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## WORKERS' COMPENSATION BENEFITS MISSOURI 2024

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BODY PART AFFECTED	WEEKS PAYABLE
Disability, Body as a Whole	400
Arm at Shoulder	232
Arm Between Shoulder and Elbow Joint	222
Arm at Elbow Joint	210
Arm Between Elbow Joint and Wrist	200
Hand at Wrist Joint	175
Thumb at Proximal Joint	60
Thumb at Distal Joint	45
Index Finger at Proximal Joint	45
Index Finger at Second Joint	35
Index Finger at Distal Joint	30
Middle or Ring Finger at Proximal Joint	35
Middle or Ring Finger at Second Joint	30
Middle or Ring Finger at Distal Joint	26
Little Finger at Proximal Joint	22
Little Finger at Second Joint	20
Little Finger at Distal Joint	16
One Leg at Hip Joint	207
One Leg at or Above Knee	160
One Leg at or Above Ankle and Below Knee	155
One Foot at Tarsus	150
One Foot at Metatarsus	110
Great Toe of One Foot at Proximal Joint	40
Great Toe of One Foot at Distal Joint	22
Any Other Toe at Proximal Joint	14
Any Other Toe at Second Joint	10
Any Other Toe at Distal Joint	8
Complete Deafness in Both Ears	180
Complete Deafness in One Ear	49
Complete Loss of Sight in One Ear	140

MILEAGE RATE	
DATES	RATE
7/01/23 to 6/30/24	\$0.625
7/01/22 to 6/30/23	\$0.595
7/01/21 to 6/30/22	\$0.530
7/01/20 to 6/30/21	\$0.545
7/01/19 to 6/30/20	\$0.550
7/01/18 to 6/30/19	\$0.515
7/01/17 to 6/30/18	\$0.505
7/01/16 to 6/30/17	\$0.510
7/01/15 to 6/30/16	\$0.545
7/01/14 to 6/30/15	\$0.530
7/01/13 to 6/30/14	\$0.535
7/01/12 to 6/30/13	\$0.525

### WEEKS EXPRESSED AS A DECIMAL

1/7	0.14
2/7	0.29
3/7	0.43
4/7	0.57
5/7	0.71
6/7	0.86

### MAXIMUM WEEKLY BENEFITS

DATES	TTD	PPD	PTD
7/01/23 to 6/30/24	\$1,186.51	\$621.51	\$1,186.51
7/01/22 to 6/30/23	\$1,160.17	\$607.71	\$1,160.17
7/01/21 to 6/30/22	\$1,082.22	\$566.88	\$1,082.22
7/01/20 to 6/30/21	\$1,011.92	\$530.05	\$1,011.92
7/01/19 to 6/30/20	\$981.65	\$514.20	\$981.65
7/01/18 to 6/30/19	\$947.64	\$496.38	\$947.64
7/01/17 to 6/30/18	\$923.01	\$483.48	\$923.01
7/01/16 to 6/30/17	\$911.27	\$477.33	\$911.27
7/01/15 to 6/30/16	\$886.92	\$464.58	\$886.92
7/01/14 to 6/30/15	\$861.04	\$451.02	\$861.04
7/01/13 to 6/30/14	\$853.08	\$446.85	\$853.08
7/01/12 to 6/30/13	\$827.75	\$433.58	\$827.75
7/01/11 to 6/30/12	\$811.73	\$425.19	\$811.73
7/01/10 to 6/30/11	\$799.11	\$418.58	\$799.11

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## WORKERS' COMPENSATION BENEFITS MISSOURI 2024

### **COMPENSABILITY**

#### **ACCIDENT OR INJURY**

An injury is defined as one which has arisen out of and in the course and scope of employment. An injury by accident is compensable only if the accident was the prevailing factor in causing both the resulting medical condition and disability.

An injury shall be deemed to arise out of and in the course and scope of employment only if:

- It is reasonably apparent, upon consideration of all the circumstances, that the accident is the prevailing factor in causing the injuries.
- It does not come from a hazard or risk unrelated to the employment to which the employee would have been equally exposed to outside of and unrelated to the employment in the normal course of life.
- An injury resulting directly or indirectly from idiopathic causes is not compensable.
- A cardiovascular, pulmonary, respiratory, or other disease, suffered by an employee is an injury only if the accident is the prevailing factor in causing the resulting medical condition.

