

TO: ALL WORKERS' COMPENSATION INSURANCE CARRIERS, THIRD-PARTY ADMINISTRATORS, AND ALL SELF-INSURED EMPLOYERS

FROM: BOB SUMMERS, DIRECTOR
COLORADO DIVISION OF WORKERS' COMPENSATION

DATE: JULY 1, 2008

SUBJECT: MAXIMUM RATES FOR WORKERS' COMPENSATION BENEFITS FOR THE YEAR BEGINNING JULY 1, 2008, THROUGH AND INCLUDING JUNE 30, 2009.

EFFECTIVE JULY 1, 2008, AT 12:01 AM

MAXIMUM COMPENSATION BENEFIT RATE: To qualify, a wage of \$ 1,179.25 per week must be earned. C.R.S. § 8-42-105.

SCHEDULED IMPAIRMENT RATE: Payable at a weekly compensation rate of \$247.42. C.R.S. § 8-42-107(6)(b)

FREQUENCY OF BENEFITS: Payable at least once every two weeks. C.R.S. § 8-42-105 (2) (a) and Rule 5-6, Workers' Compensation Rules of Procedure, 7 CCR 1101-3.

TEMPORARY TOTAL BENEFITS: Payable to a maximum of \$786.17 per week. C.R.S. § 8-42-105 (1).

TEMPORARY PARTIAL BENEFITS: See C.R.S. § 8-42-106. Payable at least once every two weeks, to a weekly maximum of \$786.17.

PERMANENT TOTAL BENEFITS: Payable to maximum of \$786.17 per week. C.R.S. § 8-42-111 (1).

PERMANENT PARTIAL BENEFITS: See C.R.S. § 8-42-107.

BODILY DISFIGUREMENT: Maximum is \$4,174.00, and up to \$8,348.00 for extensive facial or body scars, burn scars or stumps resulting from the loss of limbs. C.R.S. § 8-42-108.

FATAL CASE: Maximum of \$786.17 week, C.R.S § 8-42-114.

Lifetime benefits: for widows and widowers totally dependent, C.R.S. § 8-42-120.

Upon remarriage of Widow or Widower: a Two-Year Lump Sum without discount less any lump sums previously paid, must be awarded if there are no dependent children at time of marriage, C.R.S. § 8-42-120.

Dependents Benefits: and the extent of their dependency is determined as of the date of injury. The right to death benefits becomes fixed as of that date except as provided in C.R.S. § 8-41-501 (1)(c).

Social Security Offset: Benefits reduced by 50% (applicable to injuries occurring on or after May 29, 1991). C.R.S. § 8-42-103(1)(c)

Minimum Death Benefit: 25% of Maximum Weekly Benefit or \$196.54, C.R.S. § 8-42-114.

Maximum Funeral and Burial Benefit: \$7,000.00, C.R.S. § 8-42-123 (applicable to injuries occurring on or after February 1, 2000).

**STATE OF COLORADO
DEPARTMENT OF LABOR AND EMPLOYMENT
DIVISION OF WORKERS' COMPENSATION**

ORDER

Pursuant to Colorado Revised Statute § 8-47-106, the State Average Weekly Wage shall be established by the Director of the Division of Workers' Compensation annually, on or before July 1, and

The Director of the Division of Employment and Training has furnished statistics to the Director of the Division of Workers' Compensation based upon the average weekly earnings in Colorado as referenced in C.R.S. § 8-73-102 (1)-(3), and

The Director of the Division of Workers' Compensation having reviewed the statistics furnished and being fully advised in the premises;

THE DIRECTOR FINDS AS FOLLOWS:

1. That the Colorado State Average Weekly Wage as referenced in C.R.S. § 8-73-102 (1)-(3) is \$863.93.
2. That the maximum benefit rate for Temporary Total Disability, Temporary Partial Disability, Permanent Total Disability, and Death Benefits under the Workers' Compensation Act of Colorado shall be ninety-one percent (91%) of such Average Weekly Wage or \$786.17.
3. That to be eligible for the maximum of \$786.17 the claimant must have a weekly income of \$1,179.25.
4. Pursuant to C.R.S. § 8-42-108(3) the limits of disfigurement are adjusted based on the percentage of adjustment to the state average weekly wage. The maximum limit for disfigurement is \$4,174.00 and up to \$8,348.00 for extensive facial scars or body scars, burn scars or stumps resulting from the loss of limbs.

IT IS ORDERED: That as of 12:01 a.m. July 1, 2008, and for the ensuing twelve months through and including June 30, 2009, the maximum rate for compensation benefits for Temporary Total Disability, Temporary Partial Disability, Permanent Total Disability, and Death Benefits shall be at the weekly rate of \$786.17 or at the daily rate of \$112.31.

Dated: June 18, 2008.

DIVISION OF WORKERS' COMPENSATION



By _____
Bob Summers
Director