

Weekly Death Benefits for Deaths Occurring During the Period of November 1, 2017 Through December 31, 2018¹ - 85A O.S. §47(C)²

The following chart represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose AWW equals or exceeds the SAWW of \$843.75

Beneficiary or Beneficiaries	Calculation	Benefit Amount for Beneficiary	Aggregate Benefit Amount Per Week For All Beneficiaries
1. Spouse only:	$\$843.75 \times 70\%$	\$590.63	\$590.63
2. Spouse and one (1) child	Spouse: $\$843.75 \times 70\%$ Child: $\$843.75 \times 15\%$	\$590.63 \$126.56	\$717.19
3. Spouse and two (2) or more children	Spouse: $\$843.75 \times 70\%$ Children: $(\$843.75 \times 30\%) \div$ (# of children) = benefit per	\$590.63	\$843.75
4. No spouse, one (1) child	$\$843.75 \times 50\%$	\$421.88	\$421.88
5. No spouse, two (2) children	Child #1: $\$843.75 \times 50\%$ Child #2: $\$843.75 \times 50\%$	\$421.88 \$421.88	\$843.75
6. No spouse, three (3) or more children	$\$843.75 \div$ (number of children) = benefit per child	Variable	\$843.75

¹Weekly death benefits are computed as percentages of the average weekly wage of the deceased worker, **not to exceed the state's average weekly wage. This chart is only a guide and benefit amounts may vary** based upon the average weekly wage of the deceased. **The Workers' Compensation Commission determined on 10/18/19 that 85A O.S. §2(24) requires that the effective date of the average weekly wage is January 1 of the year following the determination of the rate by the Oklahoma Employment Security Commission, rather than November 1 of the current year. For example, the rate for 2019 becomes effective January 1, 2019, rather than November 1, 2018.**

For compensation to actually dependent beneficiaries when there is no spouse or children, or alien nonresidents, see 85A O.S. §11.

Lump Sum Death Benefits—85A O.S. §47(C)¹

1. Spouse Only	Spouse: \$100,000; Funeral expenses: maximum of \$10,000
2. Spouse and one (1) child	Spouse: \$100,000; Child; \$25,000 ; Funeral Expenses: maximum of \$10,000
3. Spouse and two (2) or more children	Spouse: \$100,000; Children: \$50,000 divided equally; Funeral expenses: maximum of \$10,000
4. No spouse, up to two (2) children	Children: \$25,000 per child; Funeral expenses: maximum of \$10,000
5. No spouse, more than (2) children	Children: \$25,000 per child, up to a maximum of \$150,000 divided equally; Funeral Expenses, maximum of \$10,000
6. Spouse, upon remarriage	Two (2) years' indemnity benefit in one lump sum

¹All benefits awarded to a child are payable to the legal guardian of the estate of the minor at the Commission's discretion