE CAUSE(S): _____			
COMMENTS:			
7. WAS INJURY/ILLNESS IN THIS REPORT THE ONLY CAUSE OF THE PATIENT'S CONDITION? ☐ YES ☐ NO ☐ DON'T KNOW IF NO, STATE CAUSE(S): _____			
8. TREATED AT HOSPITAL? ☐ NO ☐ YES NAME AND ADDRESS _____		9. ☐ OUTPATIENT ☐ INPATIENT ADMIS. DATE: _____ DISCH. DATE: _____	
10. ARE ALL TREATMENTS & EVALUATIONS RELATED TO THIS ILLNESS/INJURY EXPECTED TO EXCEED \$2,500? ☐ NO ☐ YES COMMENT: _____			
11. I AM A DULY LICENSED MEDICAL PROVIDER IN THE STATE OF _____		12. SIGNATURE (SIGN OR USE INK STAMP)	
14. PLEASE PRINT LICENSED MEDICAL PROVIDER NAME OR USE INK STAMP OF NAME, FACILITY NAME, ADDRESS (ZIP CODE + 4)		13. DATE OF THIS REPORT	
		PHONE NUMBER	

Alaska Statutes 23.35.010-150 Alaska Commercial Fishermen's Fund

Excerpts:

Sec. 23.35.070. Benefits. A fisherman, upon becoming disabled, is entitled to receive benefits as follows: Immediately after the fisherman sustains an injury or disability arising out of an accident directly connected with operations as a fisherman, either ashore in the state or in Alaska water, or suffers an occupational disease, the fisherman is entitled to emergency treatment, transportation to the nearest place where approved medical facilities are available, medical care and hospitalization. As used in this section, "Alaska water" means the inland and territorial water of the state and the fishery conservation zone adjacent of the state established by 16 U.S.C. 1811 sec. 101 of the Fisheries Conservation and Management Act of 1976 (Section 5 ch. 100 SLA 1951; am Section 2 ch. 99 SLA 1955; am Section 1 ch. 59 SLA 1957; am Section 1 ch. 15 SLA 1979).

Section 23.35.140. Limitation on Benefits. (a) Except for compelling reasons,

(1) compensation may not be paid for medical care or hospitalization furnished before the ascertainable time of injury, or before authorization in the case of disability caused by an occupational disease;

(2) the total allowance for any one injury or disablement is \$2,500

(b) The total allowance for any one heart attack is \$2,500.

NOTE: MORE THAN \$2,500 MAY BE APPROVED IF SUPPORTED BY COMPELLING REASONS.

Section 23.35.150. Definitions. In this chapter

(5) "fisherman" means a person who is licensed by the state to engage in commercial fishing under AS 16.05.480 or who is the holder of a permit issued under AS 16.43 and who, at the time injury is sustained or illness is contracted, is actually so engaged or is occupied in Alaska in preparing or dismantling boats or gear used in commercial fishing;

(7) "occupational disease" means hernia; varicose veins of the leg; the respiratory diseases, bronchitis, pleurisy, and pneumonia caused by or aggravated by the fishing endeavor, but excluding the common cold and influenza; rheumatism, arthritis and those musculoskeletal diseases (such as bursitis, traumatic sciatica, and tenosynovitis) directly caused by or aggravated by the fishing endeavor; and does not include a disease not common to both sexes, venereal disease, or a condition arising out of an attempt of a fisherman to injure himself or another.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Fishermen's Fund Overview

K. Renee Cox
Administrator

Description

- **Established in 1951, the Fishermen's Fund provides for the treatment and care of Alaska licensed commercial fishermen who have been injured while fishing in Alaska.**
- **Benefits from the Fund are financed from revenue received from each resident and nonresident commercial fisherman's license and permit fees.**

Structure of Fishermen's Fund

- **Fishermen's Fund Advisory & Appeals Council - (5 members)** Review questioned claims; consider extensions of benefits and time; advise on policy.
- **Administrator - Oversees the day to day operations; budget; trouble shoots claims; awareness program; sets policy.**
- **Workforce - (2000-2500)**
Procedure - (2000-2500)
phone - (2000-2500)

Advisory & Appeals Council

- **Russell Cockrum, District 1**
 - Wrangell and areas south
- **Tim Grussendorf, District 2**
 - Areas north of Wrangell to include Yakutat
- **James Herbert, District 3**
 - Cook Inlet, and Kodiak
- **Edwin w. Anderson, District 4**
 - Cape Newenham, including Bristol Bay
- **Paul W. Anderson, District 5**
 - Kuskokwim

