

1999 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1262

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1262

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-25-99

Tape Number	Side A	Side B	Meter #
1		x	17.3 - 36.5
Committee Clerk Signature <i>Lisa Horn</i>			

Minutes:

HB 1262 Relating to workers' Compensation Benefits for Retired Injured Workers.

Chairman Berg opened the hearing on the bill.

Rep. Serenus Hoffner, introduced and testified in support of the bill. The bill allows employees who begin to receive social security and are permanently disabled to continue to receive workers compensation benefits. Hoffner went on to say he agrees with the bill because of this feature.

Mr. Sebald Vetter, C.A.R.E., testified in support of the bill.

Rep. Lemieux asked why this is a good idea.

Vetter said that any worker that gets permanently disabled after 7-1-99 would not lose Workers Compensation Benefits after they turn 65.

Mr. Dave Kemnitz, NDAFL-CIO, testified in support of the bill. The claimants need these benefits.

Glassheim asked if workers who are social security age but not receiving social security benefits can obtain workers compensation benefits.

Kemnitz said the bureau could better answer that question.

Mr. Ragen Pofalt, Workers Compensation Counsel, testified in opposition to the bill.

(see attached written testimony)

Berg asked Pofalt to condense certain areas of the bill.

Pofalt stated that the bureau currently believes that workers compensation is for protection while workers are in their working years and not for retirement years.

Glassheim asked if some retirees currently receive workers compensation benefits.

Pofalt responded by saying that yes, some people 65 and over are currently receiving bureau benefits. Some receive greater benefits after they are disabled than they could have earned during their working years had they not been injured.

Lemieux asked for Pofalt to clarify benefit amounts that long term injured workers get.

Pofalt said that younger workers that are injured and unable to work actually lose more earnings in their working years and need greater benefits when they reach retirement years.

Rep. Stefonowicz asked if past court cases ruled that it was constitutional to deny some of these benefits.

Pofalt said that yes there were past court actions and they did not find the retirement benefits unconstitutional.

Chairman Berg closed the hearing on the bill.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1262

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-26-99

Tape Number	Side A	Side B	Meter #
2		x	27.1
Committee Clerk Signature <i>Lisa Horner</i>			

Minutes:

HB 1262 Relating to Workers' Compensation benefits for retired injured workers.

Chairman Berg opened the meeting on the bill.

Chairman updated members on the purpose of the bill. This bill goes back to prior age 65 and evens out the benefits further.

Moved by Representative Keiser to do not pass, Second by Representative Kempenich

By roll vote, 13 yes, 3 no, 1 absent, motion carried.

Representative Kempenich will carry the bill.

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: HB 1262 Amendment to: _____

Requested by Legislative Council Date of Request: 1-13-99

- 1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

See attached.

- 2. State fiscal effect in dollar amounts:

Table with 3 columns: 1997-99 Biennium (General Fund, Special Funds), 1999-2001 Biennium (General Fund, Special Funds), 2001-03 Biennium (General Fund, Special Funds)

Revenues:

Expenditures:

- 3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: _____
b. For the 1999-2001 biennium: _____
c. For the 2001-03 biennium: _____

- 4. County, City, and School District fiscal effect in dollar amounts:

Table with 3 columns: 1997-99 Biennium (Counties, Cities, School Districts), 1999-2001 Biennium (Counties, Cities, School Districts), 2001-03 Biennium (Counties, Cities, School Districts)

If additional space is needed, attach a supplemental sheet.

Signed J. Patrick Traynor

Typed Name J. Patrick Traynor

Department Workers Compensation Bureau

Phone Number 328-3856

Date Prepared: 01-20-99

NORTH DAKOTA WORKERS COMPENSATION BUREAU
1999 LEGISLATION
SUMMARY OF ACTUARIAL INFORMATION

BILL DESCRIPTION: Retirement Presumption

BILL NO: HB 1262

SUMMARY OF ACTUARIAL INFORMATION: The Workers Compensation Bureau, with the assistance of its Actuary, Glenn Evans of Pacific Actuarial Consultants, has reviewed the legislation proposed in this bill in conformance with Section 54-03-25 of the North Dakota Century Code.

