

## New benefit and provider fee levels effective October 2009

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The statewide average weekly wage (SAWW) effective Oct. 1, 2009, is \$878, a 3.29 percent increase over the current SAWW of \$850, which has been in effect since Oct. 1, 2008. [See the table on this page.] The levels for minimum and maximum weekly benefit payments are presented in the table on the page 8. The statewide annual average wage will change to \$45,618 on Jan. 1, 2010.

The new SAWW is based on 2008 payroll and employment figures supplied by the Department of Employment and Economic Development and the calculation procedure in Minnesota Statutes § 176.011, subd. 20. The increase in the SAWW is the basis for the M.S. § 176.645 annual benefit increases.

Only injured workers meeting the eligibility requirements of M.S. § 176.645 will receive adjusted benefits. Benefit increases for workers injured prior to Oct. 1, 1992, are limited to 6 percent. Benefit increases for workers injured between Oct. 1, 1992, and Sept. 30, 1995, are limited to 4 percent. For workers injured on or after Oct. 1, 1995, the initial annual adjustment is made on the fourth anniversary of the date of injury and is limited to 2 percent.

For injuries and illnesses occurring on or after Oct. 1, 2008, the maximum weekly benefit is \$850 and the maximum duration of temporary total disability benefits is 130 weeks. The minimum weekly benefit level for temporary total disability benefits is \$130.

Pursuant to Minnesota Rules 5220.1900, subp. 2b, the maximum qualified rehabilitation consultant (QRC) hourly fee will increase by 2 percent, to \$92.82, Oct. 1, 2009. The maximum hourly rate for rehabilitation job development and placement services, whether provided by rehabilitation vendors or by QRC firms, will increase by 2 percent to \$70.46.

Pursuant to M.S. § 176.136, subd. 1a, which provides for annual adjustments of the medical fee schedule conversion factor by no more than the change in the statewide average weekly wage, the conversion factors will be increased by 1.1 percent, which is the percent change in the producer price index for offices of physicians (PPI-P) developed by the U.S. Department of Labor, Bureau of Labor Statistics.

Subject to the approval of an administrative law judge at the Office of Administrative Hearings, effective Oct. 1, 2009, the new conversion factors will be:

- medical/surgical services in part 5221.4030 ..... \$81.63
- pathology/laboratory services in part 5221.4040 ..... \$68.17
- physical medicine/rehabilitation services in part 5221.4050 ..... \$70.77
- chiropractic services in part 5221.4060 ..... \$58.78

Minnesota Rules, part 5219.0500, subp. 4, provides for adjustment of the maximum fees for independent medical examinations in the same manner as the adjustment of the conversion factor. Therefore, the maximum independent medical examination fees will be increased by 1.1 percent for services provided on or after Oct. 1, 2009, subject to approval by an administrative law judge.

An official notice of the medical fee schedule conversion factors and independent medical examination fees as approved by the administrative law judge will be published in the *State Register* in September.

### Statewide average weekly wage Effective Oct. 1 of the indicated year

Year	Statewide average weekly wage	Percentage change from previous year
1996	\$524	3.76%
1997	\$553	5.53%
1998	\$579	4.70%
1999	\$615	6.22%
2000	\$642	4.39%
2001	\$680	5.92%
2002	\$702	3.24%
2003	\$718	2.28%
2004	\$740	3.06%
2005	\$774	4.59%
2006	\$782	1.03%
2007	\$808	3.32%
2008	\$850	5.20%
2009	\$878	3.29%

# Compensation rates as of Oct. 1, 2009

Statewide average weekly wage (SAWW) = \$878

Percentage change in SAWW from previous year = 3.29%

(Apply Minnesota Statutes §176.645 adjustment as necessary based on date of injury.)

