

File Number:  
JAXLETTER69-D-ACC

U S DEPARTMENT OF LABOR

**RECEIVED DEC 22 2014**

OFFICE OF WORKERS' COMP PROGRAMS  
PO BOX 8300 DISTRICT 6 JAC  
LONDON, KY 40742-8300  
Phone: (904) 366-0100

December 17, 2014

Date of Injury:  
Employee:

Dear Mr

I am pleased to inform you that we have accepted your claim for survivor's benefits. Compensation is currently being calculated and you should receive your first payment within the next two weeks. The first payment covers the period 12/14/2014 to 01/10/2015, in the amount of \$ 3239.08. Additional compensation will follow every 28 days in the amount of \$ 3239.08, on the periodic compensation rolls.

We are also prepared a payment to you for a burial allowance of \$ 800.00, as well as an administrative fee of \$200.00.

We will issue any back pay due once the Office of Personal Management (OPM) respond to our letter dated 12/08/2014.

If you are currently receiving, or are eligible to receive, annuitant survivor's benefits from the Office of Personal Management (OPM), it will be necessary that you make an election of benefits between our benefits and OPM's. Federal law prohibits claimants from receiving benefits under the Federal Employees' Compensation Act while at the same time receiving OPM benefits. If this is your situation, please let us know and we will send you an election of benefits form.

If you would like to enroll in direct deposit, please contact your financial institution for a direct deposit EFT form to complete, or contact this office for a form.

Under the Federal Employees' Compensation Act (5 USC 8101, et seq ), when an employee dies due to circumstances related to factors of employment, the surviving spouse is entitled to 50% of the employee's date-of-injury salary indefinitely, plus any applicable cost-of-living adjustments. Any children of the employee under the age of 18 are also eligible for compensation. Children between the ages of 18 to 23 are eligible only if documentation is furnished on form CA-1615 that the child is enrolled in a fully accredited school as a full time student. Once the children reach age 23, compensation ceases regardless of whether the child continues to be a full time student. The only exception is if it can be fully medically established that the child is mentally and/or physically incapable of self-support.

Other provisions of the Act you should be aware of:

***If you have a disability (a substantially limiting physical or mental impairment), please contact our office/claims examiner for information about the kinds of help available, such as communication assistance (alternate formats or sign language interpretation), accommodations and modifications.***

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Remarriage-- If you get remarried at the age of 55 or older, your compensation will continue. If you remarry prior to age 55, your compensation from this office will terminate (see Public Law 101-303).

Under 5 USC 8135 (b), a lump sum payment may be made to a spouse who remarries before reaching age 55 (or 60, depending on the date of remarriage) The sum payable is equal to 24 times the amount of monthly compensation paid just prior to the remarriage. If the remarriage later proves to be void or voidable, the entire lump sum award then becomes an overpayment subject to waiver or recovery Continuing payments will not be withheld while this overpayment issue is being resolved

Survivors are eligible for continued health insurance coverage if the decedent was enrolled at the time of death in a health benefits plan for which the employing agency (or this office) was making deductions. Unless otherwise stated, the health insurance benefit will be automatically resumed when death benefits begin, at the appropriate coverage level (self-only if only the spouse survives or family coverage if there are eligible dependents in addition to the spouse)

Form CA-12 is sent annually to all recipients of death benefits. If the form has not been returned within 60 days of release, a second request will be sent with a 30 day deadline. If the CA-12 is still not returned fully completed at the end of the 30 days, all compensation will be suspended until the form is received The CA-12 helps keep this office updated on the status of any eligible dependents, address and telephone number changes, and marital status changes

If you have any questions, please feel free to contact this office. Any correspondence or documents sent to this office must have the case file number clearly marked on it

Sincerely,

*Dee Kemp*

Dee Kemp  
Claims Examiner

PAUL H FELSER, ATTORNEY  
7 EAST CONGRESS SUITE 400  
SAVANNAH, GA 31401