

WISCONSIN



DWD

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# Fatal Claims

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DWD Division of Worker's Compensation

# Reporting a Fatality: Conceded Claim

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## **CALL RIGHT AWAY!**

- Fax initial report of injury (WKC-12)
- Fax wage information (WKC-13A)
- Contact information for dependents:
  - Spouse
  - Children under 18
  - Surviving un-estranged parents



# Reporting a Fatality: Denied Claim

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- Denial letter
- Death certificate or autopsy report
- Police report (if applicable)
- Attorney General reviews denials



# Death Benefits

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## Dependents

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



# Death Benefits

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- No spouse or children, but surviving parent(s): \$6,500 (may be more if parents prove dependence)
- Prehearing if dependents from multiple partners
- If no dependents, pay into state fund



# Poll Question

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Dependents who should be eligible for death benefits include:

1. Unborn child conceived prior to fatal injury
2. All children up to age 26
3. Fiancée, as long as the wedding date was set prior to fatal injury
4. Whoever is designated as a beneficiary in the worker's will



# Death Benefits (cont.)

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- Funeral expense: Up to \$10,000
- To state fund: \$20,000 (102.49(5)(a))
  - Plus death benefit if no dependents  
(five annual installments: s. 102.49(5)(b))



# PPD or PTD Dies

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





# Death Before PPD

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





# Questions?

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