

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

4631 HJUD INSURANCE OVERVIEWS (JNT. WITH HOUSE L&C)

TABLE 11. JURISDICTIONS PROVIDING DISFIGUREMENT BENEFITS (CON.)

State	Nature of Disfigurement	Compensation Received	Maximum Period
Connecticut	Permanent.	Compensation shall be awarded for disfigurement not caused solely by the loss or the loss of use of a member of the body.	208 weeks
Delaware	Permanent and serious to exposed parts of the human body.	66-2/3 percent of employee's weekly wage.	150 weeks
District of Columbia	Serious facial, head, neck or other exposed areas likely to handicap employment.	Maximum \$3,500	_____
Florida	Serious facial or head.	\$250 for each percent of permanent impairment of the body as a whole from 1 to 10 percent; and \$500 for each percent in excess of 10 percent.	_____
Hawaii	Scarring and other consequences caused by medical, surgical and hospital treatment.	Maximum \$15,000	_____
Idaho	_____	No set figure but effect on employment and nature of disfigurement shall be taken into account when determining the percentages of permanent disabilities less than total.	_____
Illinois	Serious and permanent to hand, head, face, neck, arm, leg, below knee or chest above axillary line.	60 percent of the employee's average weekly wage, except if benefits are otherwise payable for permanent disability.	150 weeks

TABLE 11. JURISDICTIONS WHICH PROVIDE DISFIGUREMENT BENEFITS (cont.)

State	Nature of Disfigurement	Compensation Received	Maximum Period
Indiana	Permanent, which may impair the future usefulness or opportunities of the employee.	At discretion of Industrial Board, except where benefits are payable elsewhere.	200 weeks
Iowa	Permanent head or facial, which impairs future usefulness and earnings.	Determined by the Industrial Commissioner according to severity of disfigurement.	150 weeks
Kansas <sup>1/</sup>	_____	_____	_____
Kentucky	Serious and permanent of face, head, neck or other exposed areas of the body that is likely to affect employment opportunities.	Proper and equitable scheduled benefits. Period for which benefits are payable is decided after maximum healing and restoration of function.	_____
Louisiana	Serious and permanent.	At discretion of Court, not to exceed 66-2/3 percent of employee's wages.	100 weeks
Maine	Serious facial or head; neck if affects earning capacity.	An amount not exceeding two-thirds of the State average weekly wage, multiplied by 50.	_____
Maryland	For mutilations and others not specifically covered in schedule.	Determined at the discretion of the Workmen's Compensation Commission.	156 weeks
Massachusetts	Bodily.	Proper and equitable compensation not to exceed the State average weekly wage multiplied by thirty-two; in addition to other compensation for disability.	_____

<sup>1/</sup> Kansas: When a disfigurement is a handicap in obtaining or retaining employment, compensation will be paid up to a maximum of 415 weeks.

TABLE 11. JURISDICTIONS PROVIDING DISFIGUREMENT BENEFITS (cont.)

State	Nature of Disfigurement	Compensation Received	Maximum Period
Minnesota	Disfigurement or scarring, not result from loss of a member or other scheduled injury affecting employability or advancement opportunity.	66-2/3 percent of the employee's daily wage at time of injury.	90 weeks
Mississippi	Serious facial or head.	Maximum \$2,000	_____
Missouri	Serious and permanent about the head, neck, hands or arms including the loss of use or the loss of a member.	No statutory figure.	40 weeks
Montana	Serious face, head, or neck.	Maximum \$2,500	_____
New Mexico	Serious and permanent about the face or head.	Maximum \$2,500	_____
New York	Serious facial, head, neck, or chest.	Maximum \$10,000	_____
North Carolina	Serious facial or head, and body when no compensation payable under schedule of injuries.	Maximum \$10,000	_____
North Dakota	Effect diminishes the ability of the employee to obtain employment.	No set figure but such disfigurement shall be included as permanent partial disability.	_____
Ohio	Serious facial or head which handicaps employment.	Maximum \$5,000	_____

TABLE 11. JURISDICTIONS PROVIDING DISFIGUREMENT BENEFITS (cont.)

State	Nature of Disfigurement	Compensation Received	Maximum Period
Oklahoma	Serious and permanent.	Maximum \$10,000	_____
Pennsylvania	Serious and permanent of head, face, or neck.	66-2/3 percent of the employee's average weekly wage.	275 weeks
Puerto Rico	Serious scar, burn, or change in physiognomy of the face, head, or neck.	Maximum \$3,000	_____
	Hands or arms if not considered in determining any other compensation.	Maximum \$1,600	_____
Rhode Island	Permanent Bodily.	Proper and equitable compensation determined by the Workers' Compensation Commission.	500 weeks
South Carolina	Serious and permanent of face, head, neck, or other area normally exposed in employment.	Proper and equitable benefits, unless benefits are otherwise payable for the loss, except that benefits shall be paid for serious burn and keloid scars in addition to other benefits.	50 weeks
South Dakota <sup>2/</sup>	_____	_____	_____

<sup>2/</sup> South Dakota: Compensation for permanent disfigurement shall be payable for a portion of 312 weeks which is represented by the percentage of permanent disfigurement that bears to the body as a whole.

TABLE 11. JURISDICTIONS PROVIDING DISFIGUREMENT BENEFITS (cont.)

State	Nature of Disfigurement	Compensation Received	Maximum Period
Tennessee	Serious of the head, face or hands, so altering the personal appearance as to materially affect employability.	66-2/3 percent of the employee's average weekly earnings; not to be awarded if compensated under any other provisions.	200 weeks
Texas	Any that will impair the future usefulness or occupational opportunities of the injured employee.	66-2/3 percent of employee's average weekly wages not to exceed the maximum weekly benefit, multiplied by the percentage of incapacity.	300 weeks
Utah	Areas of the body not specifically covered in schedule.	Such period of compensation as the Commission shall deem equitable and in proportion as near as may be to compensation for specific loss as set forth in the schedule.	312 weeks
Vermont <sup>3/</sup>	_____	_____	_____
Virgin Islands	Serious and permanent of the head, neck, or other normally exposed areas that would affect employability.	Equitable benefits in addition to scheduled income benefits.	100 weeks
Virginia	Severely marked of head, face, hands, arms or legs.	66-2/3 percent of employee's average weekly wages.	60 weeks
Wisconsin	Areas of the body that are exposed in the normal course of employment.	At the discretion of the Department of Industry, Labor and Human Relations, a sum not to exceed the employee's average annual earnings.	_____

<sup>3/</sup> Vermont: Compensation and percentage of loss for permanent impairment of any physical function not specifically mentioned shall be determined by the Commissioner of Labor and Industry.

TABLE 11. JURISDICTIONS PROVIDING DISFIGUREMENT BENEFITS (cont.)

State	Nature of Disfigurement	Compensation Received	Maximum Period
Wyoming	Permanent of the face or head that affects earning capacity.	In proportion to the extent of the disfigurement plus an award based on two-thirds of the State's average weekly wage.	25 weeks
United States* FECA	Serious of the face, head or neck of a character likely to handicap employment.	66-2/3 percent of employee's monthly wage; in addition, proper and equitable benefits not to exceed \$3,500.	_____
LEWCA	Serious facial, head or neck, or of exposed areas likely to handicap employment.	Maximum \$3,500	_____

\*Federal Employees' Compensation Act.  
Longshoremen's and Harbor Workers' Compensation Act.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S.

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Alabama.....	50	66 2/3	\$88 - 27½% of SAWW, or worker's average wage if less.	\$319.00	100	500 weeks	
Alaska.....	80% of spendable earnings	80% of spendable earnings	\$75 to \$125 according to number of dependents.	\$1,114.00	200	After 5 and 8 years, a spouse's benefit payments are reduced and terminated at 10 years unless spouse is permanently and totally disabled or has reached age 52; children until age 19 or married.	Children receive benefits if full-time students regardless of age for first 4 years. Spouse receives 2-year lump sum upon remarriage. WC benefits subject to Social Security benefit offsets.
Arizona.....	35	66 2/3	Payable, but not statutorily prescribed.	\$107.03 to \$203.86	N/A	Widow/Widowerhood; children until 18 or married.	Children receive benefits beyond 18 if physically or mentally disabled.
Arkansas....	35	66 2/3	\$20	\$175.00	N/A	Widow/Widowerhood; children until 18 or married.	Eff. 7/1/87 thru 12/31/88, maximum weekly benefit will be \$189. On 1/1/89 thru 12/31/89, maximum weekly benefit will be based on 66 2/3% of the SAWW; and on 1/1/90, to 70% of SAWW.

