State of Alaska Mike Dunleavy Governor	Alaska Workers' Compensation Division PO Box 115512 Juneau, Alaska 99811-5512		
Department of Labor and Workforce Development	**BULLETIN**	Number 22-08	Date December 28, 2022
Dr. Tamika L. Ledbetter Commissioner	SUBJECT REFERENCE	Death Benefits AS 23.30.215	

Payment for fatalities on or after January 1, 2023, but on or before December 31, 2023.

1. Death benefits payable per AS 23.30.215(a)(2)(A) - widow or widower with no children:
The weekly compensation rate is 80% of the spendable weekly wage, up to a maximum weekly compensation payment of $1,418.
- If the spendable weekly wage is $1,773 or greater (80% of $1,773 = $1,418) then the weekly benefit maximum of $1,418 is applicable.
- If the spendable weekly wage is less than $1,773, then the weekly benefit amount is 80% of the spendable weekly wage.

2. Death benefits payable per AS 23.30.215(a)(2)(B) - widow or widower and one child:
a) If the employee's spendable weekly wage **is** $1,576 or above (90% of $1,576 = $1,418)**,** the weekly compensation payments are fixed at:
- for the widow or widower: $788/wk (50% of $1,576)
- for the child: $630/wk (40% of $1,576)

b) If the employee's spendable weekly wage is below $1,576, use the following formula:
- for the widow or widower: employee's spendable weekly wage X .5
- for the child: employee's spendable weekly wage X .4

3. Death benefits payable per AS 23.30.215(a)(2)(C) - widow or widower and two or more children:
a) If the employee's spendable weekly wage is $1,418 or above, the payments are fixed at:
- for the widow or widower: $425/wk (30% of $1,418)
- for the children: $993/wk (70% of $1,418)

b) If the employee's spendable weekly wage is below $1,418, use the following formula:
- for the widow or widower: employee's spendable weekly wage X .3
- for the children: employee's spendable weekly wage X .7

4. Death benefits payable per AS 23.30.215(a)(2)(D) and 23.30.215(a)(2)(E) - only one child and no widow or widower, or two or more children and no widow or widower:
a) If the employee's spendable weekly wage is $1,418 or above, the payments are fixed at:
- for the only child: $1,418/wk
- for two or more children: $1,418/wk divided equally among the children

b) If the employee's spendable weekly wage is below $1,418, 100% of the spendable weekly wage is due as follows:
- for the only child: employee's weekly spendable wage
- for two or more children: employee's weekly spendable wage equally divided among the children

5. Compensation may not be less than $75 for a widow or widower nor less than $25 weekly to a child or $50.00 for children, per AS 23.30.215(b).

6. There is a one-time death benefit of $8,000 payable a surviving widow or widower, or equally divided among surviving children, per AS 23.30.215(a)(5).

7. There is a maximum funeral benefit of $12,000 per AS 23.30.215(a)(1).

8. Under AS 23.30.215(a)(4), if the deceased injured worker had no spouse or children at the time of the injury that caused death, the father, mother, grandchildren, brothers, and sisters if dependent on the deceased injured worker at the time of injury, then the weekly compensation rate is calculated at 42% of the spendable weekly wage up to the maximum weekly benefit of $1,418 and up to an aggregate cap of $150,000. The benefits are to be shared equally among eligible dependents.

9. Death benefit payments to a "child," "grandchild", "brother," and "sister" are payable up to age 19, unless they are incapable of self-support due to mental or physical disability and wholly dependent on the deceased employee at the time of the injury that caused death. In addition, death benefits to these family members are payable regardless of age for the first four years of college or vocational/trade school or if they are attending high school. (See AS 23.30.395(8))

This is not a complete listing of all aspects of workers' compensation death benefits under AS 23.30.215. For more information, please reference the statute or contact the Division of Workers' Compensation.