

## DEATH BENEFITS

Effective Date	Burial Expense	2 or more total dependents	3 or more total dependents	1 total plus 1 more partial dependents	1 total dependent	1 or more partial dependents
Injuries 1-1-84 - 12-31-89	\$2,000 Maximum	\$95,000	-	\$70,000 plus 4x annual support not to exceed \$95,000	\$70,000	4x annual support not to exceed \$70,000
Injuries 1-1-90 - 12-31-90	\$2,000 Maximum	\$95,000	-	\$70,000 plus 4x annual support not to exceed \$95,000	\$70,000	4x annual support not to exceed \$95,000
Injuries 1-1-91 - 6-30-94	\$5,000 Maximum	\$115,000	-	\$95,000 plus 4x annual support not to exceed \$115,000	\$95,000	4x annual support not to exceed \$95,000
Injuries 7-1-94 - 6-30-96	\$5,000 Maximum	\$135,000	\$150,000	\$115,000 plus 4x annual support not to exceed \$125,000	\$115,000	4x annual support not to exceed \$115,000
Injuries 7-1-96 - 12/31/05	\$5,000 Maximum	\$145,000	\$160,000	\$125,000 plus 4x annual support not to exceed \$145,000	\$125,000	4x annual support not to exceed \$125,000
Injury on or after 1/1/06	\$5,000 Maximum	\$290,000	\$320,000	\$250,000 plus 4x annual support not to exceed \$290,000	\$250,000	8x annual support not to exceed \$250,000

1. Pursuant to *Labor Code Section 3501(b)*, as of the time of death the deceased employee's spouse is conclusively presumed to be a total dependent if the surviving spouse earned \$30,000 or less in the 12 months immediately preceding the death, for injuries occurring on or after 1/1/90.
2. If the decedent had one or more totally dependent minor children, after payment of the amount specified, payment of death benefits will continue until youngest child attains age 18 in the same manner and amount as T.T.D. would have been paid to the employee, except that no payment will be made at a weekly rate of less than \$224.00, for injuries on or after 1-1-90.
3. Pursuant to *Labor Code Section 3501(c)*, where no persons qualify as either a total or partial dependant of the deceased employee, then the surviving parent/s of the deceased employee shall be conclusively presumed to be wholly dependant.
4. Pursuant to *Labor Code Section 3501(a)*, a child under the age of 18 or a child of any age found by the trier of fact, whether contractual, administrative, regulatory or judicial, to be physically or mentally incapacitated from earning, shall be conclusively presumed wholly dependant.
5. Pursuant to *Labor Code Section 4703.5*, where one or more wholly dependant minor children, as defined in *Labor Code Section 3501*, payment of death benefits shall continue, regardless of maximum limitations until the youngest child reaches age 18 or until the death of a child physically or mentally incapacitated from earning, in the same manner and amount as temporary disability indemnity would have been paid to the employee, except that no payment shall be less than \$224 per week.
6. Pursuant to *Labor Code Section 3501 (c)*, If the deceased employee leaves no dependents, then the surviving parent or parents are conclusively presumed to be wholly dependent upon the deceased employee.
7. Pursuant to *Labor Code Section 4702(a)(6)*, In the case of no total or partial dependents, a \$250,000 benefit is

paid to the estate of the deceased worker.