1/ The term "widow/widowerhood" means the period until the death or remarriage of either surviving spouse.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
California..	—	—	\$112	\$224.00	N/A	—	Total amount payable is \$95,000.
Colorado....	66 2/3	66 2/3	\$82.83	\$351.68	80	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage if there are no dependent children. Children are compensated beyond 18 if physically or mentally disabled, or until 21 years of age if full-time students. WC benefits are subject to Social Security benefit offsets.
Connecticut...	66 2/3	66 2/3	\$79.40 - 20% of SAWW, or an amount not to exceed 80% of worker's average wage if less.	\$397.00	100	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if physically or mentally disabled, or until 22 years of age if full-time students.
Delaware.....	66 2/3	80	\$81.41 - 22 2/9% of SAWW.	\$244.22 to \$293.06	66 2/3 to 80	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children are compensated until 25 years of age if full-time students.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
District of Columbia....	50	66 2/3	\$107.80 - 25% of SAWW.	\$431.70	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond 18 if physically or mentally disabled, or until 23 years of age if full-time students.
Florida.....	50	66 2/3	\$20 or actual wage if less.	\$315.00	100	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if physically or mentally disabled, or until 22 years of age if full-time students. Total amount payable is \$100,000.
Georgia.....	66 2/3	66 2/3	\$25 or average wage if less.	\$175.00	N/A	400 weeks	Total maximum of \$65,000 applies to surviving spouse who is sole dependent at time of death, and where there are no other dependents for 1 year or less. Children receive benefits beyond 18 if physically or mentally disabled, or until 22 years of age if full-time students.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
Hawaii.....	50	66 2/3	\$74.75 - 25% of SAWW, or worker's average wage if less, but not lower than \$38.	\$224.14 to \$299.00 according to no. of dependents.	100	Widow/Widowerhood; children until 18.	Total maximum payable for a spouse is 312 times the effective maximum weekly benefit rate. Two-year lump sum payable upon remarriage. Maximum amount does not apply to children under 18, or over 18 if they are unmarried and incapable of self-support.
Idaho.....	45	60	Payable, but not statutorily prescribed.	\$134.55 to \$179.40 according to no. of dependents.	45	500 weeks	Spouse with dependent children receives 45% of the employee's AWW plus 5% for each child until age 18 up to 3 children.
Illinois....	66 2/3	66 2/3	\$197.05 - 50% of SAWW.	\$525.45	133 1/3	Widow/Widowerhood; children until 18, or for not less than 6 years if orphan child is under age 18.	Children receive benefits beyond age 18 if physically or mentally disabled. Two-year lump sum payable upon remarriage in cases where there are no children. Children may receive benefits until 25 years of age if full-time students. The maximum payable in any case is \$250,000 or 20 years of compensation, whichever is greater.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont)  
SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
Indiana.....	66 2/3	66 2/3	\$50 or worker's average wage if less.	\$178.00	N/A	500 weeks	Children receive benefits beyond 18 if physically or mentally disabled. Two-year lump sum is payable upon remarriage in cases where there are no dependent children or the remainder of compensation, whichever is smaller. The total maximum amount payable is \$95,000.
Iowa.....	80	80	\$107.30 - 35% of SAWW, or actual wage if less.	\$613.00	200	Widow/Widowhood; children until 18.	Benefits are based on employee's spendable earnings. Two-year lump sum payable upon remarriage if no children. Children receive benefits beyond age 18 if they are physically or mentally disabled, or until 25 years of age, if full-time students.
Kansas.....	66 2/3	66 2/3	\$25	\$247.00	75	Widow/Widowhood; children until 18.	Surviving spouses receive a lump sum equal to 100 weeks of compensation upon remarriage. Children receive benefits beyond age 18 if they are physically or mentally disabled and, if full-time students until 23 years of age. Total maximum payable is \$100,000, excluding dependent children.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont)  
SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Kentucky.....	50	75	\$63.31 - 20% of SAWW.	\$237.41	75	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if physically or mentally disabled, or until 22 years of age if full-time students.
Louisiana.....	32 1/2	65	\$68 - 20% of SAWW, or actual wage if less.	\$244.10	75	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if physically or mentally disabled, or until 23 years of age if full-time students.
Maine.....	66 2/3	66 2/3	\$25	\$447.92*	166 2/3	Widow/Widowerhood; children until 18.	(*Maximum weekly benefit is frozen at \$447.92 for injuries occurring on or after 7/1/85 until 6/30/88.) Children receive benefits beyond age 18 if physically or mentally disabled, or until 23 years of age if full-time students. WC benefits subject to UI benefit offsets, excluding lump sum settlements.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)  
SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
Maryland.....	66 2/3	66 2/3	\$25 or worker's average wage if less.	\$344.00	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if physically or mentally disabled, or until 23 years of age if full-time students. WC benefits may continue after a maximum of \$45,000 has been paid, if there remain wholly dependent survivors.
Massachusetts	66 2/3	66 2/3	\$110	\$360.50	100	Widow/Widowerhood; children until 18.	Children receive benefits beyond age 18 if disabled, or regardless of age if full-time students. Dependent surviving spouses receive benefits during periods when they are not fully self-supporting. Total maximum payable not to exceed 250 times the SAWW in effect at time of injury. Additional \$6 will be added per child if weekly benefits are below \$150.
Michigan.....	80	80	\$208 - 50% of SAWW.	\$375.00	90	500 weeks	Children receive benefits until 21 years of age, or longer if disabled, notwithstanding the 500 week limit.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Minnesota....	50	66 2/3	Payable, but not statutorily prescribed.	\$342.00	100	Surviving spouse only—10 years; surviving spouse with children—until last child is no longer dependent, plus 10 years; children until 18.	Children receive benefits beyond age 18 if disabled, or until 25 if full-time students. WC benefits subject to Social Security benefit offsets.
Mississippi..	35	66 2/3	\$25	\$140.00	N/A	450 weeks	An additional sum of \$250 is payable to widows. Children receive benefits beyond age 18 if disabled, or until age 23 if full-time students. The total maximum payable is \$63,000.
Missouri....	66 2/3	66 2/3	\$40	\$243.78	70	Widow/widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if disabled, or until age 22 if full-time students, and beyond age 23, if on active duty in the Armed Forces. The total maximum payable is \$195,000. Eff. 1/28/86, the percentage of the SAWW will increase to 75.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)  
SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Montana.....	66 2/3	66 2/3	\$149.50 - 50% of SAWW, or actual wage if less.	\$299.00	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if disabled, or until age 25 if full-time students.
Nebraska....	66 2/3	75	\$49 or actual wage if less.	\$225.00	N/A	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if disabled, or until age 25 if full-time students.
Nevada.....	66 2/3	66 2/3	—————	\$341.95	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if disabled, or until age 22 if full-time students.
New Hampshire	66 2/3	66 2/3	\$131—40% of SAWW or actual wage if less.	\$492.00	150	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled, or until 25 years of age if full-time students. If the employee's AWW exceeds 40% of the SAWW, compensation will increase to 66 2/3% of employee's AWW not to exceed 150 of SAWW.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
New Jersey...	50	70	\$76 - 20% of SAWW.	\$284.00	75	Widow/Widowerhood; children until 18.	After 450 weeks of benefit payments, any earnings of surviving spouse will be deducted from future WC benefits payable to the surviving spouse. Surviving spouse receives \$1,000 lump sum upon remarriage. Children receive benefits beyond age 18 if disabled. Supplemental benefits for death are subject to Social Security, black lung, or disability pension benefit offsets.
New Mexico...	66 2/3	66 2/3	Payable, but not statutorily prescribed.	\$308.38	100	600 weeks	Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if disabled or until 23 years of age if full-time students. Total maximum equals the sum of 600 multiplied by the maximum weekly benefit payable at the time of injury.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont  
SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/ Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW	
New York.....	66 2/3	66 2/3	\$30	\$300.00	N/A	Widow/Widowerhood; children until 18.  Two-year lump sum payable upon remarriage. Children receive benefits beyond age 18 if disabled, or until age 23 if full- time students. WC pay- ments are subject to Social Security bene- fit offsets.
North Carolina	66 2/3	66 2/3	\$30	\$294.00	100	400 weeks  WC benefits are payable to a surviving spouse in- capable of self-support for life. Dependent children receive bene- fits beyond the 400- week limit until age 18.
North Dakota..	66 2/3	66 2/3	\$105.00 - 50% of maxi- mum weekly death bene- fit.	\$210.00 plus \$7 per week for each dependent child.	N/A	Widow/Widowerhood; children until 18.  Children receive benefits beyond age 18 if disabled, or until age 23 if full- time students. Widows receive a \$300 lump sum and a \$100 sum for each dependent child. Total maximum payable is \$175,000.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont..)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Ohio.....	66 2/3	66 2/3	\$182.50 - 50% of SAWW.	\$365.00	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond 18 if disabled, or until 25 years of age if full-time students.
Oklahoma.....	50	75	—————	\$217.00*	66 2/3	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students. Spouse receives lump sum of \$10,000 and \$2,500 for each child up to \$5,000. *(Benefits are frozen at \$217 from 11/1/84 until 11/1/87.)
Oregon.....	—————	—————	Payable, but not statutorily prescribed.	\$229.85 to \$459.69	133 1/3	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students. Spouse receives 24 times the monthly benefit in a lump sum upon remarriage. Spouse receives \$150 a month per child for each of two children, and \$50 a month for each additional child, subject to the monthly maximum benefit.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)  
 SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Pennsylvania.	51	66 2/3	\$173.50 - 50% of SAWW.	\$347.00	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable to widows upon remarriage. Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students.
Puerto Rico..	50	85	\$12.50	\$31.25	N/A	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled. As an advance, widows receive a sum of \$500. Children receive benefits until 25 years of age if full-time students.
Rhode Island..	66 2/3	80	—————	\$307.00 plus \$9 for each depen- dent child.	100	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
South Carolina	66 2/3	66 2/3	\$25	\$294.95	100	500 weeks	Two-year lump sum payable upon remarriage of spouse. Children receive benefits beyond 19 if disabled, or until 23 years of age if full-time students.
South Dakota..	66 2/3	66 2/3	\$131 - 50% of SAWW, or worker's average wage if less.	\$262.00 plus \$50 per month for each child.	100	Widow/Widowerhood; children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond 18 if disabled, or until 22 years of age if full-time students.
Tennessee.....	50	66 2/3	\$25	\$189.00	N/A	Widow/Widowerhood; children until 18.	Eff. 7/1/87, maximum weekly benefit will increase to \$210; to \$231, 7/1/88; and to \$252, 7/1/89. Children receive benefits beyond 18 if disabled, or until 22 years of age if full-time students. Total maximum amount payable is \$75,600. Lump sum of \$10,000 will be paid to decedent's estate when there are no dependents.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week		Percentage of SAWW	Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum			
Texas.....	66 2/3	66 2/3	\$37	\$217.00	See notes	Widow/Widowhood children until 18.	Two-year lump sum payable upon remarriage. Children receive benefits beyond 18 if disabled, or until 25 years of age if full-time students. Each cumulative \$10 increase in the AWW for manufacturing production workers will increase the maximum weekly benefit by \$7 and minimum by \$1.
Utah.....	66 2/3	66 2/3	\$45 to \$70 according to no. of dependents.	\$280.00	85	312 weeks	WC benefits may be extended if survivors remain wholly dependent. After first 6 years, benefits to wholly dependent spouses become subject to Social Security benefit offsets. 52-week lump sum payable upon remarriage or remainder of award, whichever is less.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)  
SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
Vermont.....	66 2/3	76 2/3	\$155 - 50% of SAWW.	\$465.00	150	Widow/Widowerhood until age 62; children until 18.	Children receive benefits beyond 18 if disabled and if full-time students.
Virgin Islands 2/	—	—	—	—	—	—	—
Virginia.....	66 2/3	66 2/3	\$81.50 - 25% of SAWW, or actual wage if less.	\$326.00	100	500 weeks	Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students.
Washington...	60	70	\$42.69 to \$74.31 according to no. of dependents.	\$269.70	75% of State's <u>monthly</u> wage.	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students. Lump sum of \$1,600 becomes payable at time of death. Upon remarriage, surviving spouse is entitled to \$7,500, or 50% of remaining annuity value, if less.

2/ Virgin Islands: Dependents are entitled to receive compensation of not less than \$12,500, nor exceed \$16,500; except for dependents of policemen and firemen who are entitled to not less than \$12,500, nor more than \$25,000 at the discretion of the Commissioner of Labor.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont.)