The proposed legislation effectively eliminates the retirement presumption initially introduced as part of HB 1228, which passed during the 1995 legislative session and later amended during the 1997 legislative session in SB 2125. Under this proposal, claimants will continue receiving wage-loss benefits even after they begin receiving retirement benefits. The proposed bill also eliminates the three year cap on disability benefits for employees injured after they become eligible for social security retirement benefits. The proposed bill repeals the additional benefit that was created during the 1997 legislative session.

FISCAL IMPACT:

Rate Level Impact: The proposed legislation will increase the rate level for F/Y 1999-00 by approximately 3%-6% from the level that would otherwise be required. The ultimate cost of reversing the retirement presumption will likely exceed the calculated estimates should the proposals to increase the maximum time loss benefit to 110% of the State's Average Weekly Wage (SAWW) and to decrease the waiting period for supplemental benefits to 7 years be implemented concurrently.

Reserve Level Impact: The retroactive nature of the proposed change will increase required reserve levels for injuries occurring prior to the effective date of the law. The "Gregory" and "Ash" decisions handed down by the State Supreme Court last year have effectively eliminated the retirement presumption for claims with accident dates prior to August 1, 1995. Thus, the reserve impact of the current proposal will be limited to fiscal accident years 1995-96 and subsequent. The actuary's calculations suggest that the discounted cost will be \$3 million to \$6 million for each fiscal accident year. The total reserve increase at July 1, 1999 will likely fall in a range between \$15 million and \$20 million.

DATE: 1-21-99

Date: 1-26-99
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1262

House Industry, Business and Labor Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken do not pass

Motion Made By Keiser Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chair - Berg	/		Rep. Thorpe		
Vice Chair - Kempenich	/				
Rep. Brekke	/				
Rep. Eckstrom	/				
Rep. Froseth	/				
Rep. Glassheim	/				
Rep. Johnson	/				
Rep. Keiser	/				
Rep. Klein	/				
Rep. Koppang	/				
Rep. Lemieux	/				
Rep. Martinson	/				
Rep. Severson	/				
Rep. Stefonowicz		/			

Total (Yes) 13 No 1

Absent 1

Floor Assignment Kempenich

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 27, 1999 8:33 a.m.

Module No: HR-17-1248
Carrier: Kempenich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1262: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1262 was placed on the Eleventh order on the calendar.

1999 TESTIMONY

HB 1262

House Bill No. 1262

Fifty-sixth Legislative Assembly
Before the House Industry, Business, and Labor Committee
January 25, 1999

Testimony of Reagan Pufall
Regarding Continuing to Pay Wage Loss Benefits After Retirement

Mr. Chairman, Members of the Committee:

My name is Reagan Pufall. I am the Chief Operating Officer and General Counsel for the Workers Compensation Bureau and I am here to testify in opposition to 1999 House Bill No. 1262.

1. FISCAL IMPACT

The proposed legislation will increase premium rate levels for fiscal year 1999-2000 by approximately **3%-6%**. The impact will be even greater if legislation supported by the Bureau is enacted to increase the maximum wage-loss benefit rate and decrease the waiting period for supplemental benefits.

The bill will also have a **\$15 million to \$20 million** negative impact on the workers compensation fund reserves.

The Bureau has prepared and is supporting a number other bills in this legislative session to provide increased benefits and services to injured workers. These bills include:

SB 2214 – Increases the maximum wage-loss benefit rate from 100% to 110% of the state's average weekly wage, making it one of the highest maximum rates in the country. Also shortens the waiting period for supplemental benefits from 10 years to 7 years.

HB 1283 – Doubles the lump-sum benefit and the maximum scholarship award for the spouses and dependent children of workers who die as a result of work injuries. Increases the benefit paid to cover funeral costs. Makes the higher survivors benefit that was enacted in 1997 available to the spouses and dependent children of workers who died before 1997. Makes scholarships available to injured workers in exceptional circumstances.

HB 1296 – Roughly doubles the Bureau's spending and staffing in Safety and Loss Prevention to protect the health of North Dakota's workers.

