

What Happens When an Injured Worker Dies?

Accrued compensation

If the injured worker was receiving compensation (e.g., temporary total disability or permanent partial disability) at the time of death, BWC will pay the unpaid portion of an award of compensation in an allowed claim due to the injured worker at the time of his or her death. BWC will take this action regardless of whether the death was the result of an allowed injury or occupational disease. BWC refers to this as accrued compensation.

Who can collect the accrued compensation?

Individuals who may be entitled to collect the accrued compensation are:

- o A dependent (i.e., surviving spouse, children).
- o A provider or individual that rendered or paid for services pertaining to the injured worker's death (e.g., funeral expenses).
- o The estate of the injured worker, if there is no eligible dependent or provider or individual that rendered services pertaining to the injured worker's death.

How do I apply for accrued compensation?

Use the *Application for Accrued Compensation* (C-6) available online at www.bwc.ohio.gov. Submit it to BWC, along with proof of relationship to the injured worker. Adequate documentation includes:

- o A dependent must provide proof of dependency (e.g., marriage certificate, birth certificates).
- o A provider or individual who rendered or paid for services pertaining to the injured worker's death must provide an invoice, proof of payment or other credible documentation.
- o The executor of the injured worker's estate must provide proof of executor status and the estate's tax identification number if a tax identification number if he or she obtained for the estate.

BWC may require additional documentation if the relationship is unclear or there are multiple requests for the accrued compensation.

Time frame for filing:

- o A dependent, a provider or individual that rendered or paid for services pertaining to the injured worker's death or the estate must file an application for accrued compensation within two years from the date of the injured worker's death for a benefit that was awarded prior to death.
- o You must file an application for accrued compensation within one year from the date of the injured worker's death for an application abated due to the injured worker's death or for a benefit that the injured worker was lawfully entitled to have applied for at the time of the death.

Death benefits

If the injured worker died as the result of a workplace accident or occupational disease, dependents may be eligible for ongoing death benefits

Who is eligible?

Individuals who may be eligible for death benefits include:

- o The surviving spouse.
- o Dependent children under the age of 18 years old.
- o Dependent children 18 to 25 years old who are attending an accredited educational institution full time.
- o Dependent children 18 years or older that are physically or mentally incapacitated.
- o Certain other dependent family members.

How do I apply for death benefits?

Use the *Application for Death Benefits and/or Funeral Expenses (C-5)*, available online at www.bwc.ohio.gov.

What are the death benefits?

BWC calculates and divides benefits among all eligible dependents. BWC distributes benefits every two weeks. They continue until the dependent is no longer eligible.

BWC may also pay or reimburse funeral and medical expenses in an allowed death claim. The maximum payment for funeral expenses is \$5,500.

How does the process work?

Once BWC receives the request for benefits, a claims service specialist will contact the applicant to discuss and request any other documentation and/or information needed. Once BWC decides, the applicant will receive notification by mail.

If you have questions about accrued compensation or death benefits, log onto www.bwc.ohio.gov, or call **1-800-644-6292**.