## Maximum under M.S. 176.101 and 176.111

<i>100% of SAWW</i>	
10-01-80 .....	\$244.00
10-01-81 .....	\$267.00
10-01-82 .....	\$290.00
10-01-83 .....	\$313.00
10-01-84 .....	\$329.00
10-01-85 .....	\$342.00
10-01-86 .....	\$360.00
10-01-87 .....	\$376.00
10-01-88 .....	\$391.00
10-01-89 .....	\$413.00
10-01-90 .....	\$428.00
10-01-91 .....	\$443.00

### *105% of SAWW*

10-01-92 .....	\$481.95
10-01-93 .....	\$508.20
10-01-94 .....	\$516.60

### *Set by Statute*

10-01-95 .....	\$615.00
10-01-00 .....	\$750.00
<b>10-01-08 .....</b>	<b>\$850.00</b>

## Minimum under M.S. 176.101, subd. 1(2)

*50% of the SAWW or gross wage, whichever is less, but in no case less than 20% of the SAWW*

<i>50%</i>	<i>20%</i>
10-01-80 .....	\$122.00 (gross wage - \$183.00) ... \$ 48.80
10-01-81 .....	\$133.50 (gross wage - \$200.25) ... \$ 53.40
10-01-82 .....	\$145.00 (gross wage - \$217.50) ... \$ 58.00
10-01-83 .....	\$156.50 (gross wage - \$234.75) ... \$ 62.60
10-01-84 .....	\$164.50 (gross wage - \$246.75) ... \$ 65.80
10-01-85 .....	\$171.00 (gross wage - \$256.50) ... \$ 68.40
10-01-86 .....	\$180.00 (gross wage - \$270.00) ... \$ 72.00
10-01-87 .....	\$188.00 (gross wage - \$282.00) ... \$ 75.20
10-01-88 .....	\$195.50 (gross wage - \$293.25) ... \$ 78.20
10-01-89 .....	\$206.50 (gross wage - \$309.75) ... \$ 82.60
10-01-90 .....	\$214.00 (gross wage - \$321.00) ... \$ 85.60
10-01-91 .....	\$221.50 (gross wage - \$332.25) ... \$ 88.60

### *20% of the SAWW or the employee's actual weekly wage, whichever is less*

10-01-92 .....	\$91.80
10-01-93 .....	\$96.80
10-01-94 .....	\$98.40

*Set by statute, the listed amount or the employee's actual weekly wage, whichever is less*

10-01-95 .....	\$104.00
<b>10-01-00 .....</b>	<b>\$130.00</b>

## Supplementary benefits under M.S. 176.132 (Minnesota Statutes 1994)

**and permanent total minimum under  
M.S. 176.101, subd. 4  
(for injuries 10-1-95 and later)**

10-01-91 .....	\$287.95	(rounded to \$288)
10-01-92 .....	\$298.35	(rounded to \$299)
10-01-93 .....	\$314.60	(rounded to \$315)
10-01-94 .....	\$319.80	(rounded to \$320)
10-01-95 .....	\$328.25	(rounded to \$329)*
10-01-96 .....	\$340.60	(rounded to \$341)*
10-01-97 .....	\$359.45	(rounded to \$360)*
10-01-98 .....	\$376.35	(rounded to \$377)*
10-01-99 .....	\$399.75	(rounded to \$400)*
10-01-00 .....	\$417.30	(rounded to \$418)*
10-01-01 .....	\$442.00	(round)
10-01-02 .....	\$456.30	(rounded to \$457)*
10-01-03 .....	\$466.70	(rounded to \$467)*
10-01-04 .....	\$481.00	(round)
10-01-05 .....	\$503.10	(rounded to \$504)*
10-01-06 .....	\$508.30	(rounded to \$509)*
10-01-07 .....	\$525.20	(rounded to \$526)*
10-01-08 .....	\$552.50	(rounded to \$553)
<b>10-01-09 .....</b>	<b>\$570.70</b>	<b>(rounded to \$571)*</b>

\*Rounding applies to supplementary benefits.