

HEACOX, HARTMAN, KOSHMRL, COSGRIFF & JOHNSON, P.A.

MINNESOTA WORKERS' COMPENSATION REFERENCE GUIDE

Benefits – Significant Statutory Changes

1. T.T.D.
 - 04/28/57 – 07/31/75: not to exceed 350 paid weeks
 - 08/01/75 – 12/31/83: T.T.D. unlimited
 - 01/01/84 – T.T.D. ends 90 days post service of MMI
 - 10/01/95 – T.T.D. capped at 104 weeks
 - 10/01/08 – T.T.D. capped at 130 weeks
2. T.P.D.
 - 04/28/57 – 07/31/74: not beyond 350 weeks post injury
 - 08/01/74 – 09/30/77: not to exceed 350 weeks of paid T.P.D.
 - 10/01/77 – 09/30/92: T.P.D. unlimited
 - 10/01/92 – T.P.D. capped at 225 total weeks and in no event beyond 450 weeks post injury.
3. P.P.D.
 - 01/01/84 – paid per schedule
 - 01/01/84 – 09/30/95 P.P.D. paid as I.C. or ERC
 - 10/01/95 – P.P.D. paid only as I.C. (lump sum or periodic payment option)
 - 10/01/00 – revised I.C. schedule
4. P.T.D.
 - 10/01/95 – presumed (rebuttable) retirement age: 67
 - Thresholds:
 - a. 17% P.P.D.; or
 - b. 50 y.o. and P.P.D. \geq 15%; or
 - c. 55 y.o., P.P.D. at least 13% and no GED or high school diploma
5. Supplementary Benefits
 - 10/01/95 – no longer available
6. Adjustment of Benefits - .645 Adjustment
 - None before 08/01/75
 - 08/01/75 – 09/30/77: adjustment on October 1st each year
 - 10/01/77 – 09/30/81: adjustment on October 1st each year not to exceed 6%
 - 10/01/81 – 09/30/92: adjustment occurs on anniversary of injury
 - 10/01/92 – 09/30/95: First adjustment on 2nd anniversary of injury not to exceed 4% per year
 - 10/01/95 – 09/30/13: First adjustment on 4th anniversary of injury not to exceed 2% per year
 - 10/01/13 – present: First adjustment on 3rd anniversary of injury not to exceed 3% per year
7. Rehabilitation
 - 08/01/08 – Max rate for rehabilitation services for QRCs is \$91.00/hr and for interns \$81.00/hr (in lieu of annual increase on October 1st). 176.102, subd. 2(b)
 - 10/01/08 – requests for retraining must be filed in 208 weeks (previously was 156 weeks). 176.102, subd. 11(c)
8. Attorney Fees
 - Injury 10/1/95 – 9/30/13 - Minn. Stat. § 176.081 – caps cumulative fees to \$13,000 related to same injury
 - Injury on or after 10/1/13 – 20% of benefits paid (vs. 25/20) up to a maximum attorney fee of \$26,000.

General Rule: the law in effect on the date of injury governs the benefits payable.

Payment Due Dates

Awards/Orders	Due within 14 days of service and filing. 176.221, subd. 8
TTD	Due within 14 days of notice of injury and then on dates the employee would have received wages from the employer. 5220.2540, subp. 1
TPD	Due within 10 days following mailing of check stub. 5220.2540, subp.1
Medical Bills	Due no later than 30 days after receipt of bill unless denied in writing. 5221.0600, subp. 3

Interest (Minn. Stat. § 549.09)

Effective	Percentage
*2009	4%
2010	4%
2011	4%
2012	4%
2013	4%
2014	4%
2015	4%

* effective 8/1/09 for judgments \$50,000 or less

Mileage Reimbursement

Effective	¢ per mile
1/1/2006	44.5
1/1/2007	48.5
1/1/2008	50.5
7/1/2008	58.5
1/1/2009	55.0
1/1/2010	50.0
1/1/2011	51.0
7/1/2011	55.5
1/1/2013	56.5
1/1/2014	56.0
1/1/2015	57.5