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
West Virginia	70	70	\$114.35 - 33 1/3 of SAWW.	\$343.06	100	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled, or until 25 years of age if full-time students.
Wisconsin....	66 2/3	See notes	\$20	\$329.00	100	300 weeks	Additional WC benefits are payable from the State Fund for dependent children until age 18 (10% of surviving spouse's benefit is the allowance made for each child); and if child is over 18 and disabled, benefits may continue for 15 years.
Wyoming.....	-----	-----	-----	\$235.35	66 2/3% of <u>monthly</u> wage	231 weeks	Children receive benefits until age 19 or beyond if disabled, but not to exceed 21 years of age. Beyond 231 weeks, court may continue benefit payments at 33 1/3% of SAWW.

TABLE 12. DEATH BENEFITS FOR SURVIVING SPOUSES AND CHILDREN PROVIDED BY WORKERS' COMPENSATION STATUTES IN THE U.S. (cont)

NAWW - National Average Weekly Wage

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of employee's wage		Payments Per Week			Maximum Period 1/	Notes
	Spouse Only	Spouse & Children	Minimum	Maximum	Percentage of SAWW		
United States*:							
FECA.....	50	75	Payable, but not statutorily prescribed.	\$979.90	See notes	Widow/Widowerhood; children until 18.	WC benefits are based on 75 of the pay of specific grade level in the Federal Civil Service. Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students.
LHWCA.....	50	66 2/3	\$148.81 50% of NAWW, or actual wage if less.	\$595.24	N/A	Widow/Widowerhood; children until 18.	Children receive benefits beyond 18 if disabled, or until 23 years of age if full-time students. (NAWW is \$297.62).

\*Federal Employees' Compensation Act.

Longshoremen's and Harbor Workers' Compensation Act.

TABLE 13. MAXIMUM BURIAL ALLOWANCES

Jurisdiction	Maximum Amount	Jurisdiction	Maximum Amount
Alabama.....	\$1,000	Nevada <u>6/</u> .....	\$2,500
Alaska.....	2,500	New Hampshire.....	3,000
Arizona.....	1,000	New Jersey.....	2,000
Arkansas.....	3,000	New Mexico.....	1,500
California.....	2,000	New York.....	1,500
Colorado.....	2,000	North Carolina.....	1,000
Connecticut.....	3,000	North Dakota.....	2,500
Delaware <u>1/</u> .....	700	Ohio.....	1,200
District of Columbia...	1,000	Oklahoma.....	(7/)
Florida.....	2,500	Oregon.....	3,000
Georgia.....	5,000	Pennsylvania <u>8/</u> .....	1,500
Hawaii.....	(2/)	Puerto Rico.....	300
Idaho <u>3/</u> .....	1,500	Rhode Island.....	3,000
Illinois.....	1,750	South Carolina.....	400
Indiana.....	2,000	South Dakota <u>9/</u> .....	3,000
Iowa.....	1,000	Tennessee.....	3,000
Kansas.....	3,200	Texas.....	2,500
Kentucky <u>4/</u> .....	2,500	Utah.....	1,800
Louisiana.....	3,000	Vermont.....	2,000
Maine <u>5/</u> .....	1,000	Virgin Islands.....	800
Maryland <u>1/</u> .....	1,200	Virginia <u>10/</u> .....	3,000
Massachusetts.....	2,000	Washington.....	2,000
Michigan.....	1,500	West Virginia.....	3,500
Minnesota.....	2,500	Wisconsin.....	1,500
Mississippi.....	2,000	Wyoming <u>11/</u> .....	1,800
Missouri.....	2,000	United States*:	
Montana.....	1,400	FECA <u>12/</u> .....	800
Nebraska.....	2,000	LHWCA.....	1,000

\*Federal Employees' Compensation Act.  
Longshoremen's and Harbor Workers' Compensation Act.

\*\* The burial allowance in Ohio will be \$3,200, effective August 1986.

TABLE 13. MAXIMUM BURIAL ALLOWANCES (cont.)

- 1/ Burial expenses in excess of maximum are payable if approved by the Industrial Accident Board in Delaware, and by the Workmen's Compensation Commission in Maryland, if there are no dependents.
- 2/ Hawaii: Funeral expenses will be paid to the mortician at an amount not to exceed ten times the maximum weekly benefit rate for death at the time of death; and to the cemetery at an amount not to exceed five times the maximum weekly benefit rate. (Presently, the maximum weekly benefit rate for death is \$299.)
- 3/ Idaho: Also, actual expenses of transportation of employee's body to his or her place of residence within the United States or Canada.
- 4/ Kentucky: Also, transportation costs are permitted for the deceased to place of residence within the Commonwealth of Kentucky.
- 5/ Maine: Also, \$1,000 will be paid to next of kin as incidental compensation.
- 6/ Nevada: Also, transportation expenses are allowed for the deceased and an accompanying person to a mortuary within the continental limits of the United States.
- 7/ Oklahoma: Where there are no dependents, \$1,000 may be paid to decedent's estate.
- 8/ Pennsylvania: Allowance for death from occupational disease is \$750.
- 9/ South Dakota: Also, costs are allowable for transportation of the decedent's remains to community of burial.
- 10/ Virginia: Also, reasonable expenses not exceeding \$500 will be authorized for transportation of the decedent's remains for burial.
- 11/ Wyoming: Unless other arrangements exist between employer and employee under agreement.
- 12/ FECA: Provision is also made for embalming, a hermetically sealed casket, and transportation costs of the return of the deceased who has died from home or home office. An additional \$200 is payable to the personal representative of the decedent for terminating the decedent's status as an employee of the United States.

TABLE 14. WAITING PERIODS

Waiting Period	Jurisdiction	Compensation retroactive if disability continues for period indicated from date of injury
3 days.....	Alabama (temporary total disability only)	21 days
	Alaska .....	More than 28 days
	California (temporary total disability only).....	More than 21 days <sup>1/</sup>
	Colorado.....	More than 2 weeks
	Connecticut.....	7 days
	Delaware (no waiting period in case of amputation of a member of the body, or a part thereof, or when the injury results in hospitalization of the employee).....	7 days, including date of injury
	District of Columbia.....	More than 14 days
	Hawaii (temporary total disability only)	10 days
	Illinois (temporary total disability only)	14 days or more
	Iowa (temporary and permanent total disability).....	More than 14 days
	Maine.....	More than 14 days except that firemen receive compensation from date of incapacity
	Maryland.....	More than 14 days
	Minnesota (temporary total disability)....	10 days
	Missouri.....	More than 14 days
	New Hampshire.....	7 days
	Oklahoma.....	More than 3 days

<sup>1/</sup>California: In case of hospitalization, benefits are payable from the first day of hospitalization or the first day the employee leaves work; and in case of criminal violence against State civil service employees or certain other public employees, benefits are payable from the first day the employee leaves work because of the injury.

TABLE 14. WAITING PERIODS (cont.)

Waiting Period	Jurisdiction	Compensat on retroactive if disability continues for period indicated from date of injury
3 days (cont.)	Oregon (temporary total disability only)..	14 days (in-patients in hospital receive compensation from date of incapacity)
	Puerto Rico (temporary disability only)...	10 days
	Rhode Island (total disability only).....	More than 2 weeks
	Utah (temporary total disability only)....	More than 14 days
	Vermont (total disability only).....	10 days
	Washington (temporary total disability)...	14 days
	West Virginia.....	More than 7 days
	Wisconsin.....	More than 7 days
	Wyoming (temporary total disability only)	More than 8 days
	United States*:	
FECA (temporary disability only).....	More than 14 days	
LHWCA.....	More than 14 days	
4 days.....	North Dakota.....	5 days
5 days.....	Idaho.....	More than 2 weeks (in-patients in hospital receive compensation from date of incapacity)
	Massachusetts.....	5 days
	Mississippi.....	14 days
	Montana.....	5 days
	Nevada.....	5 days
7 days.....	Arizona.....	More than 2 weeks
	Arkansas.....	2 weeks
	Florida.....	More than 14 days
	Georgia.....	28 days
	Indiana (temporary disability only).....	More than 21 days

\*Federal Employees' Compensation Act.  
 Longshoremen's and Harbor Workers' Compensation Act.

TABLE 14. WAITING PERIODS (cont.)

Waiting Period	Jurisdiction	Compensation retroactive if disability continues for period indicated from date of injury
7 days (cont.)	Kansas (temporary total and permanent partial disability).....	3 consecutive weeks
	Kentucky.....	More than 2 weeks
	Louisiana.....	6 weeks
	Michigan.....	2 weeks (retroactive from day of injury if death results)
	Nebraska.....	6 weeks
	New Jersey.....	7 days
	New Mexico.....	4 weeks
	New York.....	More than 14 days
	North Carolina.....	More than 28 days
	Ohio.....	2 weeks (payment for waiting period applies only in cases of total disability)
	Pennsylvania (no waiting period for scheduled injuries).....	14 days or more
	South Carolina.....	More than 14 days
	South Dakota.....	7 consecutive days
	Tennessee.....	14 days
	Texas.....	4 weeks
	Virgin Islands.....	(compensation begins after first full day of disability)
	Virginia.....	More than 3 weeks

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS

State	Rehab. Statutes*		WC	Rehab. Unit Services*	Employer/Carrier Responsibilities 1/	Employee Re-sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit					
ALABAMA Secs. 25-5-57 (a) (4) (i) 25-5-77	x	x	No		1) provide VR upon request of VR Specialist and physician 2) VR costs including board, lodging and travel	1) accept PR & VR	1) compensation suspended	TTD plus board & lodging, if away from home, & travel
ALASKA Secs. 23.30.041 23.30.095	x	x	Yes	x	1) provide rehabilitation within 90 days after an injury that precludes return to suitable gainful employment. 2) VR costs including board, lodging and travel for a maximum of 74 weeks. 3) TTD plus maximum \$200/month maintenance.	1) accept PR & VR	1) compensation suspended	TTD plus maximum \$200/month maintenance. Board & lodging, if away from home, & travel

\*LEGEND:

WC = workers' compensation  
 PR = physical rehabilitation  
 VR = vocational rehabilitation  
 Rehab. Unit = Rehabilitation Unit  
 D = Direct - Rehab Unit provides rehabilitation services to claimants.  
 R = Referral - Rehab Unit refers claimants to State agencies or private companies.  
 M = Monitor - Rehab Unit monitors the cases it has referred.  
 TTD = temporary total disability  
 PTD = permanent total disability  
 PPD = permanent partial disability

FOOTNOTES:

- 1/ Self-insurers, carriers or State Funds (when employers insure through the State) cover the costs of physical rehabilitation.
- 2/ Penalties that affect workers' compensation apply only to the period of time the employee refuses rehabilitation.
- 3/ Physical rehabilitation (PR) is covered under medical services.
- 4/ No vocational rehabilitation (VR) provision in the workers' compensation law.

