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2020 Summary of Georgia's Workers' Compensation Provisions

Maximum Weekly Benefits for Loss of, or Loss of Use of, Specific Members

Member	Weeks
Arm	225
Leg	225
Hand	160
Foot	135
Thumb	60
Index Finger	40
Middle Finger	35
Ring Finger	30
Little Finger	25
Great Toe	30
Other Toe	20
One Ear/Both Ears	75/150
One Eye	150
Body as a Whole	300

Temporary Total Disability Benefits (O.C.G.A § 34-9-261)

Effective Date	Max. Weekly Benefit	Min. Weekly Benefit
07/01/19 to 06/30/20	\$675.00	\$50.00
07/1/18	\$575.00	\$50.00
07/01/16 to 06/30/18	\$575.00	\$50.00
07/01/15	\$550.00	\$50.00
07/01/14	\$525.00	\$50.00
07/01/13	\$525.00	\$50.00
07/01/07 to 06/30/13	\$500.00	\$50.00
07/01/05 to 06/30/07	\$450.00	\$45.00

Temporary Partial Disability Benefits (O.C.G.A § 34-9-262)

Effective Date	Max. Weekly Benefit
07/01/19 to 06/30/20	\$450.00
07/01/16 to 06/30/19	\$383.00
07/01/15	\$367.00
07/01/13	\$350.00
07/01/07	\$334.00
07/01/05	\$300.00
07/01/03	\$284.00

Permanent Partial Disability Benefits (O.C.G.A § 34-9-263)

Effective Date	Max. Weekly Benefit
07/01/19 to 06/30/20	\$675.00
07/01/16	\$575.00
07/01/15	\$550.00
07/01/13	\$525.00
07/01/07	\$500.00
07/01/05	\$450.00
07/01/03	\$425.00



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Converting TTD to TPD Benefits

- Send WC-104 and copy of medical reports to Claimant and Opposing Counsel within 60 days of light duty release and examination. Effective 1/1/14, the WC-104 must also be filed with the Board
- After 52 consecutive weeks or 78 aggregate weeks of light duty release following the filing of WC-104, file the following with the State Board to suspend benefits:
 - Form WC-2
 - Copy of WC-104
 - Copy of medical report

Important Time Periods:

Filing of initial claim (from date of injury or last medical treatment, unless statute is tolled)	1 year
Change of condition (from date of last payment of total or partial disability benefits)	2 years
Claim for PPD Benefits (from date of last TTD payment)	4 years
Appeal to Appellate Division	20 days
Appeal to Superior Court	20 days
Appeal to Court of Appeals	30 days
Medical Bill Payments	30 days from receipt
Medical Benefit Cap	400 weeks effective 7/1/13
Medical Mileage (@ \$0.40 per mile)	15 days from receipt
Subrogation	Claimant has 1 year exclusive right to file Third Party suit; if not, E/I can then file on Claimant's behalf

Disability Benefits

Period of Incapacity:

- No payment for the first 7 days following disability, including day of injury (the "waiting period")
- If disabled for 21 consecutive days, then the first 7 days to be paid

Payment of TTD/TPD:

- Due on 21st day after employer's knowledge of death or injury
- Must file WC-1(b) or WC-2 upon making first payment, or upon suspending benefits
- If paid late without an award, 15% penalties on accrued benefits are owed
- If paid late with an award and no appeal, 20% penalties owed
- Weekly benefits considered paid timely on date mailed, if mailed in GA
- Weekly benefits considered paid timely if mailed outside GA at least 3 days prior to due date

Payment of TTD/TPD:

- Must be filed on or before the 21st day after employer knowledge by WC-1(c) or WC-3
- If benefits are being paid without an award, may controvert for any reason within 81 days
- After 81 days, may still controvert on grounds of newly-discovered evidence or change in condition
- If benefits are being paid with an award, may controvert and file a WC-3 on grounds of change in condition or newly discovered evidence, but must also file WC-2 and give Claimant 10 days notice prior to date benefits will cease

Refusal of Suitable Employment (O.C.G.A. § 34-9-240; Rule 240)

Automatic Suspension of Benefits:

- Offer suitable light duty job should include:
 - WC-240
 - Send job description to Claimant and Opposing Counsel prior to sending to ATP
 - Physician approval (within 60 days)
 - Location, date and time of job commencement
- File with Board after refusal
 - WC-240 and documents sent to Claimant
 - WC-2 suspending benefits

Reinstatement/Suspension of Benefits:

- Effective 7/1/13 benefits may be suspended if Claimant does not attempt light duty job for a least 8 hours or a scheduled work day, whichever is greater
- If Claimant worked less than 15 days of light duty and stops, benefits must be recommenced immediately. (Request hearing)
- If Claimant worked more than 15 days and ceases to work, it is the Claimant's burden to show entitlement to benefits.