

Proposed amendments providing for adjustment to the minimum compensation rate and Permanent Partial Disability schedule in Minn. Stat. § 176.101, subdivisions 1 and 5.

Draft for discussion at the WCAC meeting on Feb. 24, 2021

1 **176.101 COMPENSATION SCHEDULE.**

2 **Subdivision 1. Temporary total disability.**

3 (a) For injury producing temporary total disability, the compensation is 66-2/3 percent of the weekly
4 wage at the time of injury.

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6 (b)(1) Commencing on October 1, 2013, and each October 1 thereafter, the maximum weekly
7 compensation payable is 102 percent of the statewide average weekly wage for the period ending
8 December 31 of the preceding year.

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10 (2) The Workers' Compensation Advisory Council may consider adjustment increases and make
11 recommendations to the legislature.

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13 (c) The minimum weekly compensation payable is \$130 per week or the injured employee's actual
14 weekly wage, whichever is less. Commencing on October 1, 2021, and each October 1 thereafter, the
15 minimum weekly compensation shall be 20 percent of the maximum weekly compensation payable or
16 the employee's actual weekly wage, whichever is less.

17 (d) Temporary total compensation shall be paid during the period of disability subject to the cessation
18 and recommencement conditions in paragraphs (e) to (l).

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20 [For the rest of 176.101, subs. 1 and 2, see
21 <https://www.revisor.mn.gov/statutes/cite/176.101#stat.176.101.1>
22

23 **Subdivision 2a. Permanent partial disability**

24 (a) Compensation for permanent partial disability is as provided in this subdivision. Permanent partial
25 disability must be rated as a percentage of the whole body in accordance with rules adopted by the
26 commissioner under section 176.105. For injuries occurring on or after October 1, 2021, the dollar
27 amounts for the corresponding permanent partial disability ratings in the table in section 176.101,
28 subdivision 2a, shall be increased by [X] percent over the dollar amounts in effect on September 30,
29 2021. For injuries occurring on or after October 1, 2022 and each subsequent October 1, the dollar
30 amount for each corresponding rating shall be increased by the same percent increase in the statewide
31 average weekly wage most recently computed under Minnesota Statutes 176.645 without the annual

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32 cap provided by that section. If there is no increase, or if there is a decrease, in the statewide average
33 weekly wage, the dollar amounts shall not change for that year. The commissioner shall publish each
34 updated table on the DLI website annually by October 1. The percentage determined pursuant to the
35 rules under section 176.105 must be multiplied by the corresponding amount in the following table as
36 adjusted according to paragraph (a):

37 [For the PPD table, see <https://www.revisor.mn.gov/statutes/cite/176.101#stat.176.101.5>]

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- To raise the most recent benefit schedule to where it would be as of October 1, 2021 if indexed for the SAWW since October 1, 1983, X=204.0%.
- To raise the most recent benefit schedule to where it would be as of October 1, 2021 if indexed for the SAWW since October 1, 2000, X=109.6%.