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC <sup>1</sup>	Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re-sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	D	R	M				
ARIZONA Secs. 23-1026 23-1065(A) (1)	3/		No				1) at the discretion of the Industrial Commission, the State Special Fund pays some VR costs	1) accept PR	1) compensation reduced or suspended	
ARKANSAS Secs. 81-1310(f) 81-1311 81-1314(b) (5)	3/	x	No				1) VR costs and PPD for maximum 60 weeks 2) pays maximum 6 weeks additional compensation while employee is being evaluated for rehabilitation & receiving no income	1) accept PR 2) not required to accept VR	1) compensation suspended	PPD plus travel & maintenance expenses
CALIFORNIA Secs. 139.5 3209.5	x	x	Yes			x	1) VR costs 2) during PR & VR pay TTD & additional living expenses	1) must request VR within 15 years of the date of injury		TTD plus living expenses necessitated by rehabilitation
COLORADO Secs. 8-49-101 8-51-110	x	x	Yes			x	1) VR costs for maximum 52 weeks 2) during VR pay: tuition; travel; maintenance expenses equivalent to TTD	1) accept PR	1) compensation reduced or suspended	weekly maintenance equal to TTD for maximum 52 weeks
CONNECTICUT Secs. 31-283(a-c) 31-294 31-313	x	x	Yes			x	1) pays disability benefits during VR 2) pays medical rehabilitation services	1) accept PR	1) compensation suspended	80% of TTD

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC			Employer/Carrier Responsibilities 1/	Employee Responsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	Rehab. D	Unit R / M				
DELAWARE Sec. 2353	x	x	No				1) VR costs 2) board, lodging & travel expenses during PR & VR	1) accept PR & VR 1) lose compensation; no compensation for increased disability during refusal period	TTD
DISTRICT OF COLUMBIA Sec. 36-307 (a), (c), & (d)	3/	x	Yes			x	1) VR costs	1) accept PR & VR 1) compensation suspended	TTD plus maximum \$50/week maintenance
FLORIDA Secs. 440.13 440.49	3/	x	Yes	x		x	1) VR costs including board, lodging & travel for maximum of 52 weeks 2) may be required to offer VR by Division of WC 3) make lump sum payments for rehabilitation costs	1) accept VR 1) compensation reduced 50%	TTD plus board, lodging & travel
GEORGIA Sec. 114-501	x	x	Yes			x	1) VR costs plus board, lodging & travel for maximum of 26 weeks 2) WC Board may extend time maximum	1) accept PR & VR 1) compensation reduced or suspended	TTD plus board, lodging & travel
HAWAII Secs. 386-24 386-25	x	x	Yes			x	1) Federal or State funds cover rehabilitation costs, including maintenance expenses. Maximum \$5,000/employee for PR plus VR	1) compensation reduced or suspended	TTD plus travel, tuition, books, & \$35/week living expenses

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Unit	D	R / M				
IDAHO Secs. 72-432 72-433 72-450 72-501A	x	x	Yes	x		1) VR travel costs 2) board, lodging & travel costs of PR 3) Special State Fund pays for PR & VR services.			TTD plus trans- portation costs
ILLINOIS Secs. 138.8 138.19	x	x	No			1) VR costs 2) PR & VR maintenance expenses	1) accept PR	1) compensation reduced or suspended	TTD plus inciden- tal maintenance expenses
INDIANA Sec. 22-3-3-4	3/	4/	No			1) travel expenses associated with PR	1) accept PR	1) lose compen- sation; no com- pensation for increased disa- bility during refusal period	
IOWA Secs. 85.27 85.70	x	x	Yes		x	1) VR costs 2) benefit payments during VR for maximum of 26 weeks			TTD plus \$20/week
KANSAS Sec. 44-510g	x	x	Yes		x x	1) may be required to provide PR and VR by Director of WC 2) pay TTD during VR 3) in absence of Federal & State funds, pay VR costs for maximum 52 weeks plus up to \$4,000/ employee for board, lodging & travel	1) accept PR & VR	1) compensation suspended	TTD plus board, lodging & travel

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*				Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	D	R	M				
KENTUCKY Secs. 342.020 342.710	x	x	Yes			x	1) VR costs 2) costs of board, lodging & travel during PR & VR 3) may be required to offer VR by WC Board	1) accept PR & VR	1) compensation reduced by 50%	normal weekly compensation plus board & lodging, if away from home, & travel
LOUISIANA Sec. 23:1203 23:1223	x	x	Yes				1) PR & VR costs 2) TTD benefits during VR for a maximum of 26 weeks. 3) costs of board, lodging & travel during PR & VR	1) accept PR & VR within 2 yrs. after benefits for TTD are ter- minated	1) weekly com- pensation re- duced by 50% during refusal period	TTD plus board, lodging or travel if away from home
MAINE Secs. 52 54 65	x	x	Yes	x			1) VR costs 2) pays TTD plus maximum of \$35/week during VR, for maximum of 104 weeks	1) accept PR & VR	1) compensation suspended	TTD plus \$35/week for sustenance & travel
MARYLAND Secs. 36(9) 37	3/	x	Yes			x	1) VR costs plus TTD & maximum \$40/week maintenance for maximum 24 months	1) accept VR	1) compensation suspended	TTD plus maximum \$40/week main- tenance for maxi- mum 24 months
MASSACHUSETTS Secs. 30A 30B 30C	x	x	Yes			x	1) VR costs 2) costs of board, lodging & travel during PR & VR	1) not required to accept PR or VR	1) compensation suspended during period of re- fusal	TTD plus board, lodging & travel
MICHIGAN Secs. 418:315 418:319	x	x	Yes	x	x	x	1) costs of VR for maximum 104 weeks 2) costs of travel & expenses during VR 3) may be required to offer VR by WC Bureau	1) accept PR & VR	1) compensation reduced	compensation for "wage-loss" plus travel & neces- sary expenses

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC			Employer/Carrier Responsibilities 1/	Employee Re-sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	Rehab. D	Unit Services* R / M				
MINNESOTA Secs. 176.101 176.102	x	x	Yes		x	1) offer employee rehabilitation counseling within 5 days when injury has caused 60 days lost work time and for back injury, after 30 lost work days 2) provide TTD benefits 90 days after mmi or approved training 3) VR costs including tuition, books, day care, travel; board and lodging during travel, reasonable moving expenses and retraining up to 156 weeks 4) VR for surviving spouse in death cases	1) submit to evaluation of VR needs	1) compensation suspended; and forfeited if employee refuses to submit to rehabilitation plans.	Compensation for TTD 90 days after mmi or at the end of approved training; plus tuition, books, custodial daycare, travel, board & lodging during travel; and reasonable moving expenses
MISSISSIPPI Secs. 71-3-15 71-3-19 71-3-93	3/	x	Yes		x	1) during VR, pay maximum \$10/week for 52 weeks 2) Second Injury Fund pays for VR services	1) accept PR	1) compensation suspended	TTD plus \$10/week for 52 weeks
MISSOURI Sec. 287.141 287.144	x	4/	Yes		x	1) may be required by Division of WC to furnish PR and transportation to PR facility	1) may be ordered to accept PR by Division of WC		

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*				Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	D	R	M				
KENTUCKY Secs. 342.020 342.710	x	x	Yes			x	1) VR costs 2) costs of board, lodging & travel during PR & VR 3) may be required to offer VR by WC Board	1) accept PR & VR	1) compensation reduced by 50%	normal weekly compensation plus board & lodging, if away from home, & travel
LOUISIANA Sec. 23:1203 23:1223	x	x	Yes				1) PR & VR costs 2) TTD benefits during VR for a maximum of 26 weeks. 3) costs of board, lodging & travel during PR & VR	1) accept PR & VR within 2 yrs. after benefits for TTD are ter- minated	1) weekly com- pensation re- duced by 50% during refusal period	TTD plus board, lodging or travel if away from home
MAINE Secs. 52 54 65	x	x	Yes	x			1) VR costs 2) pays TTD plus maximum of \$35/week during VR, for maximum of 104 weeks	1) accept PR & VR	1) compensation suspended	TTD plus \$35/week for sustenance & travel
MARYLAND Secs. 36(9) 37	3/	x	Yes			x	1) VR costs plus TTD & maximum \$40/week maintenance for maximum 24 months	1) accept VR	1) compensation suspended	TTD plus maximum \$40/week main- tenance for maxi- mum 24 months
MASSACHUSETTS Secs. 30A 30B 30C	x	x	Yes			x	1) VR costs 2) costs of board, lodging & travel during PR & VR	1) not required to accept PR or VR	1) compensation suspended during period of re- fusal	TTD plus board lodging & travel
MICHIGAN Secs. 418:315 418:319	x	x	Yes	x	x	x	1) costs of VR for maximum 104 weeks 2) costs of travel & expenses during VR 3) may be required to offer VR by WC Bureau	1) accept PR & VR	1) compensation reduced	compensation for "wage-loss" plus travel & neces- sary expenses

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Unit	D / R / M					
MINNESOTA Secs. 176.101 176.102	x	x	Yes		x	1) offer employee rehabilitation counseling within 5 days when injury has caused 60 days lost work time and for back injury, after 30 lost work days 2) provide TTD benefits 90 days after mmi or approved training 3) VR costs including tuition, books, day care, travel; board and lodging during travel, reasonable moving expenses and retraining up to 156 weeks 4) VR for surviving spouse in death cases	1) submit to evaluation of VR needs	1) compensation suspended; and forfeited if employee refuses to make effort to submit to rehabilitation plans.	Compensation for TTD 90 days after mmi or at the end of approved training; plus tuition, books, custodial daycare, travel, board & lodging during travel; and reasonable moving expenses
MISSISSIPPI Secs. 71-3-15 71-3-19 71-3-93	3/	x	Yes		x	1) during VR, pay maximum \$10/week for 52 weeks 2) Second Injury Fund pays for VR services	1) accept PR	1) compensation suspended	TTD plus \$10/week for 52 weeks
MISSOURI Sec. 287.141 287.144	x	4/	Yes		x	1) may be required by Division of WC to furnish PR and transportation to PR facility	1) may be ordered to accept PR by Division of WC		