HB 1325 – Doubles the size of the Workers Adviser Program, to provide information and assistance to injured workers.

HB 1332 – Increases the wage-loss benefit rate for seasonal workers during the first four weeks of disability.

HB 1422 – Increases awards for all injured workers with qualifying permanent impairments.

The total fiscal impact of all these benefit and service increases together is increased premium rates of 3.5% to 4% and a negative impact on reserves of \$14 million to \$16 million.

Therefore, the cost of HB 1262, which is targeted only at providing continued disability benefits to claimants after they have reached retirement, would outweigh the impact of all the Bureau's benefit bills, which provide substantial additional assistance to a wide variety of injured workers. This is not an effective use of the available financial resources.

It is true that the workers compensation fund is in much better financial health than was true several years ago. After many years of operating with an unfunded liability, the fund became solvent, ending fiscal year 1998 with a \$27 million surplus and a contingency reserve of \$115 million. That amounts to a \$382 million improvement in the fund's financial status since fiscal year 1993, when the fund was burdened with a \$240 million unfunded liability and had no contingency reserve.

However, while these hard-won achievements represent a dramatic improvement in the fund's financial condition, further improvement is vital to the long-term health of the fund.

Currently, the Bureau discounts its future liabilities by 6% when calculating its reserves. In other words, it is assumed that the Bureau's financial assets will earn 6% each year into the future. Generally in the insurance industry, future liabilities are not discounted, and in addition, insurers carry a capital and surplus account based on a percentage of their annual premium income. The Bureau believes it should meet private industry standards. **As an example, for the Bureau to achieve fund solvency without discounting, plus establish a reserve equal to 100% of its annual premium income, the Bureau would have to further improve its current financial position by approximately \$376 million.**

Therefore, now that the fund is no longer in a state of financial crisis, the Bureau will pursue a strategy in which future improvements in its financial condition will be allocated to three areas:

1. Continue to build up the fund's financial reserves;
2. Grant further premium rate decreases to employers;
3. Propose legislation containing targeted increases in benefits for injured workers.

Any decreases in premium rates, and any increases in benefits, must be done prudently and carefully, to avoid re-creating the financial crisis of the early 1990's.

It was that financial crisis that led to the double-digit annual premium rate increases from 1989 through 1994, and the restrictions on benefits in the 1993 and 1995 legislative sessions.

The package of benefit increases and service improvements assembled by the Bureau for the 1999 legislative session is carefully crafted to provide the maximum additional assistance in the areas of greatest need, at the most efficient cost. Adding this very expensive bill to that package would not be financially prudent.

2. BACKGROUND

This Bill would reverse 1995 and 1997 legislation relating to benefits for claimants after they reach retirement.

A. The 1995 Legislation

Legislation enacted in 1995 amended section 65-05-09.3 of the Century Code. Before 1995, section 65-05-09.3 provided that after an injured worker had retired, the worker was no longer eligible to begin receiving workers compensation wage loss payments. This is because after a person has retired from the workforce, even if that person later becomes medically disabled, that person does not miss work or lose wages, and therefore should not receive wage loss payments.

The law prior to 1995 had a loophole. It did not apply to injured workers who were already receiving wage loss payments at the time they reached retirement. Therefore, although a worker who retired and then later became medically disabled received no wage loss payments, a worker who became disabled shortly before retirement might receive wage loss payments for life. The 1995 legislation made the law more consistent by providing that wage loss payments for all injured workers ended when they begin receiving Social Security Retirement benefits, or when they reached age 65 and were eligible to receive Social Security Retirement benefits. The same was true for workers who were outside the Social Security Retirement system because they were in a job that had a special alternative retirement system.

The only exception was for workers who had been catastrophically injured. Workers with catastrophic injuries remained eligible for wage loss payments for life.