Meals + Tax & Gratuity

Effective	Breakfast	Lunch	Dinner
1/1/2014	\$9.00	\$11.00	\$16.00

Compensation Rates

Date	Maximum	Minimum
10-1-77	50% of SAWW or gross wage, whichever is less, but in no case less than 20% of SAWW.	
	50% / 20%	
10-1-77	\$197.00	98.50 / 39.40
10-1-78	209.00	104.50 / 41.80
10-1-79	226.00	113.00 / 45.20
10-1-80	244.00	122.00 / 48.80
10-1-81	267.00	133.50 / 53.40
10-1-82	290.00	145.00 / 58.00
10-1-83	313.00	156.50 / 62.60
10-1-84	329.00	164.50 / 65.80
10-1-85	342.00	171.00 / 68.40
10-1-86	360.00	180.00 / 72.00
10-1-87	376.00	188.00 / 75.20
10-1-88	391.00	195.50 / 78.20
10-1-89	413.00	206.50 / 82.60
10-1-90	428.00	214.00 / 85.60
10-1-91	443.00	221.50 / 88.60
10-1-92	Maximum changed to 105% of SAWW. Minimum changed to 20% of SAWW or actual wage, whichever is less.	

Date	SAWW	Maximum	Minimum
10-1-92	\$459.00	\$481.95	\$91.80
10-1-93	484.00	508.20	96.80
10-1-94	492.00	516.60	98.40
10-1-95	Maximum and minimum set by statute. Minimum is amount below or actual wage, whichever is less. For PTD claims, minimum is 65% of SAWW.		

Date	SAWW	Maximum	Minimum
10-1-95	\$505.00	\$615.00	\$104.00
10-1-96	524.00	615.00	104.00
10-1-97	553.00	615.00	104.00
10-1-98	579.00	615.00	104.00
10-1-99	615.00	615.00	104.00
10-1-00	642.00	750.00	130.00
10-1-01	680.00	750.00	130.00
10-1-02	702.00	750.00	130.00
10-1-03	718.00	750.00	130.00
10-1-04	740.00	750.00	130.00
10-1-05	774.00	750.00	130.00
10-1-06	782.00	750.00	130.00
10-1-07	808.00	750.00	130.00
10-1-08	850.00	850.00	130.00
10-1-09	878.00	850.00	130.00
10-1-10	868.00	850.00	130.00
10-1-11	896.00	850.00	130.00
10-1-12	916.00	850.00	130.00
10-1-13	945.00	963.90	130.00
10-1-13	Maximum changed to 102% of SAWW.		
10-1-14	961.00	980.22	130.00
10-1-15	989.00	1008.78	130.00

Adjustment of Benefits Under Minn. Stat. § 176.645

10-1-90	3.63%			
10-1-91	3.50%			
	<u>DOI</u>	<u>DOI</u>	<u>DOI</u>	<u>DOI</u>
	<u>Before 10-1-92</u>	<u>10-1-92 to 9-30-95</u>	<u>10-1-95 to 9-30-13</u>	<u>10-1-13 present</u>
10-1-92	3.61%			
10-1-93	5.45%			
10-1-94	1.65%	1.65%		
10-1-95	2.64%	2.64%		
10-1-96	3.76%	3.76%		
10-1-97	5.53%	4.00%		
10-1-98	4.70%	4.00%		
10-1-99	6.00%	4.00%	2.00%	
10-1-00	4.39%	4.00%	2.00%	
10-1-01	5.92%	4.00%	2.00%	
10-1-02	3.24%	3.24%	2.00%	
10-1-03	2.28%	2.28%	2.00%	
10-1-04	3.06%	3.06%	2.00%	
10-1-05	4.59%	4.00%	2.00%	
10-1-06	1.03%	1.03%	1.03%	
10-1-07	3.32%	3.32%	2.00%	
10-1-08	5.20%	4.00%	2.00%	
10-1-09	3.29%	3.29%	2.00%	
10-1-10	-1.14%	-1.14%	-1.14%	
10-1-11	3.23%	3.23%	2.00%	
10-1-12	2.23%	2.23%	2.00%	
10-1-13	3.17%	3.17%	2.00%	
10-1-14	1.69%	1.69%	1.69%	1.69%
10-1-15	2.91%	2.91%	2.00%	2.91%