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC	Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re-sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	D	R	M				
MONTANA Secs. 39-71-704 39-71-1001 through 1005	<u>3/</u>	x	Yes		x	x	1) contribute to Industrial Accident Rehabilitation Account Account pays VR costs, except TTD	1) accept VR	1) compensation suspended	TTD plus travel, books, tuition & maximum \$50/week maintenance
NEBRASKA Secs. 48-121 48-161.01 48-162.01	x	x	Yes	x		x	1) may be required by WC Court to offer PR 2) cost of board, lodging & travel during PR 3) State VR Fund pays VR costs, except TTD	1) accept PR & VR	1) compensation reduced or suspended	TTD plus board, lodging & travel
NEVADA Secs. 616.222 616.223	x	x	Yes	x		x	1) State Fund or Self-Insurer pays cost of VR and maintenance benefits	1) accept PR & VR	1) compensation suspended	an allowance that would not exceed TTD
NEW HAMPSHIRE Sec. 281:21	<u>3/</u>	x	Yes			x	1) VR costs, including books, tools, board, & lodging	1) accept VR	1) compensation loss	TTD plus books, tools, board lodging, & travel
NEW JERSEY Secs. 34:15-12(b) 34:15-15	x	x	No				1) may be required by courts to pay VR costs; otherwise, paid by Vocational Rehabilitation under the Department of Labor & Industries	1) accept PR & VR	1) compensation suspended	TTD
NEW MEXICO Secs. 52-1-49 52-1-50 52-3-17	x	x	No				1) VR costs 2) during VR, costs of board, lodging, travel & maintenance, maximum \$3,000/employee			TTD plus maximum \$3,000, board, lodging, travel, & maintenance
NEW YORK Secs. 13 15(9)	<u>3/</u>	x	Yes			x	1) contribute to State VR Fund. Fund pays VR costs, except TTD			TTD plus maximum \$30/week maintenance

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Unit	D	R / M				
NORTH CAROLINA Sec. 97-25 97-59	x	4/	Yes	x			1) accept PR	1) compensation suspended	
NORTH DAKOTA Secs. 65-05.1-01 through 65-05.1-06	x	x	Yes	x		1) State WC Bureau pays VR costs & benefits	1) accept PR & VR	1) compensation suspended	a rehabilitation allowance, maximum 125% of the normal weekly compensation Plus, maximum \$5,000 relocation/remodel- ing award
OHIO Secs. 4121.61 through 4121.69	x	x	Yes	x		1) State Surplus Fund or Self-Insurer pays costs of VR & main- tenance			maintenance payment not to exceed TTD
OKLAHOMA Secs. 14 15 16	x	x	Yes		x x	1) during PR & VR costs of: services, compensa- tion, board, lodging, travel, tuition, & books 2) VR costs maximum 104 weeks 3) may be required to offer PR & VR by WC Court	1) not required to accept PR or VR		normal weekly com- pensation plus living expenses, if travel required
OREGON Secs. 656.202 656.245 656.258 656.266 656.283 656.325 656.340 656.726	x	x	Yes		x	1) State Administrative Fund pays VR costs for injuries prior to 1986	1) accept PR & VR	1) compensation reduced or suspended	TTD

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Responsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	D	R / M				
PENNSYLVANIA Sec. 306(f) (4)	3/	4/	No				1) accept PR	1) no compensation for increased disability during refusal period	
PUERTO RICO Secs. 3.1, 3.2 6	3/	x	No			1) Exclusive State Fund pays costs & benefits of PR & VR			TTD for maximum 26 weeks
RHODE ISLAND Secs. 28-33-5 28-33-6 28-33-41 28-38-1 through 28-38-5	x	x	Yes	x		1) submit a rehabilitation evaluation to Director of Labor after 3 months of compensation 2) VR costs including board, lodging & travel 3) contribute to Rehabilitation Center Fund	1) accept PR & VR	1) compensation suspended	TTD or PPD plus board & lodging, if away from home, & travel
SOUTH CAROLINA Secs. 42-3-80 42-15-60	3/	x	No			1) VR costs	1) accept PR	1) compensation suspended	TTD
SOUTH DAKOTA Secs. 62-4-1 62-4-5.1	3/		No			1) pay TTD during VR			TTD
TENNESSEE Secs. 50-1004 50-1028	3/		No			1) Division of WC refers cases for VR to the State Department of Education	1) accept PR	1) compensation suspended	

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC	Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re-sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Rehab. Unit	D	R	M				
TEXAS Part 1, Sec. 7, 7e(a) Part 2, Sec. 4	x	x	No				1) VR costs 2) State Rehabilitation Commission provides VR services & pays VR costs if carrier refuses	1) accept PR	1) compensation suspended	TTD
UTAH Secs. 35-1-67 35-1-69 35-1-81	3/	x	No				1) Industrial Commission refers all potential PTD cases to the State Department of Education for VR 2) Second Injury Fund pays VR costs, maximum \$1,000/employee	1) accept VR	1) will not receive PTD from Second Injury Fund after employer's liability for PTD ends after 312 weeks	An allowance of \$1,800 to replace each artificial means or appliance
VERMONT Secs. 640 641	3/	x	No				1) VR costs, books, tools; board, lodging & travel, if travel is required	1) accept VR	1) compensation suspended	TTD plus books, tools; board & lodging, if away from home, & travel
VIRGINIA Sec. 65.1-88	x	x	No				1) VR costs	1) accept PR & VR	1) compensation suspended	TTD

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Unit	D / R / M					
WASHINGTON Secs. 51.32.095 51.36.010 51.36.050 51.52.250	3/	x	Yes	x	x	1) during VR State Fund or Self-Insurer pays for: services; books, tuition, fees, supplies, child care or dependent care, travel (maximum \$3,000 in any 52-week period), and other expenses necessary for self-employment, reemployment or job placement.	1) accept VR	1) compensation reduced by 50%	maximum 104 weeks TTD plus maximum \$3,000 in any 52-week period for books, tuition, fees, supplies, child care or dependent care & travel; board & lodging, if away from home; job modification costs not to exceed \$5,000
WEST VIRGINIA Secs. 23-4-3 23-4-9	x	x	Yes		x	1) State Fund or Self-Insurer pays cost of VR, maximum \$10,000/employee			TTD
WISCONSIN Secs. 102.42 102.43 102.61	x	x	No			1) VR costs, including maintenance & travel			maximum 40 weeks TTD plus travel & maintenance; extensions available
WYOMING Secs. 27-12-401 27-12-406	3/	4/	No						

TABLE 15. REHABILITATION BENEFITS PROVIDED FOR INJURED WORKERS UNDER STATE WORKERS' COMPENSATION LAWS (cont.)

State	Rehab. Statutes*		WC Rehab. Unit Services*			Employer/Carrier Responsibilities 1/	Employee Re- sponsibilities	Penalties to Employees 2/	Employee Benefits During VR
	PR	VR	Unit	D	R / M				
UNITED STATES*: FECA Secs. 8103, 8104 8111, 8113	3/	x	Yes		x	1) Employees' Compensation Fund pays PR & VR costs, including travel	1) accept VR	1) compensation decreased	TTD plus maximum \$200/month maintenance
LHWCA Secs. 7(a) - (d) 8(g) 39(2)	3/		Yes		x	1) contribute to Special Fund. Fund pays VR costs, except TTD	1) accept PR	1) compensation suspended	TTD plus maximum \$25/week maintenance

\*Federal Employees' Compensation Act.

Longshoremen's and Harbor Workers' Compensation Act.

TABLE 16. STATE WORKERS' COMPENSATION METHOD OF PAYMENT

<u>State</u>	<u>Direct Payment</u> <sup>1/</sup>	<u>Agreement</u>
Alabama	X	
Alaska	X	
Arizona	X	
Arkansas	X	
California	X	
Colorado	X	
Connecticut		X
Delaware		X
Dist. of Col.	X	
Florida	X	
Georgia	X	
Hawaii	X	
Idaho	X	
Illinois	X	
Indiana		X
Iowa		X
Kansas	X	
Kentucky	X	
Louisiana	X	
Maine	X	
Maryland	X	
Massachusetts		X
Michigan	X	
Minnesota	X	
Mississippi		X
Missouri	X	
Montana	X	

<sup>1/</sup> Most employers file agreements with the Commission although these agreements are not required for payment of benefits to commence.

TABLE 16. STATE WORKERS' COMPENSATION METHOD OF PAYMENT (cont.)

<u>State</u>	<u>Direct Payment</u>	<u>Agreement</u>
Nebraska	X	
Nevada	X	
New Hampshire	X	
New Jersey	X	
New Mexico	X	
New York	X	
North Carolina		X
North Dakota	X	
Ohio	X	
Oklahoma	X	
Oregon	X	
Pennsylvania	X	
Puerto Rico	X	
Rhode Island	X	
South Carolina		X
South Dakota	X	
Tennessee	X	
Texas	X	
Utah	X	
Vermont		X
Virginia		X
Washington	X	
West Virginia	X	
Wisconsin	X	
Wyoming	X	
United States* :		
FECA	X	
LHWCA	X	

\*Federal Employees' Compensation Act.  
 Longshoremen's and Harbor Workers' Compensation Act.

TABLE 17. OFFSET PROVISIONS IN STATE WORKERS' COMPENSATION LAWS\*

ALASKA

Section 23.30.225(a)—When periodic retirement or survivors' benefits are payable under Title II of the Social Security Act (42 U.S.C., 301 et. seq.), the weekly compensation for disability or death shall be reduced by an amount equal to one-half of the Federal benefits for such week. (When a claim has been filed under this chapter, any weekly disability benefits payable shall be offset by benefits in accordance with 42 U.S.C., 401 et. seq., by an amount which exceeds 80 percent of the employee's average weekly wage at the time of injury.)

Section 23.30.187—Compensation for temporary total and permanent total disability is not payable during any week in which unemployment compensation benefits are also payable.

CALIFORNIA

Section 4753—Additional compensation for subsequent injuries shall be reduced by any monetary payments from any source, except for a pension or a service-connected disability which was incurred in the U.S. armed forces.

Section 4904—Permits liens to be made against temporary total disability indemnity for any unemployment compensation disability benefits being received.

COLORADO

Sections 8-50-103 and 8-51-101—Benefits for disability in this State shall be reduced by 50 percent and death by 100 percent of any Federal OASDI payments, or the workmen's compensation act of another State or of the Federal Government, or of an employer pension plan.

FLORIDA

Section 440.15(3)(b)(4)—Provides that if an employee is entitled to both wage-loss benefits and social security retirement benefits, the social security retirement benefits will be primary and wage-loss benefits supplementary. The sum of any combined benefits must not exceed the amount of wage-loss benefits which would otherwise be payable.

\*Information contained in this Table was taken directly from the statutes.

TABLE 17. OFFSET PROVISIONS IN STATE WORKERS' COMPENSATION LAWS (cont.)

FLORIDA (con't)

Section 440.15(9)—Weekly compensation benefits for disability are offset by the amount of any Federal OASDI payments so that the claimant's total benefits do not exceed 80% of his/her average weekly wage.

Section 440.15(10) (a)—No weekly compensation payments are made for temporary or permanent total disability under the workers' compensation law for any week in which unemployment compensation benefits are paid.