1. Purpose of Workers Compensation

The 1995 legislation was in accordance with the basic purposes of workers compensation. A primary function of workers compensation systems is to pay benefits partially compensating for wages lost as a result of work injuries. **This is a wage replacement benefit. Workers compensation was never intended to operate as a retirement system.** Wage loss benefits and retirement benefits have different and inconsistent purposes: wage loss benefits are paid to workers who are physically unable to work during

their wage earning years, while retirement benefits are paid to workers after their wage earning years have come to an end regardless of their physical condition. Workers become eligible to receive Social Security Retirement benefits when they reach the end of the traditional wage earning years of workers in the United States. It would be inconsistent for a worker to receive both wage loss benefits and retirement benefits at the same time.

2. Impact of 1995 Legislation

The 1995 legislation took effect on August 1, 1995. During the next year, 56 individuals who were receiving wage loss benefits reached the age of 65. Of these, three had suffered catastrophic work injuries and two were not eligible for Social Security Retirement benefits. These five injured workers were therefore exempt from the law and continued to receive wage loss benefits. The remaining 51 claimants were eligible for full Social Security Retirement benefits when they reached age 65, and therefore their Workers Compensation wage loss benefits ended.

The median age at which these 51 workers had been injured was age 57. In other words, the typical worker from this group had been injured only about eight years before becoming eligible for full Social Security Retirement. Attached to this testimony is a graph titled "Age at Date of Injury for Claimants Recently Subject to Retirement Law."

Another graph, titled "Income Replacement Study," also attached, shows the results of a recent study of individuals receiving disability payments from both Workers Compensation and Social Security, as almost all of the 51 workers were. The study revealed that in 72% of the cases studied, the individuals were receiving as much or more in total disability payments than they had been earning in take home income when they were working.

Putting these together, it is evident that **When these individuals' wage loss benefits ended pursuant to the 1995 law, they were in approximately the same financial situation as would be a similar group of workers who had not been injured and had continued working and earning wages until retirement.**

This shows that for most workers, the 1995 retirement legislation worked as intended. The workers received wage loss payments during their working years when they were unable to work, and for most of them their lost wages were matched or even exceeded. When those workers reached retirement, the wage loss payments ended, just as the wages of working people end, and their retirement benefits began. Since most of them had been receiving Social Security disability payments with annual cost of living adjustments, when those disability payments were converted into retirement benefits at age 65, their retirement benefits were at an appropriate level.

However, a smaller number of the 51 workers had been injured earlier, when they were in their thirties or forties, and some had been unable to work for twenty or thirty years or more. They had not had the opportunity to develop their careers. A concern arose that

the law may be having a disproportionate impact on this relatively small number of injured workers who had been unable to work for long periods of time because of their work injuries.

B. The 1997 Legislation

Governor Schafer and members of the Legislative Assembly requested that the Workers Compensation Bureau prepare legislation to meet this concern. The Bureau prepared legislation that was enacted into law in 1997, creating the additional benefit that is now found in section 65-05-09.4, and amended section 65-05-09.3.

The structure of the additional benefit created in 1997 was based on three basic concepts:

1. The additional benefit begins when wage loss payments end.

The additional benefit is for injured workers who are receiving wage loss payments that are ended when the worker reaches retirement. At retirement the wage loss payments the claimant had been receiving every 28 days end, and the additional benefit, also paid every 28 days, begins.

2. The additional benefit may be paid for the same length of time as the worker had been unable to work.

Additional benefit payments are made for up to the same length of time that the injured worker had been receiving workers compensation wage loss payments. For example, a worker who had been unable to work for ten years receives additional benefit payments for ten years after the worker's wage loss payments ended, or until the worker's death, whichever comes first.

3. The longer the worker had been unable to work the higher the benefit payment will be.

The table that is contained in section 65-05-09.4 shows how the amount of the additional benefit payment is calculated for each injured worker. The additional benefit is calculated as a percentage of the wage loss payment the worker had previously received. The longer the injured worker had been unable to work, the higher the percentage. For example, a worker who had been unable to work for ten years receives additional benefit payments equal to 25% of the wage loss benefit the worker had previously received, while a worker who had been off work for 15 years receives 40% of his previous wage loss payment. The calculation is simple: take the worker's years of disability, find what category on the table applies, and multiply that percentage times the amount of the claimant's last wage loss payment check.