Administrator and Staff

- **K. Renee Cox, Administrator**
- **Jean Henkins, Workers' Compensation Tech.**
- **Debi Eagle Raynor, Workers' Compensation Tech.**

Goals

- **To effectively serve injured commercial fishermen**
- **To process claims fast and efficiently**
- **To pay providers in a timely fashion**

Filing a claim with Fishermen's Fund

- Fully complete the Fisherman's Report of Injury/illness Form.
- "Initial" physician must complete the Physicians Report of Injury/illness Form.
- Copy of valid commercial fishing license or permit.
- Bills from the medical provider, hospital or clinic.
- Change of address form.
- P & V form.

Information request

- **General Information Requested**
 - 90 day time limit
- **Insurance Explanation of Benefits (EOB) Requested**
 - 180 day time limit

Important Deadlines

- **Injured fishermen must have a valid crew license/permit at the time of the injury.**
 - **Permits are valid the day they are embossed**
 - **Crew license are valid after the time of purchase**
- **Once injured a fisherman has 60 days to receive treatment.**
- **Once treatment is received, the fisherman has 60 days to receive treatment.**

Emergency Fund

- Fishermen's Fund is an emergency medical fund. It is considered a payer of last resort.
- Primary insurance must be billed first.
- Fishermen's Fund will pay before MEDICAID only.
- Indian Health Service (I.H.S.)
 - Direct care services are NOT covered by Fishermen's Fund.
 - Indirect care services are covered by Fishermen's Fund.
 - Services that are not provided by I.H.S. are covered. Such as:
 - Chiropractic care
 - Emergency services
 - Dental services
 - Therapeutic services
- P & I De

Benefits

- **\$2500 benefit limit per injury/accident**
- **1 year limit from date of approval**

Extensions (benefits & time)

- **Request extensions with a Compelling Reasons Questionnaire.**
- **Written explanation of why claimant needs extension.**

Misconceptions about Fish Fund

- Fish Fund does NOT pay the vessel owner's P&I deductible.
- Primary Insurance is billed first EXCEPT for MEDICAID.
- Only pay medical bills and emergency transportation.
- Food and lodging are not covered.

P & I Insurance

- Does not pay vessel deductible
- Will contact P&I company if bill exceeds or is expected to exceed \$2500.
- Total bill before primary insurance is considered when filing with P&I.

CONDITION OF FISHERMEN'S FUND
REPORT

YEAR	RECEIPTS	FUNDS AVAILABLE AT YEAR END	NUMBER OF CLAIMS
FY90	1,545,300.00	3,382,500.00	2101
FY91	1,651,400.00	3,381,900.00	1943
FY92	1,599,300.00	4,891,200.00	1787
FY93	1,492,400.00	5,808,500.00	1538
FY94	1,494,600.00	6,580,500.00	1405
FY95	1,272,500.00	7,367,700.00	1237
FY96	1,556,700.00	8,305,400.00	1002
FY97	1,232,900.00	9,484,800.00	946
FY98	1,146,900.00	9,657,834.00	816
FY99	1,196,703.00	10,495,242.00	806
FY00	1,196,999.10	10,729,131.00	856
FY01	1,182,554.10	11,447,962.00	786
FY02 ←	1,079,755.90	11,717,248.53	808 →
FY03	495,999.20	11,783,922.03	470

	BENEFITS PAID	ADMINISTRATIVE EXPENSES	TOTAL EXPENSES	REVENUE
FY03	315,891.00	139,694.00	455,585.00	495,999.20
FY02	584,408.00	223,565.00	807,973.00	1,079,755.90
FY01	531,366.00	211,964.00	743,330.00	1,182,554.10
FY00	497,998.00	201,748.00	699,746.00	1,196,999.10
FY99	597,542.00	211,576.00	809,118.00	1,196,703.00
FY98	399,967.00	198,982.00	598,949.00	1,146,900.00
FY97	447,500.00	188,500.00	636,000.00	1,232,900.00
FY96	290,200.00	187,100.00	477,300.00	1,556,700.00
FY95	339,400.00	206,000.00	545,400.00	1,272,500.00
FY94	445,700.00	222,900.00	668,600.00	1,494,600.00
FY93	493,400.00	243,700.00	737,100.00	1,492,400.00
FY92	593,900.00	172,900.00	766,800.00	1,599,300.00
FY91	593,300.00	168,000.00	761,300.00	1,651,400.00
FY90	644,400.00	163,300.00	807,700.00	1,545,300.00