Section 440.15(10) (b)—Offsets wage-loss or temporary partial disability benefits by the amount of any unemployment compensation benefit payments.

LOUISIANA

Section 1225—Permanent total disability benefits payable under the Act will be reduced for those recipients who are also receiving Federal OASDI benefits. This reduction is to be made only to the extent that the amount of the combined Federal and State workers' compensation benefits would otherwise cause or result in a reduction of the Federal benefits pursuant to the Social Security Act (42 U.S.C., Section 424a).

Section 1225-B—No compensation will be paid for temporary or permanent total disability or supplemental earnings benefits during any week in which the employee is receiving or entitled to receive unemployment compensation benefits.

MAINE

Section 111-A—Offsets benefits for personal injury or disease under an insured disability or medical payments plan against payments for workers' compensation.

Section 62-A—Reduces benefit payments by the amount of any concurrent unemployment compensation benefits, excluding lump sum settlements and scheduled permanent partial disabilities.

Section 62-B—Reduces total and partial disability benefits by:

- (1) Fifty percent of the amount of old age insurance benefits received under the Federal Social Security Act;

TABLE 17. OFFSET PROVISIONS IN STATE WORKERS' COMPENSATION LAWS (cont.)

MAINE (con't)

(2) The after tax amount of the payments received under an employee benefit plan provided by the same employer, if the employee did not contribute directly to the plan; and,

(3) The proportional amount, based upon the ratio of the employer's contributions to the total contributions, if the employee did contribute directly to the plan.

MICHIGAN

Section 418.354—All workers' compensation benefits, except those for specific losses and for death, will be reduced by 50 percent of any Social Security benefits; and by amounts received after taxes under any self-insurance plan, wage continuation plan, pension or retirement plan provided by the employer to which the employee does not contribute.

Section 418.354(1) (f)—Workers' compensation benefits will be coordinated with those from employer contributions to a qualified profit sharing plan where the employer does not provide a pension plan.

Section 418.358—Offsets temporary total, permanent total, and permanent partial disability benefits under the workers' compensation act dollar for dollar by unemployment compensation benefits.

MINNESOTA

Section 176.101, Subdivision 4—After \$25,000 is paid for permanent total disability, benefits paid by any government disability program, or any old age and survivors' insurance benefits program are credited against workers' compensation benefits, if such disability benefits are occasioned by the same injury.

Section 176.111, Subdivision 21—Death benefits shall not exceed 100% of the deceased employee's weekly wage at the time of the injury causing his death, when the total weekly government survivor benefits and the state workers' compensation benefits are combined, nor be payable for any week in which the government benefits exceed such percentage.

TABLE 17. OFFSET PROVISIONS IN STATE WORKERS' COMPENSATION LAWS (cont.)

MONTANA

Sections 39-71-701(2) and 39-71-702(2)--If periodic disability benefits are payable to the worker under the Federal OASDI, weekly temporary total and permanent total disability benefits resulting from both injury and occupational disease shall be reduced by an amount approximating one-half (but not below zero) of the Federal benefit for such week which amount is to be calculated from the date of the social security disability entitlement.

NEW JERSEY

Section 34:15-29--Workers' compensation benefits may be offset against disability pension benefits or payments.

Section 34:15-95.4--Supplemental benefits for permanent total disability and death shall be offset by any Federal survivor or disability benefits, black lung, or disability pension benefits.

Section 34:15-95.5--Reduces permanent total disability or subsequent injury benefits of individuals under age 62 by Social Security benefits where the period of disability began after December 31, 1979.

NEW YORK

Section 16(1-c) and (7)--Applies a statutory offset of a sole surviving spouse's compensation by up to 50 percent of his or her social security benefits, if any. Further, provides that in computing the offsets, any increase in benefits under the Social Security Act that occurs after the date of death shall not be considered; and any such offset shall be equally applicable to payments under the Social Security Act which are received retroactively, but shall not apply to increases for such benefits received retroactively.

NORTH CAROLINA

Section 97-42.1--Provides that compensation for temporary total or permanent total disability benefits may be reduced by the amount of any unemployment insurance benefits received for the same period.

TABLE 17. OFFSET PROVISIONS IN STATE WORKERS' COMPENSATION LAWS (cont.)

NORTH DAKOTA

Section 65-05-09.1—The aggregate benefits payable for temporary total or permanent total disability shall be reduced, but not below zero, by an amount equal as nearly as practical to one-half of the benefits payable under Title II of the Social Security Act (42 U.S.C. 423) and will not be affected by any increase or decrease in Federal benefits. Any escalation of temporary or permanent total disability benefits, which would adversely affect the bureau's right to offset workers' compensation benefits against social security benefits, shall not be applicable to persons whose benefits are offset, as provided for in this chapter.

OHIO

Section 4123.56—Applies an offset against temporary total disability payments in the event of concurrent and duplicative benefits under an employer funded nonoccupational benefits plan.

OREGON

Section 656.209—Provides for a social security offset against permanent total disability benefits but subject to approval of the Department in each case. Such offsets must not result in either a reduction of benefits to an amount less than workers' compensation or in the reduction of combined benefits to an amount below the Federal benefit.

UTAH

Section 35-1-68(b)—Reduces weekly death benefits to wholly dependent spouses after the first six-year period following an employee's death by 50 percent of any Federal social security benefits.

TABLE 17. OFFSET PROVISIONS IN STATE WORKERS' COMPENSATION LAWS (cont.)

WASHINGTON

Section 51.32—Reduces temporary and permanent total disability benefits to allow an offset for social security retirement benefits under the Federal OASDI, in a manner similar to Section 51.32.220 below.

Sec. 51.32.220—Reduces temporary and permanent total disability benefits for persons under age 65 by an amount equal to the benefits payable under the Federal OASDI, under certain conditions.

WISCONSIN

Section 102.44(5)—Reduces disability benefits under this section when the employee also receives social security disability benefits. Combined workers' compensation and social security disability benefits are limited to 80 percent of the employee's average current earnings. However, such benefits may not be reduced to an amount less than the benefits payable under this chapter.

TABLE 18. ATTORNEY FEES IN WORKERS' COMPENSATION<sup>1/</sup>

State	Attorney fees established by statute, rule, operating policy, or on individual case basis	Determined by:	Statutory provision whereby attorney fees are added to award in certain cases	Statutory provision making unlawful acceptance of unapproved fees	Laypersons permitted to represent claimants	Attorney fees, upon approval, become liens against awards
Alaska	25% minimum on first \$1,000; 10% on balance, statute	Agency	Yes	Yes	Yes	No
Alabama	15%, statute	Court	None	None	No	No
Arizona	25%, statute	Agency	None	None	No	No
Arkansas	30% first \$1,000; 20% next \$2,000; 10% on balance, statute	Agency	Yes	None	Yes	No
California	Individual case basis	Agency	Yes	None	Yes	Yes
Colorado	Individual case basis	Agency	None	None	No	Yes
Connecticut	Individual case basis	Agency	Yes	None	Yes	No
Delaware	30% or \$2,250, whichever is smaller, statute	Agency	Yes	None	No	No
District of Columbia	Individual case basis	Agency	Yes	Yes	Yes	Yes
Florida	25% first \$5,000; 20% second \$5,000; 15% on balance, statute	Agency	Yes	Yes	No	Yes
Georgia	25% to 33 1/3%, rule	Agency	Yes	Yes	No	No
Hawaii	Individual case basis	Agency	Yes	Yes	Yes	Yes
Idaho	Individual case basis	Agency	Yes	None	Yes	No
Illinois	20%, statute	Agency	Yes	None	No	No
Indiana	20% first \$5,000; 15% next \$5,000; 10% on balance, rule	Agency	Yes	None	No	No
Iowa	Individual case basis	Agency	None	None	No	Yes

TABLE 18. ATTORNEY FEES IN WORKERS' COMPENSATION (cont.)

State	Attorney fees established by statute, rule, operating policy, or on individual case basis	Determined by:	Statutory provision whereby attorney fees are added to award in certain cases	Statutory provision making unlawful acceptance of unapproved fees	Laypersons permitted to represent claimants	Attorney fees, upon approval, become liens against awards
Kansas	25%, statute	Agency	None	None	No	Yes
Kentucky	20% first \$25,000; 15% next \$10,000; 5% balance, \$6,500 maximum, statute	Agency	Yes	No	No	No
Louisiana	20% first \$10,000; 10% on balance, statute	Court	Yes	Yes	No	Yes
Maine	Individual case basis	Agency	Yes	Yes	No	No
Maryland	20% first \$7,000; 15% next \$18,000; 10% balance, policy	Agency	Yes	None	No	Yes
Massachusetts	20% on lump sum settlement, individual case basis, statute	Agency	Yes	None	No	Yes
Michigan	30%, rule; up to time of trial; plus 15% on redemption settlements	Agency	None	None	No	No
Minnesota	25% first \$4,000; 20% next \$27,500, statute	Agency	Yes	Yes	No	Yes
Mississippi	25% before Commission; 33 1/3% in Court, statute	Agency	None	Yes	No	Yes
Missouri	25%, policy	Agency	None	None	No	Yes
Montana	25% - 40%, policy	Agency	None	None	Yes	Yes
Nebraska	20% - 25%, policy	Court	Yes	None	No	Yes
Nevada	No provision		Yes		Yes	
New Hampshire	20% - 25%, policy	Agency	Yes	None	No	No
New Jersey	20%, statute	Agency	Yes	Yes	No	Yes
New Mexico	10% of first \$5,000, 15% of next \$5,000, and 10% of balance, statute; individual case basis if appealed to court	Agency	Yes	Yes	No	No
New York	Individual case basis	Agency	None	Yes	Yes	Yes
North Carolina	Individual case basis	Agency	Yes	Yes	No	No
North Dakota	\$50 per hour, maximum, rule	Agency	Yes	None	No	No

TABLE 18. ATTORNEY FEES IN WORKERS' COMPENSATION (cont.)