Supplementary Benefits Under Minn. Stat. § 176.132

10-1-93	315.00
10-1-94	320.00
10-1-95	Repealed for injuries on or after
10-1-95	329.00
10-1-96	341.00
10-1-97	360.00
10-1-98	377.00
10-1-99	400.00
10-1-00	418.00
10-1-01	442.00
10-1-02	457.00
10-1-03	467.00
10-1-04	481.00
10-1-05	504.00
10-1-06	509.00
10-1-07	526.00
10-1-08	553.00
10-1-09	571.00
10-1-10	565.00
10-1-11	583.00
10-1-12	596.00
10-1-13	615.00
10-1-14	625.00
10-1-15	643.00

Rehabilitation Benefits Conversion Factors			
Effective date	Vocational Rehab Annual Adjustment for hrly fees	Maximum QRC Hourly Fee (Pay this fee or provider rate, whichever is lower)	Maximum Job Development & Placement fee (pay fee or provider rate, whichever is lower)
10/1/1997	2%	\$72.92	\$56.10
10/1/1998	2%	\$74.38	\$57.22
10/1/1999	2%	\$75.87	\$58.36
10/1/2000	2%	\$77.39	\$59.53
10/1/2001	2%	\$78.94	\$60.72
10/1/2002	2%	\$80.52	\$61.93
10/1/2003	2%	\$82.13	\$63.17
10/1/2004	2%	\$83.77	\$64.43
10/1/2005	2%	\$85.45	\$65.72
10/1/2006	1.03%	\$86.33	\$66.40
10/1/2007	2%	\$88.06	\$67.73
10/1/2008	N/A	\$91.00	\$69.08
10/1/2009	N/A	\$92.82	\$70.46
10/1/2010	N/A	\$92.82	\$70.46
10/1/2011	N/A	\$94.68	\$71.87
10/1/2012	N/A	\$96.57	\$73.31
10/1/2013	N/A	\$99.47	\$75.51
10/1/2014	N/A	\$101.15	\$76.79
10/1/2015	N/A	\$104.09	\$79.02

Medical Benefits Conversion Factors			
Effective date	Med fee conversion %	Conversion Factor	IME % Increase
10/1/1997	5.53%	59.47	5.53%
10/1/1998	4.70%	62.27	4.70%
10/1/1999	6.22%	66.14	6.22%
10/1/2000	4.39%	69.04	4.39%
10/1/2001	5.92%	73.13	5.92%
10/1/2002	2.80%	75.18	2.80%
10/1/2003	0.00%	75.18	0.00%
10/1/2004	1.50%	76.31	1.50%
10/1/2005	see below	see below	0.00%
10/1/2006	see below	see below	0.73%
10/1/2007	see below	see below	0.90%
10/1/2008	see below	see below	4.10%
10/1/2009	see below	see below	1.10%
10/1/2010	see below	see below	-1.14%
10/1/2011	see below	see below	2.40%
10/1/2012	see below	see below	1.50%
10/1/2013	see below	see below	1.20%
10/1/2014	see below	see below	.20%
10/1/2015	see below	see below	0.60%

Effective date	Medical & Surgical Services in M.R. 5221.4030	Pathology & Laboratory services in M.R. 5221.4040	Physical Medicine Rehabilitation Services in M.R. 5221.4050	Chiropractic services in M.R. 5221.4060
10/1/2005	\$76.31	\$63.72	\$66.16	\$48.08
10/1/2006	\$76.87	\$64.19	\$66.64	\$55.35
10/1/2007	\$77.56	\$64.77	\$67.24	\$55.85
10/1/2008	\$80.74	\$67.43	\$70.00	\$58.14
10/1/2009	\$81.63	\$68.17	\$70.77	\$58.78
10/1/2010	\$67.23	\$39.60	\$52.35	\$53.48
10/1/2011	\$68.84	\$40.55	\$53.61	\$54.76
10/1/2012	\$69.87	\$41.16	\$54.41	\$55.58
10/1/2013	\$64.69	\$55.68	\$48.88	\$48.83
10/1/2014	\$64.73	\$55.75	\$48.89	\$48.80
10/1/2015	\$65.12	\$56.08	\$49.18	\$49.09