As of February 7, 2003

CONDITION OF FISHERMEN'S FUND
REPORT

YEAR	RECEIPTS	FUNDS AVAILABLE AT YEAR END	NUMBER OF CLAIMS
FY90	1,545,300.00	3,382,500.00	2101
FY91	1,651,400.00	3,381,900.00	1943
FY92	1,599,300.00	4,891,200.00	1787
FY93	1,492,400.00	5,808,500.00	1538
FY94	1,494,600.00	6,580,500.00	1405
FY95	1,272,500.00	7,367,700.00	1237
FY96	1,556,700.00	8,305,400.00	1002
FY97	1,232,900.00	9,484,800.00	946
FY98	1,146,900.00	9,657,834.00	816
FY99	1,196,703.00	10,495,242.00	806
FY00	1,196,999.10	10,729,131.00	856
FY01	1,182,554.10	11,447,962.00	786
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	BENEFITS PAID	ADMINISTRATIVE EXPENSES	TOTAL EXPENSES	REVENUE
FY03	315,891.00	139,694.00	455,585.00	495,999.20
FY02	584,408.00	223,565.00	807,973.00	1,079,755.90
FY01	531,366.00	211,964.00	743,330.00	1,182,554.10
FY00	497,998.00	201,748.00	699,746.00	1,196,999.10
FY99	597,542.00	211,576.00	809,118.00	1,196,703.00
FY98	399,967.00	198,982.00	598,949.00	1,146,900.00
FY97	447,500.00	188,500.00	636,000.00	1,232,900.00
FY96	290,200.00	187,100.00	477,300.00	1,556,700.00
FY95	339,400.00	206,000.00	545,400.00	1,272,500.00
FY94	445,700.00	222,900.00	668,600.00	1,494,600.00
FY93	493,400.00	243,700.00	737,100.00	1,492,400.00
FY92	593,900.00	172,900.00	766,800.00	1,599,300.00
FY91	593,300.00	168,000.00	761,300.00	1,651,400.00
FY90	644,400.00	163,300.00	807,700.00	1,545,300.00

As of February 7, 2003

ALASKA DIVISION OF INVESTMENTS

Department of Community and Economic Development

Commercial Fishing Revolving Loan Fund

Loan Program Goal and Objectives

To provide long-term, low interest loans to promote the development of predominantly resident fisheries, and continued maintenance of commercial fishing vessels and gear for the purpose of improving the quality of Alaska seafood products.

General Requirements

- o Alaska resident for the past 2 years.
- o Child support payments must not be past due.

Definition of Resident

- Living in Alaska with the intent to remain indefinitely
- Primary and permanent home in Alaska
- Present in Alaska except for brief intervals (generally less than 90 days) except for military service, education or good cause.

Program Requirements

Purchases

Loans are available for limited entry permits, quota shares, vessels, or gear purchased less than 6 months before application date.

Refinancing

Vessels or gear loans made by other lenders more than one year prior to application date are eligible for financing.

Collateral

The item being financed (limited entry permit, vessel, etc.) will be the collateral for the loan and, generally, priority lien must be obtained.

Terms and Conditions

- Interest rate is 2% above the prime rate, not to exceed 10.5%.
- Interest rate will be fixed at the time of loan approval.
- Maximum loan term is 15 years.
- Borrower is responsible to pay all direct costs incurred in processing an application including surveys, inspections, appraisals, title insurance, etc.

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Juneau Office - 3032 Vintage Blvd. PO Box 34158 - Juneau, AK 99803-4158 - (907) 465-2510 - (907) 465-2103 Fax
Anchorage Office - 550 W. 7th Ave. Suite 1650 - Anchorage, AK 99501-3368 - (907) 263-8150 - (907) 263-8147 Fax

 TOP OF PAGE

ALASKA DIVISION OF INVESTMENTS

Department of Community and Economic Development

Fisheries Enhancement Revolving Loan Fund

Loan Purposes

Loans may be made for planning, construction, and operation of fish hatchery facilities, including preconstruction activities necessary to obtain a permit, construction activities to build the hatchery facility, and costs to operate the facility. Loan funds may not be used to reimburse an applicant for expenses which were paid for more than six months before receipt of the application by the Division of Investments.

Eligibility

Loans may be made to qualified regional associations or private, nonprofit corporations who have obtained a private, nonprofit hatchery permit from the Alaska Department of Fish and Game. Loans may also be made for planning and preconstruction purposes prior to receipt of a hatchery permit from the Alaska Department of Fish and Game.

