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1	Limited Comparison of Workers' Compensation Components Across States: Exemptions, Benefits, Coverage (some 2014 data, some 2016 data)												
2	2016 Oregon Ranking	State	Independent Contractor Exclusions	Fee Schedule in Place	Basis of TTD calculation (temporary total disability)	Basis of PTD Calculation (permanent total disability)	Basis of PPD Calculation (perm. partial disability)	Coverage of mental stress claims when no physical injury	Waiting period before worker can receive indemnity benefits	2014 Work Comp Covered Workers	2014 Total Benefits Paid	2014 Average = Total Benefits/Covered Workers	BLS Nonfatal Injuries & Illnesses, Private Incidence Rate Ranking 2015
3	1	California	Yes	Yes	66 2/3% of worker's preinjury weekly wage	2/3 of average weekly wage	2/3 of average weekly wage	Yes	3 days	15,567,000	\$12,093,241,000	\$777	17
4	2	New Jersey	Yes	No	70% of worker's preinjury weekly wage	70% of worker's preinjury wage	70% of worker's preinjury wage	Yes	7 days	3,793,000	\$2,269,156,000	\$598	34
5	3	New York	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of workers' average weekly wage x # of weeks	Yes	7 days	8,710,000	\$5,581,295,000	\$641	39
6	4	Connecticut	Yes	Yes	75% of worker's spendable, after-tax, or net weekly wages	75% of worker's spendable, after-tax, or net weekly wages	75% of worker's spendable, after-tax, or net weekly wages	No	3 days	1,636,000	\$886,015,000	\$542	20
7	5	Alaska	Yes	Yes	80% of worker's spendable, after-tax, or net weekly wages	80% of worker's spendable, after-tax, or net weekly wages	Scheduled	Yes	3 days	315,000	\$214,995,000	\$683	5
8	6	Delaware	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury wage - earning power of employee post injury	# of weeks x worker's average weekly wage	Yes	3 days	417,000	\$249,385,000	\$598	36
9	7	Oklahoma	Yes	Yes	70% of worker's preinjury wage	70% of worker's average weekly wage	70% of worker's average weekly wage	No	3 days	1,459,000	\$714,367,000	\$490	NA
10	8	Illinois	Yes	Yes	66 2/3% of worker's preinjury average weekly wage	66 2/3% of worker's preinjury average weekly wage	60% of average weekly wage	Yes	3 days	5,669,000	\$2,752,343,000	\$486	29
11	9	Rhode Island	Yes	Yes	75% of worker's spendable, after-tax, or net weekly wages	75% of worker's spendable, after-tax, or net weekly wages	50% of average weekly wage	Yes	3 days	452,000	\$164,084,000	\$363	NA
12	10	Louisiana	No	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	66 2/3% of workers' preinjury average weekly wage - post injury	Yes	7 days	1,889,000	\$795,499,000	\$421	42
13	11	Montana	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	No	4 days or 32 hours	424,000	\$245,909,000	\$580	4

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14	12	Wisconsin	Yes	No	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of average weekly wage	Yes	3 days	2,654,000	\$1,163,372,000	\$438	10
15	13	Vermont	No	Yes	66 2/3% of worker's preinjury wage plus \$10 per week per dependent	66 2/3% of worker's preinjury wage	66 2/3% of average weekly wage	Yes	3 days	295,000	\$152,749,000	\$518	2
16	14	Maine	Yes	Yes	2/3 of average gross weekly wage	2/3 of average gross weekly wage	2/3 of average gross weekly wage	Yes	7 days	573,000	\$253,217,000	\$442	1
17	15	Washington	Yes	Yes	60% of worker's preinjury monthly wage plus 5% for spouse and 2% for dependents and max at 75%	Depends on worker's choice	Estimated loss of wage-earning capacity	Yes	3 days	2,899,000	\$2,392,919,000	\$825	3
18	16	Hawaii	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	66 2/3% average weekly wage	Yes	3 days	593,000	\$270,720,000	\$457	15
19	17	New Hampshire	Yes	No	60% of workers' preinjury wage	60% of workers' preinjury wage	60% of workers' average weekly wage x # of weeks	Yes	3 days	619,000	\$210,224,000	\$340	NA
20	18	South Carolina	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of average weekly wage	Yes	7 days	1,799,000	\$888,850,000	\$494	38
21	19	Missouri	No	No	66 2/3% of worker's preinjury average weekly wage	66 2/3% of worker's preinjury average weekly wage	66 2/3% of worker's preinjury average weekly wage	Yes	3 business days	2,496,000	\$853,094,000	\$342	26
22	20	New Mexico	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of worker's average weekly wage	Yes	7 days	742,000	\$262,383,000	\$354	22
23	21	Minnesota	Yes	Yes	66 2/3% of worker's weekly wage at time of injury	66 2/3% of worker's preinjury wage	% disability x \$ amount	Yes	3 days	2,682,000	\$1,079,263,000	\$402	12
24	22	North Carolina	Yes	Yes	66 2/3% of worker's average weekly wage	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	Yes	7 days	3,878,000	\$1,311,126,000	\$338	37
25	23	Wyoming	Yes	Yes	30% of statewide average wage or 2/3 of actual earnings	66 2/3% of worker's preinjury wage	less than 95% of preinjury wage	No	3 days	277,000	\$184,398,000	\$666	19