Schedule for Economic Recovery Compensation 1/1/84 – 9/30/95	
% of Disability	# of Weeks
0-25	600
26-30	640
31-35	680
36-40	720
41-45	760
46-50	800
51-55	880
56-60	960
61-65	1,040
66-70	1,120
71-100	1,200

Schedule for Impairment Compensation 1/1/84 – 9/30/95 and Permanent Partial Compensation Schedule 10/1/95 – 9/30/00	
% of Disability	Amount
0-25	\$ 75,000
26-30	80,000
31-35	85,000
36-40	90,000
41-45	95,000
46-50	100,000
51-55	120,000
56-60	140,000
61-65	160,000
66-70	180,000
71-75	200,000
76-80	240,000
81-85	280,000
86-90	320,000
91-95	360,000
96-100	400,000

Permanent Partial Disability Benefits for Injuries on or after 10/1/00	
Impairment Rating (percent)	Amount
Less than 5.5	\$ 75,000
5.5 to less than 10.5	80,000
10.5 to less than 15.5	85,000
15.5 to less than 20.5	90,000
20.5 to less than 25.5	95,000
25.5 to less than 30.5	100,000
30.5 to less than 35.5	110,000
35.5 to less than 40.5	120,000
40.5 to less than 45.5	130,000
45.5 to less than 50.5	140,000
50.5 to less than 55.5	165,000
55.5 to less than 60.5	190,000
60.5 to less than 65.5	215,000
65.5 to less than 70.5	240,000
70.5 to less than 75.5	265,000
75.5 to less than 80.5	315,000
80.5 to less than 85.5	365,000
85.5 to less than 90.5	415,000
90.5 to less than 95.5	465,000
95.5 up to and including 100	515,000

Social Security Cost of Living Adjustment	
12-01	2.6%
12-02	1.4%
12-03	2.1%
12-04	2.7%
12-05	4.1%
12-06	3.3%
12-07	2.3%
12-08	5.8%
12-09	0%
12-10	0%
12-11	3.6%
12-12	1.7%
12-13	1.5%
12-14	1.7%
12-15	0%

Internet Resources

American Medical Association - <http://www.ama-assn.org/>
BCA - <https://cch.state.mn.us/pcchOffenderSearch.aspx>
Calculators - <http://comptools.com/datecalc.htm>
Guide to Prescription Drugs - <http://www.healthsquare.com/drugmain.htm>
ICD 9 codes - <http://icd9cm.chrisendres.com/index.php?srctype=diseases&srctext=724.5&Submit=Search&action=search>
Insurance Verification - <http://inslookup.doli.state.mn.us/>
Locate records for closed Hospitals - <https://pqc.health.state.mn.us/hospmedrecsloc/hospmedrecs.jsp>
Minnesota Board of Medical Practice - <http://www.state.mn.us/portal/mn/jsp/home.do?agency=BMP>
Minnesota Chiropractic Board - <http://www.mn-chiroboard.state.mn.us/>
Minnesota Department of Labor and Industry – <http://www.dli.mn.gov/WorkComp.asp>
Minnesota Medical Association - <http://www.mmaonline.net/>
Minnesota Rules & Statutes - <http://www.revisor.leg.state.mn.us/revisor/pages/forms/getrule.php>
PPD- present value - <http://www.dli.mn.gov/WC/Xls/pdv2000.xls>
Social Security Administration - <http://www.socialsecurity.gov/>
WCRA - <http://www.wcra.biz/>
Workers Compensation Court of Appeals - <http://search.state.mn.us/workerscomp/>
Workers' Compensation Forms - <http://www.dli.mn.gov/WC/Wcforms.asp>

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OAH – Duluth	218-302-6360
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