

ADVISORY NO. 414
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**TOPIC: DEADLINE FOR MULTIPLE EMPLOYMENT WAGE BENEFIT
 REIMBURSEMENT APPROACHING**

When the Legislature adopted the provisions for increasing the Average Weekly Wage based upon a claimant's employment with employers other than the insured, it also provided for reimbursement of those payments by the Subsequent Injury Fund (SIF). It appears likely that insurance carriers are not taking full advantage of their right to reimbursement for these payments.

Reimbursement is automatic when the required documentation is timely submitted to the SIF. The right to reimbursement is waived if not timely presented.

Carriers have one year from the end of the fiscal year payments to seek reimbursement or they will waive their right to that year's reimbursement. Therefore, carriers have until August 31, 2007 to request reimbursement for payments made to the claimant between September 1, 2005 and August 31, 2006. The request for reimbursement for overpayments between September 1, 2006 and August 31, 2007 must be presented by August 31, 2008.

Rule 116.11(e) provides the steps to take and the information required to support such a request. The rule provides as follows:

These requests shall be filed with the SIF administrator in writing and include:

- (1) A claim-specific summary of the reason the carrier is seeking reimbursement or refund;
- (2) A detailed payment record showing the dates of payments, the amounts of the payments, purpose of payments, total amount of payment requested, the payees, and the periods of benefits paid, as well as documentation that shows that the overpayment was unrecoupable as described in subsection (b), if applicable;
- (3) The name, address, and federal employer identification number of the payee for any reimbursement or refund that may be due;
- (4) All information documenting wage amounts from all non claim employment held at the time of the work related injury pursuant to §122.5 of this title (relating to Employee's Multiple Employment Wage

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Statement.); and

- (5) All information documenting the wage amounts paid based on employment with the claim employer.

Please contact FO&L with any questions.