

HOUSE BILL NO. HB0052

Workers' compensation-amendments.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to worker's compensation; specifying the
2 age at which surviving children's benefits terminate;
3 providing for semimonthly payment of temporary total
4 disability benefits; making a technical correction; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 27-14-403(b), (c)(intro) and (e)(i)
10 is amended to read:

11

12 **27-14-403. Awards generally; method of payment.**

13

14 (b) Notwithstanding the date of death or the date of
15 the determination of permanent total disability, in the
16 case of permanent total disability or death, each child of

1 an employee shall be paid one hundred fifty dollars
2 (\$150.00) per month for payments made after July 1, 2001,
3 until the child dies or reaches the age of ~~majority~~
4 eighteen (18) years, whichever first occurs, or if the
5 child is physically or mentally incapacitated until the
6 child dies or attains the age of twenty-one (21) years,
7 whichever first occurs. The amount awarded under this
8 subsection shall be adjusted for inflation annually by the
9 division, using the consumer price index or its successor
10 index of the United States department of labor, bureau of
11 labor statistics.

12

13 (c) All awards stated in ~~subsection (a) of~~ this
14 section except awards under ~~subsections~~ paragraph (a)(i),
15 subsection (b), ~~and paragraphs~~ (e)(ii), (iv) and (v) and
16 (h)(ii) of this section shall be paid monthly at the rates
17 prescribed by this subsection. For permanent partial
18 impairment under paragraph (a)(ii) of this section, the
19 award shall be paid monthly at the rate of two-thirds (2/3)
20 of the statewide average monthly wage for the twelve (12)
21 month period immediately preceding the quarterly period in
22 which the injury occurred as determined pursuant to W.S.
23 27-14-802. For temporary total disability under paragraph
24 (a)(i) of this section, the award shall be paid ~~monthly~~

1 semimonthly at the rate of two-thirds (2/3) of the injured
2 employee's actual monthly earnings at the time of injury
3 but not to exceed the statewide average monthly wage for
4 the twelve (12) month period immediately preceding the
5 quarterly period in which the injury occurred as determined
6 pursuant to W.S. 27-14-802. For permanent partial and
7 permanent total disability or death under paragraphs
8 (a)(iii), (iv) and (v) of this section, the award shall be
9 paid monthly computed as follows:

10

11 (e) If an injured employee dies as a result of the
12 work related injury whether or not an award under
13 paragraphs (a)(i) through (iv) of this section has been
14 made:

15

16 (i) All awards under paragraphs (a)(i) through
17 ~~(iii)~~ (iv) of this section shall cease as of the date of
18 death;

19

20 **Section 2.** This act is effective July 1, 2004.

21

22

(END)