Lending Limits

The maximum loan amount is \$10,000,000. If a request for more than \$1,000,000, the applicant must be a regional association or private, nonprofit corporation approved by the regional association in the specific area of the proposed hatchery development.

Loan Terms

The maximum loan term is 30 years. Terms of all loans will be fixed by the loan committee in consideration of the purpose of the loan, the needs of the borrower, the collateral offered and the ability to repay the loan. No repayment of the principal is required for an initial period of six to ten years; no interest on the principal shall accrue during that period.

Interest Rate

The interest rate will be fixed at the time of loan approval and will be approximately one percent (1%) above the prime rate not to exceed nine and one-half percent (9.5%).

*FISHERIES ENHANCEMENT REVOLVING
LOAN FUND*

Building Construction

If the loan involves the construction of a new commercial building, the building must be in compliance with the thermal and energy standards established by the American Society of Heating, Refrigeration and Air Conditioning Engineers as required by AS46.11.040.

Collateral

All loans must be secured by collateral which may include a lien on buildings, equipment, machinery, land, marketable securities, approved assignment of enhancement tax receipts, or sale of surplus fish from the hatchery. The specific amount to be loaned against any collateral shall be determined by the loan committee.

Refinancing

Refinancing of a long-term note is not allowed under the program. A short-term note may be refinanced if it has a term of one year or less and the debt was incurred and note executed within six months prior to receipt of the application by the Alaska Division of Investments.

Controlled Disbursement

Disbursement of loan funds will be in a manner prescribed by the Alaska Division of Investments.

Loan Costs

The borrower shall pay all direct costs incurred by the state in processing the application for a loan, including, but not limited to, the cost of credit reports, title insurance, inspection expenses, or other direct costs. The state is not liable for any costs incurred by the borrower during the application process.

Fees

1. An application fee (nonrefundable) in the form of a check or money order for \$25 made payable to the State of Alaska must accompany the application.
2. A credit report fee (nonrefundable) in the form of a check or money order for \$25 made payable to the State of Alaska must accompany the application.
3. If your application is approved, an origination fee of $\frac{1}{2}$ of one percent of the total loan amount will be due at closing.

Assumptions

Assumptions are not allowed under this program.

Regulations

The Department of Community and Economic Development has adopted administrative regulations governing policies and procedures, and public disclosure of information in an individual loan file. Copies of these regulations may be obtained by contacting the Alaska Division of Investments.

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THE FISHERMEN'S FUND

Alaska Department of Labor and Workforce Development

What is the Fishermen's Fund?

[Back to TOC](#)

Established in 1951, the Fishermen's Fund provides for the treatment and care of Alaska licensed commercial fishermen who have been injured while fishing on shore or off shore in Alaska.

Benefits from the Fund are financed from revenue received from each resident and nonresident commercial fisherman's license and permit fee.

The Commissioner of Labor and Workforce Development oversees administration of the program with the assistance of the Fishermen's Fund Advisory and Appeals Council.

The council is composed of the Commissioner or his designee, who serves as chairman, and five members appointed by the Governor.

Fishermen's Fund Advisory and Appeals Council

District 1

Wrangell and areas south
Russell Cockrum

District 2

Areas north of Wrangell to include Yakutat
Paul Helmar

District 3

Areas west of Yakutat to east coast of
Alaska Peninsula, including Prince William Sound,
Cook Inlet, and Kodiak
James Herbert

THE FISHERMEN'S FUND

39% of
license +
permits

District 4

Areas west of Alaska Peninsula to Cape Newenham, including Bristol Bay
John "Smiley" Knutsen.

District 5

Areas north of Cape Newenham, including Kuskokwim, Yukon, Kotzebue, and the Arctic
Margaret "Megs" Testarmata.

Qualifying for Benefits

[Back to TOC](#)

- Crewmembers with injury or illness directly connected to operations as a commercial fisherman **must hold valid commercial fishing licenses or limited entry permits before the time of injury or illness to qualify for benefits.** Note: Eligibility of a limited entry permit holder is based on the embossed date of the permit, not the date on which it was paid or when payment was received.
- Onset of injury or illness must be onshore in Alaska or on Alaska waters.
- Initial treatment must be received within 60 days after onset of injury or illness.
- An application must be submitted within one (1) year after initial treatment.
- Each treatment must be documented by a medical chart note and submitted.