State	Attorney fees established by statute, rule, operating policy, or on individual case basis	Determined by:	Statutory provision whereby attorney fees are added to award in certain cases	Statutory provision making unlawful acceptance of unapproved fees	Laypersons permitted to represent claimants	Attorney fees, upon approval, become liens against awards
Ohio	Individual case basis	Agency	None	None	No	No
Oklahoma	10% TTD; 20% other types, statute	Court	None	None	No	Yes
Oregon	25% not to exceed \$3,000, rule	Agency	Yes	None	Yes	Yes
Pennsylvania	20%, statute	Agency	Yes	None	No	Yes
Puerto Rico	Individual case basis	Agency	Yes	None	No	No
Rhode Island	Individual case basis	Agency	Yes	None	No	No
South Carolina	Individual case basis	Agency	Yes	Yes	No	No
South Dakota	Individual case basis	Agency	Yes	None	Yes	No
Tennessee	20%, statute	Court	None	Yes	No	Yes
Texas	25%, statute	Agency	Yes	None	Yes	Yes
Utah	20% first \$15,000; 15% next \$15,000; 10% balance, maximum \$9,051, rule	Agency	None	None	Yes	No
Vermont	20% maximum \$3,000, policy	Agency	Yes	None	No	Yes
Virginia	Individual case basis	Agency	Yes	None	No	No
Washington	30%, statute	Agency	Yes	Yes	Yes	No
West Virginia	20%, 208 week limit, statute	Agency	None	Yes	No	No
Wisconsin	20% in dispute cases, statute	Agency	None	Yes	Yes	No
Wyoming	Individual case basis	Court	Yes	Yes	Yes	No

1/ This table refers only to attorney fees for claimants. Attorney fees of employers and insurance carriers are not regulated by State statutes or regulations.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Alabama	NO COMMITTEES OR COMMISSIONS						
Alaska	Labor-Management Workers' Compensation Ad Hoc Committee	Self-Appointed	Review wc legislation and make recommendations to Governor and Dept. of Labor for reform. Inform businesses of wc rules and regulations.	Proposed legislation agreed upon by labor and management.	Labor - 6 Management - 6	Start - 1980 Ongoing	Developing recommendations for improving workers' compensation legislation.
Arizona	NO COMMITTEES OR COMMISSIONS						
Arkansas	Workers' Compensation Task Force	Governor	Propose legislation.	Proposed legislation.	All interested parties represented: Labor - 2 Business - 2 Insurance - 2 General Public - 6	Start - 7/1/84 Ongoing	Action being taken regarding 1987 legislative session.
California	NO COMMITTEES OR COMMISSIONS						
Colorado	Policy Holders' Advisory Council for the State Fund	Governor	Advise the Manager of the State Fund, Industrial Commission, Executive Director of the Department of Labor and Employment, and the Governor.	Recommendations to the Fund manager regarding policy and legislative matters.	Employers insured by State Fund - 8 Employees of insured employers - 2 Senate - 1 House - 1 Insurance Commissioner (Ex Officio)	Ongoing	No recommendations as of 7/1/86.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Colorado	Legislative Interim Committee on Workers' Compensation	Speaker of the House and President of the Senate	Study wc focusing primarily on wage loss, benefit levels, premium costs, and inequities between employer and employee.	Recommendations to the Legislature.	Members of House and Senate	Start - 6/85 thru 1986 legislative session.	Recommendations made to the legislature to abolish the Industrial Commission and change the State Fund to a public nonprofit corporation were implemented. Also recommendations made to raise burial benefits from \$1,000 to \$2,000 were enacted into law.
Connecticut	NO COMMITTEES OR COMMISSIONS						
Delaware	Workers' Compensation Task Force	Insurance Commissioner	To conduct a comprehensive review of the wc system and determine where problems may exist.	Recommendations on solutions to problems.	Representatives of employers, insurers, and employees.	Start - 1985 Ongoing	Currently conducting studies of rate making, data collection, and data integrity.
District of Columbia	NO COMMITTEES OR COMMISSIONS						

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Florida	Workers' Compensation Advisory Council	Secretary of Labor and Employment Security	Aid WC Division in formulating policies, discussing problems, and in assuring impartiality and freedom from political influence in the solution of such problems.	Recommendations regarding policies, and solutions to problems.	Labor - 4 Employers - 4 Medical - 4 Insurance and Self-insurance - 4	Start - 1935 Permanent	No recommendations as of 7/1/86.
Florida	Self-Insurers Rules Advisory Committee	WC Division Director	Advise Division regarding rules for self-insurance.	Suggested rules.	Individual self-insurers Group self-insurers	Start - 1955 Ongoing	Recommended that self-insurance funds have authority under certain conditions to fund their aggregate excess insurance requirements.
Florida	Rehabilitation Advisory Committee	WC Division Director	Advise Division on matters relating to rehabilitation.	Suggestions on rules, procedures, and forms.	Representatives of rehabilitation, legal, medical, and insurance carriers	Not specified	Recommended the adoption of rules for licensing of rehabilitation providers.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Florida	Special Task Forces	WC Division Director	Statute allows Division to establish task forces as necessary to assist with specified charges such as the Carrier Practices Task Force and the Medical Forms Task Force.		Varies with the task assigned:  (1) Carriers Task Force  (2) Medical Forms Task Force Medical - 2 Rehabilitation - 2 Carriers - 5 Self-insurance - 2 Attorney - 1 Industry - 1 Labor - 1 Insurance Department - 1 WC Division - 3	Not specified	Carrier Practices Task Force continuously reviews carrier practices and makes recommendations as needed.  Medical Forms Task Force developed the medical forms currently being used. Recommendations will be made as needed in future regarding any revisions.

NOTE: (Florida) All committee members are appointed for 1 year terms. Number of committee members is determined by the Division Director.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Georgia	Rehabilitation Advisory Council	WC Board	Discuss rehabilitation and reemployment of injured or diseased workers; review and make recommendations regarding needed or existing legislation and administration.	Consensus of opinion on rehabilitation matters to be considered by the Board or legislature.	Attorneys - 2 (plaintiff & defense) Clinical psychologist - 1 Rehabilitation counselors - 2 (private & public) Industrial physician - 1 Orthopedist - 1 Rehabilitation nurse - 1 Claims manager - 1 Self-insurer - 1	Start - 1/79 Indefinite	Provides guidance for Rehabilitation Director and Board on rehabilitation matters.
Georgia	The Chairman's Advisory Group	WC Board	Poster better communications between the Board, insurance carriers, and self-insurers.	Better communications and cooperation between the parties represented. Procedures may be changed, forms revised, or new procedures or law explained.	Top 15 carriers and 2 largest self-insurers in the State	Start - 3/79 Indefinite	Communication among parties has been enhanced.
Georgia	Standing Subcommittee on Workers' Compensation of the House Industrial Relations Committee	Chairman of the House Industrial Relations Committee	Study relevant wc issues on an ongoing basis; increase adequacy and equity of law for both management and labor.	Recommendations on legislative changes that are needed will be made to the Industrial Relations Committee as appropriate.	House members - 5	Start - 1/81 Indefinite	No recommendations as of 7/1/86.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Georgia	Standing Subcommittee on Workers' Compensation of the Senate Industry and Labor Committee	Chairman of the Senate Industry and Labor Committee	Study relevant wc issues on an ongoing basis; increase adequacy and equity of law for both management and labor.	Recommendations on legislative changes that are needed will be made to the Industry and Labor Committee as appropriate.	Senate members - 5	Start - 1/81 Indefinite	No recommendations as of 7/1/86.
Georgia	Governor's Study Committee on Workers' Compensation	Governor	Review existing law and make recommendations for changes.	Proposed legislation.	19 members - representing insurance, industry, labor, attorneys, and the Legislature.	Start - 10/12/83 Ongoing	Developing recommendations on occupational disease for presentation to the legislature.
Georgia	Workers' Compensation Coverage Study Committee	President of the Senate and Speaker of the House	Study coverage aspects of wc system	Recommendations to the Legislature.	Senate members - 3 House members - 3	Start - 3/7/86 End - 12/15/86	No recommendations as made as of 7/1/86.
Hawaii	NO COMMITTEES OR COMMISSIONS						

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Idaho	Governor's Advisory Committee on Workers' Compensation	Governor	Recommend changes to Governor and Legislature to improve wc system.	Recommendations to the Governor and Legislature.	Labor - 3 (2 attorneys) Industry - 3 (1 attorney) Insurance Carriers - 2 Insurance Repre. - 1 (1 attorney)	Start - 12/79 Ongoing	Recommendations were made to improve the financial base of the Second Injury Fund.
Idaho	Advisory Committee on Rehabilitation	Industrial Commission	Study and make recommendations to Commissioner for improving the rehabilitation program.	Report to Commissioner on recommended changes in rehabilitation program.	Labor - 2 Industry - 4 Insurance industry - 2 Legal profession - 2 Medical profession - 1	Start - 9/17/80 Ongoing	Subject to call. No recommendations made as of 7/1/86.
Illinois	NO COMMITTEES OR COMMISSIONS						
Indiana	NO COMMITTEES OR COMMISSIONS						

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Iowa	Iowa Workers' Compensation Advisory Committee	Nominated by Membership Sub-committee; elected by the membership.	Educate various interested parties on Iowa wc law; advise, counsel and assist Iowa Industrial Commissioner.	(1) Annual symposium attended by 500 people in 1984. (2) Rule changes to Industrial Commissioner. (3) Legislative recommendations in form of agreed-to bill.	Labor - 5 Management - 5 Insurance carriers - 5 Agriculture - 1 Claimant council - 5 Defense council - 5 Ex Officio members - 2 Ex Parte members - 5	Start - 1962 Ongoing	Revised administrative rules are being studied. No recommendations made as of 7/1/86.
Iowa	Workers' Compensation Sub-committee of the Governor's Workers' Compensation and Unemployment Insurance Task Force.	Governor	Develop recommendations to make the unemployment insurance and workers' compensation system more competitive.	Recommendations to the Governor.	Labor - 1 Business - 2 Insurance - 1 Legal Profession - 2 Ex-Officio members - 4	Start - June 1985 End - Indefinite	As a result of recommendations made for changes in the law, legislation was enacted to allow coverage of sole proprietors and partners and owners and operators of certain trucks.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Kansas	Workers' Compensation Joint Advisory Committee	Secretary, Department of Human Resources	Bring labor and industry together to recommend beneficial changes to the Kansas wc laws.	Legislative recommendations in form of agreed-to bill.	Labor - 3 Industry - 3 WC Division - 3	Start - reconvened in 1977 Ongoing	No recommendations made as of 7/1/86.
Kentucky	Rehabilitation Panel	WC Board	Review contested wc rehabilitation cases and determine appropriate actions.	Decision regarding the rehabilitation issue involved in a particular case; suggestions for rehabilitation procedures or legislative language on rehabilitation section of the law.	Physician - 1 State Manpower Agency - 1 State Vocational Rehabilitation Agency Rehabilitation Counselor - 1 Rehabilitation Director of Kentucky WC Board - 1 Administrator of Board - 1	Start - 1974 Ongoing	Meets when necessary to review rehabilitation matters and provide the Board with expert opinions regarding appropriate rehabilitation for claimants.
Louisiana	Workers' Compensation Advisory Council	Governor	Review wc system and make recommendations to the legislature.	Proposals for new legislation.	Plaintiff's attorneys Defense attorneys Business Labor Self-Insurers State Medical Society General Public	Start - 1983 Ongoing	Disbanded 6/30/86.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Maine	Employment Rehabilitation Advisory Board	Governor	Advise the Chairman of the Workers' Compensation Commission and Administrator regarding vocational rehabilitation.	To make ongoing recommendations regarding vocational rehabilitation.	Employers - 3 Employees - 3 Vocational Rehabilitation - 1 Public - 1	Start - 1/1/86 Ongoing	Presently holding meetings, however, no recommendations made as of 7/1/86.
Maryland	Governor's Commission on Workmen's Compensation	Governor	Total study of all phases of wc.	Report to Governor.	Secretary of Licensing and Regulations Dept. Dean of College of Business and Management, University of Maryland Legislature Labor Business Plaintiff and Claimant Attorneys	Ongoing	Recommended the establishment of a research group to study cost aspects of TTD, PPD, and medical benefits.
Massachusetts	NO COMMITTEES OR COMMISSIONS						
Michigan	NO COMMITTEES OR COMMISSIONS						

