

Steven L. Beshear Governor

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KENTUCKY LABOR CABINET Department of Workers' Claims

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Mark S. Brown Deputy Secretary

Dwight T. Lovan Commissioner

August 5, 2008

TO:

Workers' Compensation Insurance Carriers

and Self-Insurers Operating in the Commonwealth of Kentucky

FROM:

Dwight T. Lovan, Commissioner

Kentucky Department of Workers' Claims

SUBJECT: WORKERS' COMPENSATION BENEFIT SCHEDULE - 2009

The Education Cabinet, Department for Workforce Investment, has certified that the average weekly wage of Kentucky for the calendar year 2007 was \$694.30. Based upon that information and in accordance with KRS 342.143, the following determinations are made:

- 1. The increase in maximum income benefits under all provisions of the Workers' Compensation Act for the year 2007 over the year 2006 did amount to \$2.00 or more; therefore, the maximum weekly indemnity benefits for calendar year 2009 shall be \$694.30.
- 2. There was an increase of \$1.00 or more in minimum income benefits; the Act shall be \$138.86 for calendar year 2009.

A schedule of indemnity benefits is attached hereto.

bwm

Attachment



SCHEDULE OF WEEKLY WORKERS' COMPENSATION BENEFITS

TYPE OF DISABILITY SECTION OF STATUTE		FOR INJURIES OCCURING							
	01-01-04	01-01-05	01-01-06	01-01-07	01-01-08	01-01-09			
	thru 12-31-04	thru 12-31-05	thru 12-31-06	thru 12-31-07	thru 12-31-08	thru 12-31-09			
APPLICABLE AVERAGE	\$588.43	\$607.23	\$631.22	\$646.47	\$670.02	\$694.30			
WEEKLY WAGE OF THE	(2002)	(2003)	(2004)	(2005)	(2006)	(2007)			
STATE	,	,	,			, ,			
DEATH (KRS 342.750) a. Widow or widower with no children-50% of average weekly wage of deceased-subject to the following:			,						
MAXIMUM MINIMUM	\$294.22 117.69	\$303.62 121.45	\$315.61 126.24	\$323.24 129.29	\$335.02 134.00	\$347.16 138.86			
b. Widow or widower with children living in the home- 45% of average weekly wage of deceased, plus 15% for each child-subject to the following: MAXIMUM	\$441.32	\$455.42	\$473.42	\$484.85	\$502.51	\$520.72			
MINIMUM	117.69	121.45	126.24	129.29	134.00	138.86			
c. Widow or widower with children not living in home-40% of average weekly wage of deceased, plus 15% for each child-subject to the following:									
MAXIMUM MINIMUM	\$441.32 117.69	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86			
d. One child, no widow or widower- 50% of average weekly wage of deceased-subject to the following: MAXIMUM	\$294.22	\$303.62	\$315.61	\$323.24	\$335.02	\$347.16			
MINIMUM	117.69	121.45	126.24	129.29	134.00	138.86			
d(1)More than one child, no widow or widower-50% of average weekly wage of deceased for the first child with an additional 15% of average weekly wage of deceased for each additional child-subject to the following:									
MAXIMUM MINIMUM	\$441.32 117.69	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86			
e. Dependent parents- 25% of average weekly wage of deceased to each parent- subject to the following:									
MAXIMUM MINIMUM	\$441.32 117.69	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86			
Dependent brothers, sisters, grandparents and grandchildren- 25% of average weekly wage of deceased to each dependent- subject to the following:									
MAXIMUM MINIMUM	\$441.32 117.69	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86			

TYPE OF DISABILITY SECTION OF STATUTE		FOR INJI	JRIES OCCU	RING		
SECTION OF STATUTE	01-01-04	01-01-05	01-01-06	01-01-07	01-01-08	01-01-09
	thru	thru	thru	thru	thru	thru
	12-31-04	12-31-05	12-31-06	12-31-07	12-31-08	12-31-09
LUMP SUM DEATH BENEFIT INCREASE KRS 342.750(6)	\$57,799.31	\$59,645.97	\$62,002.42	\$63,500.37	\$65,813.60	\$68,198.54
TEMPORARY AND PERMANENT TOTAL KRS 342.730(1)(a) 66 2/3% of average weekly wage of employee-subject to the following: MAXIMUM MINIMUM	\$588.43	\$607.23	\$631.22	\$646.47	\$670.02	\$694.30
	117.69	121.45	126.24	129.29	134.00	138.86
RETRAINING INCENTIVE BENEFITS KRS 342.732(1)(a) 66 2/3% of average weekly wage of employee-subject to	ge	2				
MAXIMUM	\$441.32	\$455.42	\$473.42	\$484.85	\$502.51	\$520.72
MINIMUM	NONE	NONE	NONE	NONE	NONE	NONE
PERMANENT PARTIAL FOR INJURIES OCCURING AFTER 12-11-96 KRS 342.730(1)(b), (1)(c)2,&(1)(d) 99% of 66 2/3% of average weekly wage of employee subject to the						
following: MAXIMUM MINIMUM	\$441.32	\$455.42	\$473.42	\$484.85	\$502.51	\$520.72
	NONE	NONE	NONE	NONE	NONE	NONE
PERMANENT PARTIAL FOR INJURIES OCCURING AFTER 12-11-96 KRS 342.730(1)(c)1,& (1)(d) When the employee does not retain physical capacity to return to type of work performed at time of injury- 99% of 66 2/3% of average weekly wage of employee subject to the following:						
MAXIMUM	\$588.43	\$607.23	\$631.22	\$646.47	\$670.02	\$694.30
MINIMUM	NONE	NONE	NONE	NONE	NONE	NONE