



McAnany, Van Cleave & Phillips
Attorneys at Law Since 1901

WORKERS' COMPENSATION BENEFITS

2010 NEBRASKA

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BODY PART AFFECTED WEEKS PAYABLE

Disability, body as a whole	300
Shoulder to above elbow	225
Arm between elbow and wrist	175
Hand	175
Leg from hip joint to above knee	215
Knee to ankle	150
Foot	150
Eye	125
Loss of hearing in one ear	50
Ear	25
Nose	50
Thumb	60
First phalange of thumb	30
Half of first phalange of thumb	15
First finger (index)	35
First phalange of first finger	17.5
Half of first phalange of first finger	8.75
Second finger (middle)	30
First phalange of second finger	15
Half of first phalange of second finger	7.5
Third finger (ring)	20
First phalange of third finger	10
Half of first phalange of third finger	5
Fourth finger (little)	15
First phalange of fourth finger	7.5
Half of first phalange of fourth finger	3.75
Great toe	30
First phalange of great toe	15
Any other toe	10
First phalange of any other toe	5

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	Rate
01/01/03 to 12/31/03	\$542.00
01/01/04 to 12/31/04	\$562.00
01/01/05 to 12/31/05	\$579.00
01/01/06 to 12/31/06	\$600.00
01/01/07 to 12/31/07	\$617.00
01/01/08 to 12/31/08	\$644.00
01/01/09 to 12/31/09	\$671.00
01/01/10 to 12/31/10	\$691.00

MILEAGE RATE

Date	Rate
01/01/02 to 12/31/02	\$0.365
01/01/03 to 12/31/03	\$0.360
01/01/04 to 12/31/04	\$0.375
01/01/05 to 08/31/05	\$0.400
09/01/05 to 12/31/05	\$0.485
01/01/06 to 12/31/06	\$0.445
01/01/07 to 12/31/07	\$0.485
01/01/08 to 12/31/08	\$0.505
01/01/09 to 12/31/09	\$0.550
01/01/10 to 12/31/10	\$0.500

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Scheduled Injury Example

Date of Accident	01/01/09
Hand, weeks	175
Percent of disability	20%
Average weekly wage	\$750.00
Max. PPD rate	\$671.00
TTD weeks paid	17

	175	Weeks for hand
x	.20	Impairment Rating
	35	Weeks of benefits
x	\$500.03	Weekly benefit rate
	\$17,501.05	PPD

Whole Body Injury Example

Date of Accident	01/01/09
Whole body, weeks	300
Loss of earning capacity	40%
Average weekly wage	\$750.00
Max. PPD rate	\$671.00
TTD weeks paid	17

	\$500.03	2/3 AWW
x	.40	% loss of earning capacity
	\$200.01	Weekly PPD rate
x	283	300-17 (TTD weeks)
	\$56,602.83	PPD

Scheduled Injuries computed on number of weeks on schedule multiplied by impairment rating, paid at 2/3 average weekly wage. No deduction for TTD benefits paid.

Whole Body Injuries computed on basis of loss of earning capacity, paid over 300 weeks. TTD weeks deducted from 300 weeks.

Waiting Period applies to the first seven days of disability due to injury. If worker is disabled for six or more weeks, then employer shall pay employee for waiting period.

Medical Allowance No limit, except that the cost per procedure or service must be in accordance with the fee schedule published by the Compensation Court, effective June 1, 2008.

Death Benefit Widow/widower is entitled to 2/3 of employee's average weekly wage at the time of injury if there are no children, increased to 3/4 if there are children, until his or her death or remarriage. At remarriage, widow/widower receives two years benefits in a lump sum. Minor children are entitled to a percentage of death benefits until 19, or 25 if enrolled full-time in an educational institution, or until the end of actual dependency.

Burial Allowance Reasonable expenses, not to exceed \$6,000.00

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