

WID or SSN	
DATE(S) OF CLAIMED INJURY	DATE OF DEATH

Minnesota Department of Labor and Industry  
 Workers' Compensation Division  
 PO Box 64221  
 St. Paul, MN 55164-0221  
 (651) 284-5032 or 1-800-342-5354  
 Fax: 651-284-5731



DO NOT USE THIS SPACE

DECEASED EMPLOYEE	
BY PETITIONER	
VS.	
EMPLOYER(S)	AND
INSURER(S)	AND

## Claim Petition for Dependency Benefits or Payment to Estate

NOTE: File Petition and Affidavit of Service with the Division

**Amended Claim Petition**  
 (to amend a party/date of injury to the claim)

**Amendment to the Claim Petition**  
 (to amend issues(s) relating to this claim)

PRINT IN INK or TYPE  
 ENTER DATES in MM/DD/YYYY FORMAT

*Private or confidential data you supply on this form, and in communications or proceedings that occur because you file this form, will be used to process and resolve your workers' compensation dispute. The data will be used by department of labor and industry (department) staff who have authorized access to the data, and may be used for state investigations and statistics. You may refuse to supply the data, but if you refuse your claim may be delayed or denied, or the form may be returned to you. The data will be made part of the department's file for your claim and may be supplied to: anyone who has access to the file or the data by authorization or court order; the employer and insurer for your claim; the office of administrative hearings; the workers' compensation court of appeals; the departments of revenue and health; and the workers' compensation reinsurance association.*

### TO THE WORKERS' COMPENSATION DIVISION, DEPARTMENT OF LABOR AND INDUSTRY

The Petitioner above named alleges the following facts:

- That his/her
1. address is \_\_\_\_\_
2. That the address of the employer is \_\_\_\_\_
3. That on \_\_\_\_\_ the above-named deceased employee sustained an injury or disease and that his/her death on \_\_\_\_\_ was related thereto.
4. That said deceased employee was in the employ of the above-named employer as a \_\_\_\_\_
5. That the deceased employee's weekly wage at the time of said alleged injury or disease was \_\_\_\_\_.
6. That said injury or disease arose out of and in the course of said employment.
7. That the nature of said injury or disease was as follows: \_\_\_\_\_
8. That said employer had knowledge or due notice of the occurrence of the injury, disease and/or death alleged in paragraph 3.
9. That on said date the employer was insured against compensation liability by the insurer or insurers indicated above.
10. That the hospital and medical expenses made necessary by said injury or disease was the sum of \_\_\_\_\_, and that the cost of the funeral and burial was \_\_\_\_\_.
11. That the name and address of any third party who has paid benefits or hospital, medical or burial expenses related to this claim is \_\_\_\_\_
12. That petitioner is \_\_\_\_\_  
 (relationship to deceased employee or dependents)
13. That the following are all of the deceased employee's living dependent children known to petitioner:
 

<u>Name</u>	<u>Address</u>	<u>Birth Date</u>	<u>Type</u>	<u>Amount</u>
14. Other persons dependent on deceased employee (indicate with an \* those who are only partially dependent):
 

<u>Name</u>	<u>Address</u>	<u>Birth Date</u>	<u>Type</u>	<u>Amount</u>
15. That liability has been denied by said employer and/or insurer and no payment of weekly or other benefits has been made except as follows: \_\_\_\_\_

WHEREFORE, Petitioner asks for an award for such benefits as are in such cases provided for by the Workers' Compensation Law of Minnesota, as follows:

- 16. Unpaid benefits payable to employee and now being claimed by dependents \_\_\_\_\_
- 17. Dependency benefits from \_\_\_\_\_ to \_\_\_\_\_
- 18. Rehabilitation benefits for dependent surviving spouse?  Yes  No
- 19. Payment to the estate of the deceased employee under Minn. Stat. § 176.111, subd. 22?  Yes  No

PETITIONER SIGNATURE			ATTORNEY FOR PETITIONER SIGNATURE		
ADDRESS			ADDRESS		
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE
TELEPHONE			ATTORNEY REGISTRATION #	TELEPHONE	

**TRIAL DATA:**

Request is made for a settlement conference.  Yes  No Estimated hours to present evidence: \_\_\_\_\_

Requested place of: Pretrial \_\_\_\_\_ Trial \_\_\_\_\_

Number of Witnesses: \_\_\_\_ (Attach names and addresses) An Affidavit of Significant Financial Hardship is attached.  Yes  No

If an interpreter is requested for a hearing or conference, specify the language/dialect: \_\_\_\_\_

If a reasonable accommodation of disability is requested for a hearing or conference, describe: \_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

**AFFIDAVIT OF SERVICE**

I, \_\_\_\_\_, being first duly sworn, state that on \_\_\_\_\_, I served a true and correct copy of this document, enclosed in a properly addressed envelope, by depositing the same, with postage prepaid, in the United States mail at \_\_\_\_\_, Minnesota, addressed as follows:

**NAMES AND ADDRESSES**

Subscribed and sworn to before me \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_ Signature  
 Notary Public \_\_\_\_\_  
 My Commission expires \_\_\_\_\_

**INSTRUCTIONS**

1. Failure to properly and fully fill out claim petition, with appropriate documentation, in accordance with workers' compensation rules of practice, shall not be considered proper filing under Minn. Stat. § 176.305. The Workers' Compensation Division may refuse to accept a claim petition that lacks any of the following: employee's name, date of injury, WID or social security number, or name of employer/insurer.
2. The claim must be presented in terms of the Minnesota Workers' Compensation Act.
3. If you have more defendants or more injuries than can be listed on the claim petition, it may be modified accordingly.
4. A doctor's report supporting the claim MUST be filed with the claim petition.
5. In listing dependents, refer to Minn. Stat. § 176.111, subd. 1, before completing #13. If the child is over 18 years old, indicate the reasons he/she qualified as a dependent. All other dependents, including spouse, should be listed in #14.
6. The relationship of the petitioner to the deceased employee or to the dependents should be stated in #12 (e.g., widow of deceased employee, or father and natural guardian of children of deceased employee).
7. If additional space is required to list all the dependents claimed, or to list the names, addresses, etc., of third parties making payment of benefits, or hospital, medical or burial expenses, attach a separate sheet containing such information.
8. If no third party has made payment of any benefits, or hospital, medical or burial expenses, enter the word "NONE" in the blank provided for the name and address.
9. The petitioner must serve a copy of the petition on EACH adverse party (employer(s), insurer(s), the Special Compensation Fund, if applicable, and any third party intervenor named in #11) by first class mail or personally.

*This material can be made available in different forms, such as large print, Braille or audio. To request, call (651) 284-5032 or 1-800-342-5354/Voice or TDD (651) 297-4198.*

**ANY PERSON WHO, WITH INTENT TO DEFRAUD, RECEIVES WORKERS' COMPENSATION BENEFITS TO WHICH THE PERSON IS NOT ENTITLED BY KNOWINGLY MISREPRESENTING, MISSTATING, OR FAILING TO DISCLOSE ANY MATERIAL FACT IS GUILTY OF THEFT AND SHALL BE SENTENCED PURSUANT TO SECTION 609.52, SUBDIVISION 3.**