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26	24	Iowa	Yes	No	80% of worker's spendable, after-tax, or net weekly wages	80% of worker's spendable, after-tax, or net weekly wages	80% of worker's spendable, after-tax, or net weekly wages	Yes	3 days	1,483,000	\$649,719,000	\$438	8
27	25	Alabama	No	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	66 2/3% average weekly wage	No	3 days	1,736,000	\$636,575,000	\$367	24
28	26	Pennsylvania	Yes	Yes	66 2/3% of worker's preinjury weekly wage	Not Applicable	Worker's earning power	Yes	7 days	5,529,000	\$3,010,790,000	\$545	13
29	27	Georgia	Yes	Yes	66 2/3% of worker's preinjury weekly wage	Not Applicable	66 2/3% of worker's preinjury weekly wage	No	7 days	3,829,000	\$1,433,242,000	\$374	32
30	28	Idaho	Yes	Yes	67% of worker's preinjury average weekly wage	67% of worker's preinjury average weekly wage	55% of state's average weekly wage	No	5 days	634,000	\$254,050,000	\$401	NA
31	29	Mississippi	Yes	Yes	66 2/3% of worker's average weekly wage	66 2/3% of worker's average weekly wage	wage difference or impairment rating	Yes	5 days	1,027,000	\$336,689,000	\$328	NA
32	30	Tennessee	Yes	Yes	66 2/3% of worker's preinjury average weekly wage	66 2/3% of worker's preinjury wage	% disability x 450 weeks x 2/3 of average weekly wage	Yes	7 days	2,603,000	\$710,062,000	\$273	23
33	31	Nebraska	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury average weekly wage	Yes	7 days	918,000	\$325,263,000	\$354	16
34	32	South Dakota	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of average weekly wage	No	7 days	395,000	\$98,266,000	\$249	NA
35	33	Florida	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	75% of average TTD rate	No	7 days	7,249,000	\$3,147,769,000	\$434	NA
36	34	Michigan	Yes	Yes	80% of worker's spendable, after-tax, or net weekly wages	80% of worker's spendable, after-tax, or net weekly wages	None	Yes	7 calendar days	3,924,000	\$1,034,772,000	\$264	18
37	35	Colorado	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	% of PPD x age x TTD rate X 400 weeks	Yes	3 scheduled days	2,353,000	\$798,711,000	\$339	NA
38	36	Kentucky	Yes	Yes	66 2/3% of worker's average weekly wage	66 2/3% of worker's average weekly wage	66 2/3% of worker's average weekly wage	No	7 days	1,765,000	\$656,611,000	\$372	11

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39	37	Arizona	Yes	Yes	66 2/3% of worker's average monthly wage plus an additional \$25 per month if dependents	66 2/3% of worker's average monthly wage	Scheduled	Yes	7 consecutive days	2,485,000	\$737,095,000	\$297	28
40	38	Maryland	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury weekly wage	2/3 of average weekly wage	Yes	3 days	2,406,000	\$955,474,000	\$397	30
41	39	Texas	Yes	Yes	70% of worker's preinjury weekly wage	75% of worker's average weekly wage	70% of average weekly wage	No	7 days	8,903,000	\$1,548,645,000	\$174	41
42	40	Ohio	Yes	Yes	72% of preinjury wage	66 2/3% of worker's preinjury wage	33 1/3% of average weekly wage	No	7 days	5,108,000	\$2,027,964,000	\$397	31
43	41	Kansas	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of average weekly wage	66 2/3% of preinjury average weekly wage	No	7 days	1,322,000	\$379,413,000	\$287	25
44	42	District of Colum	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	66 2/3% average weekly wage	Not Applicable	3 days	532,000	\$101,207,000	\$190	NA
45	43	Nevada	Yes	Yes	66 2/3% of worker's average monthly wage plus an additional \$25 per month if dependents	66 2/3% of worker's average monthly wage	66 2/3% of worker's preinjury average weekly wage	Yes	5 days	1,182,000	\$369,396,000	\$313	6
46	44	Massachusetts	No	Yes	60% of worker's preinjury weekly wage	60% of worker's preinjury weekly wage	None	Yes	5 days	3,315,000	\$1,148,384,000	\$346	33
47	45	Oregon	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	Impairment	Yes	3 days	1,699,000	\$655,971,000	\$386	9
48	46	Utah	Yes	Yes	66 2/3% of worker's average weekly wage	66 2/3% of worker's preinjury average weekly wage	66 2/3% of average weekly wage	Yes	3 days	1,253,000	\$271,969,000	\$217	14
49	47	Virginia	Yes	No	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	66 2/3% of average weekly wage	Yes	7 days	3,400,000	\$933,059,000	\$274	40
50	48	West Virginia	Yes	No	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	66 2/3% of average weekly wage	No	3 days	662,000	\$423,527,000	\$640	21

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51	49	Arkansas	Yes	Yes	66 2/3% of worker's preinjury weekly wage	66 2/3% of worker's preinjury weekly wage	75% of TTD rate, 100% if total loss or amputation	No	7 days	1,103,000	\$211,633,000	\$192	35
52	50	Indiana	Yes	No	66 2/3% of average weekly wage	66 2/3% of average weekly wage	None	No	7 days	2,842,000	\$589,225,000	\$207	7
53	51	North Dakota	Yes	Yes	66 2/3% of worker's preinjury wage	66 2/3% of worker's preinjury wage	35% of state's average weekly wage	No	5 days	432,000	\$191,448,000	\$443	NA
54													
55	Sources:												
56	<i>Workers' Compensation Laws as of January 1, 2016, WCRI</i>												
57	<i>Workers' Compensation: Benefits, Coverage, & Costs (2014), NASI (Published October 2016)</i>												
59	<i>Updated 1/11/2017 - Compiled for the Economic Affairs Interim Committee by the Montana Department of Labor and Industry. Identification of structure uses DLI February presentation of Oregon study, p. 14 chart.</i>												
60	Structure Key: Red- monopolistic (4 states), Green - reinsurance pool (29 states + DC), Blue - competitive state												
61	funds (14 states), Yellow - joint underwriting association (1 state), pink - alternative or contract carrier (2 states)												