

## DEATH BENEFITS

### Administrative Workers' Compensation Act, 85A O.S., §47(C)

#### For Deaths Occurring During the Period of November 1, 2015 Through October 31, 2016

Weekly death benefits for beneficiaries subject to the Administrative Workers' Compensation Act are computed as percentages of the deceased's average weekly wage (AWW), which shall be taken as not more than the State Average Weekly Wage (SAWW).

The following chart is an **EXAMPLE**. It represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose AWW equals or exceeds the SAWW of \$841.90.

<b>WEEKLY DEATH BENEFITS - 85A O.S., §47(C)</b> WHEN THE DECEASED'S AWW EQUALS OR EXCEEDS THE SAWW OF \$841.90			Total Maximum Aggregate Weekly Benefit Amount
1. <b>Spouse only:</b>	Surviving spouse: 70% x \$841.90	\$589.33	<b>\$589.33</b>
2. <b>Spouse and one (1) child:</b>	Surviving spouse: 70% x \$841.90 Child: 15% x \$841.90	\$589.33 \$126.29	<b>\$715.62</b>
3. <b>Spouse and two (2) or more children:</b>	Surviving spouse: 70% x \$841.90 Children: (30% x \$841.90) ÷ (# of children) = Benefit per child	\$589.33	<b>\$841.90</b>
4. <b>No spouse, one (1) child:</b> (50% x \$841.90)			<b>\$420.95</b>
5. <b>No spouse, two (2) children:</b> (50% x \$841.90) = \$420.95 per child			<b>\$841.90</b>
6. <b>No spouse, three (3) or more children:</b> (\$841.90 ÷ # of children) = Benefit per child			<b>\$841.90</b>
7. <b>No spouse or children, actually dependent beneficiary:</b> (25% x \$841.90) = Benefit per beneficiary			
8. <b>Alien nonresident dependents in any foreign country:</b> See 85A O.S., §11.			

<b>LUMP SUM DEATH BENEFITS - 85A O.S., §47(C)</b>	
1. <b>Spouse:</b> \$100,000, plus up to \$10,000 for funeral expenses.	
2. <b>Spouse and one (1) child:</b> Spouse: \$100,000; Child: \$25,000 payable to the legal guardian of the estate of the minor at the Commission's discretion; Funeral Expenses: Maximum of \$10,000.	
3. <b>Spouse and two (2) or more children:</b> Spouse: \$100,000; Children: Divide \$50,000 equally and payable to the legal guardian of the estate of each minor at the discretion of the Commission; Funeral Expenses: Maximum of \$10,000.	
4. <b>No spouse, up to two (2) children:</b> Children: \$25,000 per child payable to the legal guardian of the estate of the minor at the Commission's discretion; Funeral Expenses: Maximum of \$10,000.	
5. <b>No spouse, more than two (2) children:</b> \$25,000 per child, up to a maximum of \$150,000, divided equally and payable to the legal guardian of the estate of each minor at the discretion of the Commission; Funeral Expenses: Maximum of \$10,000.	
6. <b>Spouse, upon remarriage:</b> Two (2) years' indemnity benefit in one lump sum.	