An injury is not compensable because the employment was a triggering or precipitating factor.

#### **CALCULATING BENEFITS**

The basis for most benefits in the Missouri Workers' Compensation system is the compensation rate. The compensation rate is a function of the employee's Average Weekly Wage ("AWW"), pursuant to Mo. Rev. Stat. § 287.250. Specifically, the AWW is calculated based on the thirteen (13) weeks of wages prior to the date of injury. All of the employee's wages earned during the thirteen (13) week period are totaled and then divided by thirteen (13) to determine the employee's AWW.

As a general rule, the compensation rate is two-thirds (2/3) of the employee's AWW as of the date of injury up to the statutory maximum amount, which is adjusted each year, and is variable based on the type of benefit the employee may be entitled to.

### **TYPES OF BENEFITS**

#### **TEMPORARY TOTAL DISABILITY**

Temporary Total Disability ("TTD") benefits are those paid to an employee during the "healing period" when the employee is unable to return to work. TTD benefits are not payable unless the employee has been unable to work for three (3) or more days. After the three-day waiting period, TTD benefits are payable until the employee returns to work or reaches Maximum Medical Improvement ("MMI").

#### **IMPORTANT CONSIDERATIONS**

- An employee is not entitled to TTD benefits if the employee is receiving unemployment benefits.
- There is a three-day waiting period with benefits paid for those three (3) days if the employee is off work for fourteen (14) days.

#### **PERMANENT TOTAL DISABILITY**

Under Missouri Workers' Compensation Law, the term "total disability" means that an employee is unable to return to "any employment" and not merely the employment in which the employee was engaged in at the time of the accident.

#### **IMPORTANT CONSIDERATIONS**

- Permanent Total Disability ("PTD") is owed to the employee for life, paid on a weekly basis.
- Missouri Workers' Compensation Law allows lump sum settlement agreements based on a present value of a permanent total award.
- If the PTD is the result of the work-related accident and a pre-existing condition, rather than the work accident alone, the Second Injury Fund would be liable for the permanent total award.

#### **PERMANENT PARTIAL DISABILITY**

Permanent Partial Disability ("PPD") is a disability that is permanent in nature and partial in degree. This disability must be demonstrated and certified by a physician, and based upon a reasonable degree of medical certainty.

PPD is calculated in Missouri using a three-variable equation: [Compensation Rate] x [Number of Weeks for Body Part Affected] x [Percentage of Disability] = Total Award of Permanent Partial Disability Benefits

#### **IMPORTANT CONSIDERATIONS**

- For minor injuries, the Administrative Law Judge ("ALJ") may allow settlement without a formal rating report.
- Part-time employees must use "same or similar" full-time employee wages (for PPD only).
- No credit for TTD benefits paid.

### **DEATH BENEFITS**

#### **ELIGIBILITY FOR DEATH BENEFITS**

After the death of an employee who suffered a work-related injury, the employee's surviving spouse, and/or dependent children may be entitled to benefits. A surviving spouse and/or dependent children can claim a benefit under the following circumstances:

- If the employee dies because of the work-related injury.
- If the employee is still employable after the work-related injury but then suffers a PPD while at work and subsequently dies from a cause unrelated to the work injury.
- The employee suffers PTD from a work-related injury and then dies from a cause unrelated to the work injury.

#### **THE EXTENT OF DEATH BENEFITS**

In typical situations, a surviving spouse is entitled to a weekly benefit for his or her lifetime, or until he or she remarries, at which time he or she will also receive a lump-sum equal to two (2) years of benefits.

A dependent child receives benefits until he or she reaches eighteen (18) years of age, unless he or she is a full-time student, benefits may continue until the child is age twenty-two (22). Other factors may also affect the duration of death benefit payments, such as physical or mental incapacity.

The employer is also responsible to pay reasonable funeral expenses up to \$5,000.00.

#### **IMPORTANT CONSIDERATIONS**

- Weekly benefits are the preferred method of payment when an employee dies because of a work-related accident or illness.
- Missouri allows lump-sum settlements in certain limited circumstances.