In recognition of their special needs, injured workers who have suffered catastrophic work injuries receive an additional benefit equal to 100% of their previous wage loss payment,

for life. Workers with non-catastrophic injuries, but who have been disabled for twenty years or more, receive an additional benefit equal to 50% of their previous wage loss payments. Individuals who have only been off work for less than one year do not qualify for an additional benefit.

4. Four Examples of the Additional Benefit.

Here are four examples of how the additional benefit applies to four injured workers, identified as Claimants A through D:

Claimant A was 32 years old when he was injured at work, and has been disabled since that time. He was earning only \$45 per week when he was injured, or about \$180 per month. When he reached retirement, he had been off work for 32.7 years. By that time he was receiving \$221 per week in Workers Compensation wage loss payments (paid as \$884 every 28 days) and Social Security Disability payments of \$138.81 per week (\$555.24 every 28 days). His total disability payments, Workers Compensation and Social Security combined, were \$1,439.24 every 28 days, compared to the \$180 per month he had been taking home in wages when he was injured.

Because Claimant A had been unable to work for more than 20 years, his additional benefit is calculated as 50% of the wage loss benefit he was receiving when it ended at retirement. Therefore, his additional benefit will be 50% of \$221 per week, which equals \$110.50 per week. The additional benefit payment would therefore be \$442 every 28 days. This benefit will be paid for 32.7 years, or until Claimant A's death, whichever comes first.

Claimant A also now receives at least \$555.23 every 28 days in Social Security Retirement payments. His Social Security Retirement plus his Workers Compensation Additional Benefit equals \$997.23 every 28 days.

Claimant B was 53 years old when he was injured at work, and has been disabled since that time. He was earning \$401 per week in gross wages when he was injured. His take home pay was \$327.86 per week, or about \$1,311.44 per month. When he reached retirement, he had been off work for 11.3 years. By that time he was receiving \$188.44 per week in Workers Compensation wage loss payments (paid as \$753.76 every 28 days) and Social Security Disability payments of \$229.50 per week (\$918 every 28 days). His total disability payments, Workers Compensation and Social Security combined, were \$1,671.76 every 28 days, compared to the \$1,311.44 per month he had been taking home in wages when he was injured.

Because Claimant B had been unable to work for at least 11 years but less than 13 years, his additional benefit is calculated as 30% of the wage loss benefit he was receiving when it ended at retirement. Therefore, his additional benefit will be 30% of \$188.44 per week, which equals \$56.53 per week. The additional benefit payment would therefore be \$226.12 every 28 days. This benefit will be paid for 11.3 years, or until Claimant B's death, whichever comes first.

Claimant B also now receives at least \$918 every 28 days in Social Security Retirement payments. His Social Security Retirement plus his Workers Compensation Additional Benefit equals \$1,144.12 every 28 days.

Claimant C was 41 years old when he was injured at work. He received Workers Compensation wage loss benefits for about seven months, then went back to work for about 18 years until he was 60 years old. He then reapplied for wage loss benefits, was accepted, and received wage loss benefits for five years until they ended at retirement at age 65. He was earning \$774 per week in gross wages before he became disabled. His take home pay was \$621 per week, or about \$2,484 per month. When he reached retirement, he had been off work for a total of 5.35 years. By that time he was receiving \$214 per week in Workers Compensation wage loss payments (paid as \$856 every 28 days) and Social Security Disability payments of \$271.04 per week (\$1,084.16 every 28 days). His total disability payments, Workers Compensation and Social Security combined, were \$1,940.16 every 28 days, compared to the \$2,484 per month he had been taking home in wages before he became disabled. Claimant C is an unusual claimant, in that his combined disability benefit was lower than his pre-injury take home pay. Claimant C earned a relatively high wage and his wage loss payment reached the maximum wage loss payment rate.

Because Claimant C had been unable to work for at least 5 years but less than 7 years, his additional benefit is calculated as 15% of the wage loss benefit he was receiving when it ended at retirement. Therefore, his additional benefit will be 15% of \$214 per week, which equals \$32.10 per week. The additional benefit payment would therefore be \$128.40 every 28 days. This benefit will be paid for 5.35 years, or until Claimant C's death, whichever comes first.