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Minnesota	Study performed by Commissioner	N/A	To study impact of 1983 law, including competitive State Fund, benefit payment levels and premium costs.	Report to Legislature	N/A	Ongoing	Report was submitted to Legislature.
Minnesota	Advisory Council on Workers' Compensation	Commissioner	Determine benefit changes in permanent total disability and permanent partial disability cases, and other aspects of the W/C Act.	Report to Governor and Legislature on or before November 15th of each even-numbered year.	Employers - 5 Employees - 5 Public - 5 (nonvoting) Claimants who have received w/c benefits - 2	Ongoing	Report was submitted to Governor.
Mississippi	House Insurance Committee (Subcommittee on Workers' Compensation)	Speaker	To develop legislation.	Legislation	Representatives - 5	Start - 1984 End - 1988	Reported a bill to the Full House which sets benefits at 66 2/3 percent of the SAww, redefines injury, and prevents retaliatory employee discharge.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Mississippi	Workers' Compensation Advisory Council	Chairman, Workers' Compensation Commission	To develop legislation agreed upon by all parties.	Legislation. Make recommendations to improve administration of wc law.	20 members (representing all parties)	Start - 10/85 Ongoing	Recommended benefits at 66 2/3 percent of the SAWW, redefined injury, and established a provision preventing retaliatory employee discharge.
Missouri	NO COMMITTEES OR COMMISSIONS						
Montana	Workers' Compensation Advisory Council	Governor	Advise and counsel Governor on legislative changes, and on administrative rules and procedures.	Proposals for legislation and rules and procedure changes.	Chairman Employers - 3 Labor - 3 Insurance Agent - 1 Self-insurers - 1 Private insurance - 1 State Fund - 1 W/C Court - 1 Claimant attorney - 1 Insurers' attorney - 1 Physician - 1 Chiropractor - 1 State Vocational Rehabilitation Specialist - 1 Private Vocational Rehab. Specialist - 1	Start - 1/85 Ongoing	Report due 7/1/86.
Nebraska	NO COMMITTEES OR COMMISSIONS						
Nevada	NO COMMITTEES OR COMMISSIONS						

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
New Hampshire	Workers' Compensation Advisory Council	Governor	Forum for discussing wc program to identify problems and prepare legislation.	Annual Report.	Labor - 1 Employer - 1 Insurance Industry - 1 Labor Commissioner or designee - 1 Insurance Commissioner or designee - 1 Member of the House - 1 (appointed by the Speaker) Member of the Senate - 1 (appointed by President of the Senate)	Start - 7/79 Ongoing	Council meetings will be held monthly during 1986, to discuss the state's wc system. Council is now considering combined earnings in determining wc benefit payments.
New Jersey	Rules of Practice Committee	Commissioner of Labor	Develop, review and evaluate rules of practice for wc attorneys.	Set of rules.	Attorneys - 3 Corporate representatives - 3 Director, WC Commission	Disbanded	Rules promulgated June 1, 1986.
New Jersey	State Bar Association Workers' Compensation Advisory Committee	State Bar Association	Recommends administration reforms.	Improve system.	Attorneys - 6 Physicians - 2	Start - 7/83 Ongoing	Scheduling innovations.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
New Mexico	Interim Legislative Study Committee	Governor	To study the wc law	Recommendations to the 38th Legislature	Senators - 4 Representatives - 4	Start - June 86 End Dec. - 1986	Considering proposals
New York	Advisory Committee on Medical Fee Schedules and Allied Problems	Chairman of WC Board	Recommend and advise Chairman on changes in the medical fee schedule as well as promulgation of chiropractic, podiatry, physical therapy, and out-patient hospital fee schedules.	Chiropractic, medical and podiatry rating and fee recommendations.	Medical - 6 Commerce and Industry - 1 Labor - 1 Self-insurance - 1 No Fault insurance - 1 Insurance carriers - 5 State Insurance Department - 2	Ongoing	Completed medical fee schedule. Developing occupational therapy fee schedule.
New York	Temporary State Commission on WC and Disability Laws	Governor	To examine efficiency of wc laws regarding funding and occupational diseases.	Report with recommendations to Governor.	Labor Business Public	Disbanded	Submitted a final report to the Governor and Legislature.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
New York	Early Management of Medical Care Project	Chairman of WC Board	Evaluate, in designated WC cases, several aspects of the medical care of soft tissue injuries of the back, and injuries to members. Three main areas of concern: 1. Impact of early intercession in medical management by the carrier. 2. Impact of family cooperation with the treatment program. 3. Impact on costs to the industry.	Statistical reports and case studies.	WC Board Hartford Insurance Co. Insurance Co. of North America Liberty Mutual Travelers Insurance Co. State Insurance Fund	Start - 1/1/79 Indefinite	Preparing final report.
New York	Self-Insurance Advisory Committee	Chairman of WC Board	Advise Chairman on all matters relating to self-insurers, i.e., regarding rules governing self-insurers, and deposit or withdrawal of securities.	Recommendations to the Chairman.	Self-insurers WC Community	Start - 1965 Ongoing	No recommendations made as of 7/1/86.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
New York	Advisory Committee on Administrative Practices and Procedures	Chairman of WC Board	Provide assistance to Chairman in reviewing, revising and instituting new internal and external procedures, rules, regulations and L.S.	Suggestions for improvements of administration.	Law - 3 Medical - 1 Self-insurance - 2 Licensed representatives - 2 New York Committee for NYCOSH - 1 Carriers - 4 Special Funds Conservation Committee - 1 Business - 1 Labor - 1	Ongoing	Recommendations made regarding expediting the processing of wc cases. Prepared method of determining wages in concurrent employment situations.  Prepared procedures regarding an offset of benefits by a family court lien.
North Carolina	Medical Advisory Committee	North Carolina Medical Society	Advise Commission on appropriate fees for medical services rendered to wc claimants by physicians, hospitals, dentists, prosthetists, and therapists. Provide meaningful communication between Industrial Commissioner and Medical Society.	Recommendations to Industrial Commission.	Physicians - 30	Permanent	Fee schedule revised and printed, July 1986.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
North Carolina	Advisory Medical Committee	Industrial Commission	Three physicians who examine claimants for silicosis & asbestosis.	Medical evaluations.	Physicians - 3	Start - 1935 Permanent	Case by case review. No general recommendations issued as of 7/1/86.
North Carolina	Brown Lung Study Committee	Governor	Examine ways to expedite handling of byssinosis claims.	Report to Governor with 25 recommendations for expediting byssinosis claims. Submitted 4/10/80.	Carriers, the textile industry, former presidents of Carolina Brown Lung Association, State Appeals Court Judge, medical pulmonary specialists	Start - 12/27/79 End - Indefinite	Committee meets with Commission monthly to determine progress being made regarding implementing recommendations and impact of implementing the 25 recommendations on expediting and improving claims processing. All recommendations have been implemented. Committee oversight is continuing.
North Carolina	Textile Occupational Disease Panel	Industrial Commission	Examine claimants suspected of having byssinosis. Provide medical opinions to Commission.	Medical evaluations.	Physicians - 22 (Number of physicians increases as more pulmonary specialists become interested in serving. The Commission approves their qualifications.)	Start - 1979 Permanent	Active committee composed of Board certified pulmonary specialists appointed by Commission.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
North Dakota	Board of Commissions	Governor	Make recommendations for reform of the wc system.	Report to Governor on changes in premium rates, impairment ratings, and benefit levels.	Employer - 1 Public - 1 Labor - 1	Start - 1919 End - Indefinite	Reduced employer premium rates and increased supplemental benefits for permanent total disability. Recommendation for changes will be made to the 1987 legislative session.
Ohio	Ohio Workers' Compensation Advisory Council	Governor	Study and recommend improvements for various aspects of the wc system.	Report to Governor, Legislature, and Industrial Commission, and Bureau of Workers' Compensation.	Labor - 2 Industry - 2 Public - 3	Start - 1955 Ongoing	Considering various proposals.
Oklahoma	NO COMMITTEES OR COMMISSIONS						
Oregon	Industrial Accident Workers' Advisory Committee	Workers' Compensation Department Director	Advise the Director on matters relating to wc.	Make recommendations by informal memorandum or orally.	Labor - 3 Industry - 3 Insurers - 3	Start - 1969 Ongoing	No recommendations made as of 7/1/86.
Oregon	Advisory Committee on Medical Care	Workers' Compensation Department Director	Advise the Director on medical care provisions and prepare rules for medical care.	Advice on rules and medical care to injured workers.	Physicians Insurers Labor Industry	Start - 1966 Ongoing	No recommendations as of 7/1/85.

TABLE 19. WORKERS' COMPENSATION ADVISORY COMMITTEES AND STUDY COMMISSIONS (cont.)

State	Name of Committee or Commission	Appointed By	Purpose	Nature of Finished Product	Interests Represented	Term	Status and/or Accomplishments
Pennsylvania	Pennsylvania Workmen's Compensation Advisory Council	Secretary of Labor and Industry	Advise Department of Labor and Industry on wc administration.	Advice on matters relating to wc legislation and administration.	Secy of Labor - (Ex Officio) Employers - 2 Employees - 2 Public - 2 (2 years for each representative)	Start - 1976. End - Indefinite	Inactive.
Puerto Rico	NO COMMITTEES OR COMMISSIONS						
Rhode Island	NO COMMITTEES OR COMMISSIONS						
South Carolina	Workers' Compensation Study and Review Committee	Legislature	Review and monitor effectiveness of wc law and administration; study recommended guidelines of Federal government and recommend changes in law to comply with and make other necessary adjustments to the law; draft legislation to improve law.	Legislative proposals.	Senators - 3 Representatives - 3	Start - 1975 Permanent	Studying the possibility of a State Fund for the workers' compensation system.