

Weekly Death Benefits for Deaths Occurring During the Period of January 1, 2019 Through December 31, 2019 - 85A O.S. §47(C) ¹

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 \$867.71

Beneficiary or Beneficiaries	Calculation	Benefit Amount for Beneficiary	Aggregate Benefit Amount Per Week For All Beneficiaries
1. Spouse only:	$\$867.71 \times 70\%$	\$607.40	\$607.40
2. Spouse and one (1) child	Spouse: $\$867.71 \times 70\%$ Children: $\$867.71 \times 15\%$	\$607.40 \$130.16	\$737.56
3. Spouse and two (2) or more children	Spouse: $\$867.71 \times 70\%$ Children: $(\$867.71 \times 30\%) \div$ (# of children) = benefit per child	\$607.40 Determined by divisor	\$867.71
4. No spouse, two (2) children	$\$867.71 \times 50\%$ to each child	\$433.86	\$867.71
5. No spouse, three (3) or more children	$\$867.71 \div$ (# of children) = benefit per child	Determined by divisor	\$867.71
7. No spouse or children, actually dependent beneficiary	$\$867.71 \times 25\%$ = benefit per beneficiary	\$216.93	

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 alien nonresidents, see 85A O.S. §11.

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

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