Claimant C also now receives at least \$1,084.15 every 28 days in Social Security Retirement payments. His Social Security Retirement plus his Workers Compensation Additional Benefit equals \$1,212.55 every 28 days.

Claimant D was 64 years old when he was injured at work. He was earning \$288 per week in gross wages before he was injured. His take home pay was \$237.48 per week, or about \$949.92 per month. When he reached retirement, he had been off work for only 213 days. By that time he was receiving \$226 per week in Workers Compensation wage loss payments (paid as \$856 every 28 days) and not begun receiving Social Security Disability.

Because Claimant D had not been off work for at least 1 year he is not eligible for an additional benefit.

Claimant D is eligible to receive at least \$777.23 every 28 days in Social Security Retirement payments.

5. Impact of the 1997 Legislation

To be considered successful, any benefit must be proportionate and sufficient. **The additional benefit provides substantial assistance to those who need it most: injured workers who have been unable to work for longer periods of time because of their work injuries.** Claimant A, who lost most of his working years because of his work injury, will receive a substantial additional monthly payment that is likely to continue for the rest of his life. Claimant B, who was unable to work during the later part of his anticipated income earning years, will receive a significant monthly payment for more than ten years.

Claimant C missed some working years, but not at a time or for a duration that would have a large impact on his overall financial picture, and will receive a relatively small additional payment for a few years. Claimant D's short period out of the work force did not have a significant impact on his financial situation, and he receives no additional payment.

For those most in need of assistance, the catastrophically injured, the additional benefit provides lifetime payments equal to 100% of the worker's previous wage loss payment.

It must always be remembered that while wage loss and rehabilitation benefits end at retirement, injured workers continue to be eligible for partial impairment awards and 100% coverage of medical treatment for their work injuries with no deductible or co-pay. Also, additional benefit payments are tax free and injured workers can receive them without having their Social Security Retirement payments reduced.

3. CONCLUSION

The current law strikes a good balance, that provides full wage-loss benefits to the time of retirement, and then an additional benefit based on the length of time the claimant has been unable to work. Under this system, injured workers are placed in roughly the same financial situation after retirement as they would have been in had they not been injured. While no statutory system will work perfectly for every individual affected, this set of benefits provides appropriate and adequate benefits for the great majority of claimants.

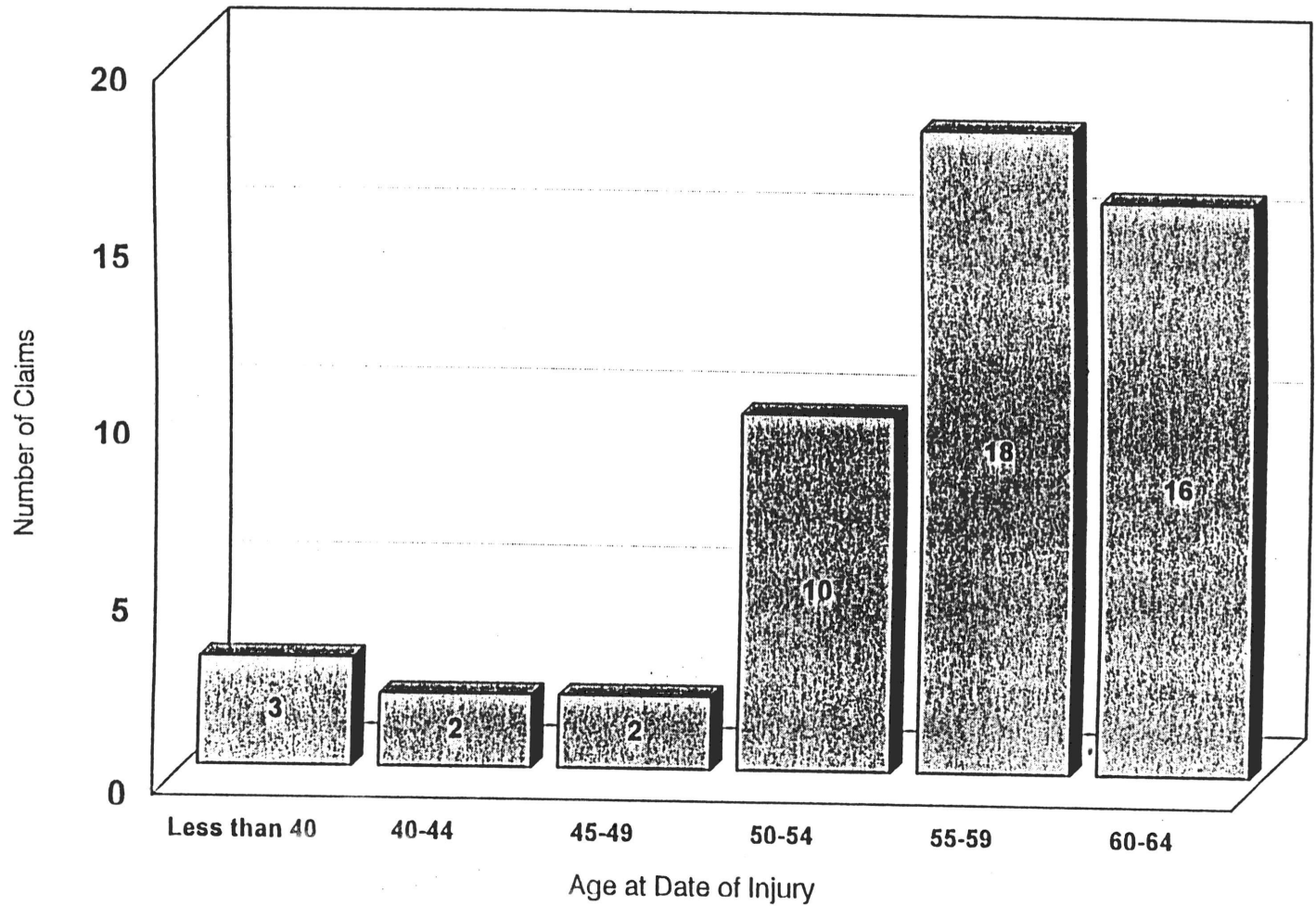
Under the bill being considered today, many injured workers would end up receiving a windfall. Consider two neighbors, each earning the same income. At age 62, they are both anticipating retiring at age 65, which is the current age for full Social Security Retirement benefits. However, one of them is injured at work, and begins receiving workers compensation total disability benefits as well as Social Security Disability benefits. Typically, the injured neighbor will actually receive slightly more money in combined benefits than his working neighbor will earn in take home income. During the next three years, the injured neighbor receives cost of living adjustments to his Social Security Disability benefits. Therefore, at age 65, when his Social Security Disability benefits roll over into Social Security Retirement benefits, his retirement benefits will be about the same as those received by his working neighbor when he retires.

Under the current law, the injured neighbor will also receive a small additional benefit. However, if HB 1262 is enacted, he will continue to receive workers compensation disability benefits for the rest of his life at an offset rate on top of his Social Security Retirement benefits. This means he will receive substantially more income than his neighbor, who continued working until the time of retirement. This would clearly be inequitable. While it is one of the central goals of the workers compensation system to provide benefits to partially replace lost wages, it has never been a goal of the system to provide lifetime retirement benefits superior to those received by workers who have not been injured.

For all of the reasons presented above, I respectfully request that you recommend that HB 1262 not be enacted by the Legislative Assembly.

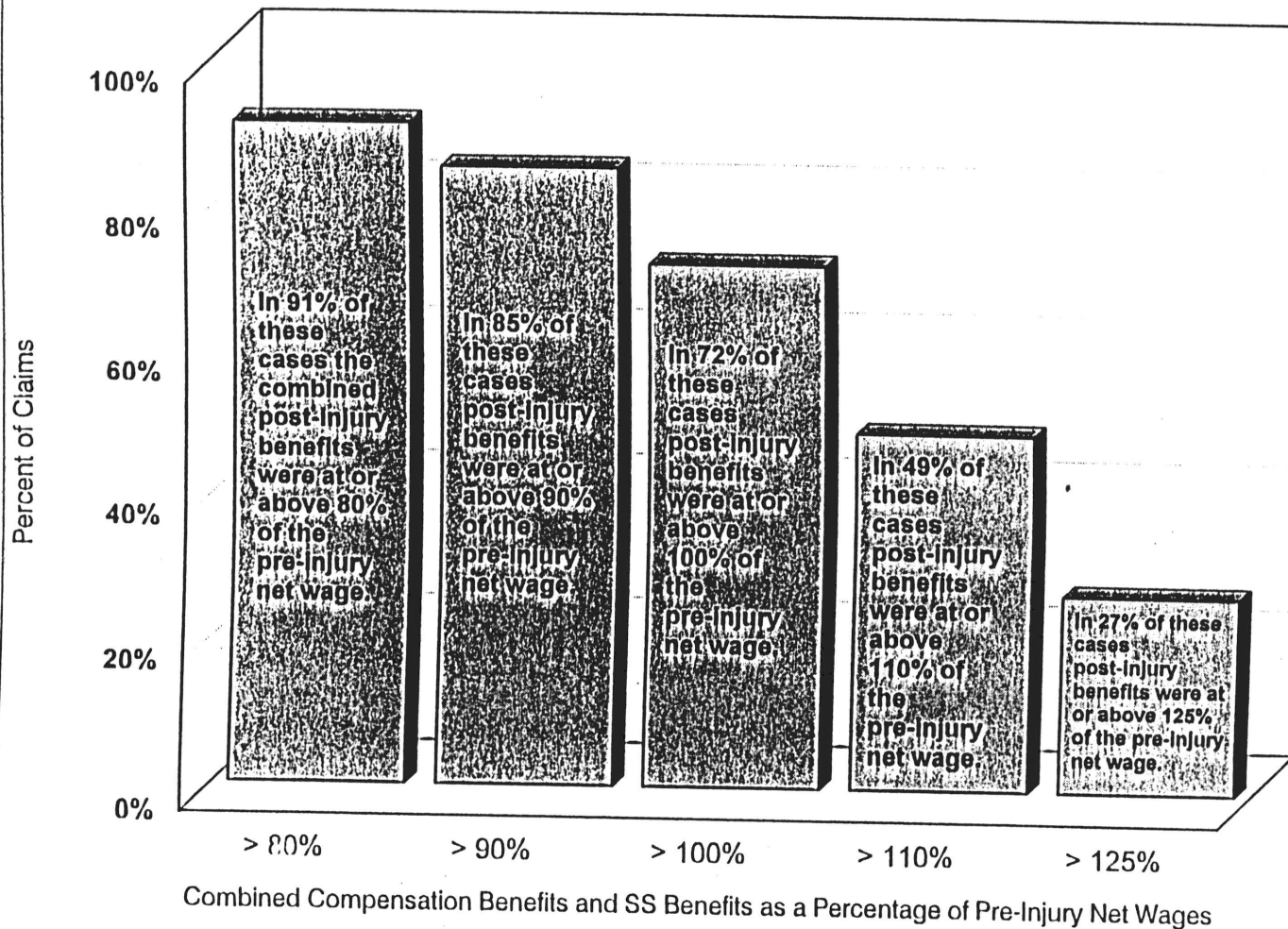
Age at Date of Injury for Claimants Recently Subject to Retirement Law

The graph depicts the age at date of injury for the 51 claimants who were subject to the retirement law during the first effective year. Two-thirds of these claimants were over age 55 at time of injury.



Income Replacement Study

A recent study of all claims reported since Jan. 1, 1990 that are currently receiving workers compensation benefits along with Social Security Disability (SSD) benefits showed that in 72% of these cases the injured worker's post-injury total weekly cash benefit (less offset) exceeded or was equal to their pre-injury net wage from the date of first eligibility for SSD benefits.



~the study group consisted of a group of 264 claims