

By Senator Latvala

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A bill to be entitled
An act relating to workers' compensation;
amending s. 440.15, F.S.; providing a method
for calculating workers' compensation benefits
based on the aggregate amount of those benefits
and other specified benefits payable to the
employee; providing that certain supplemental
payments are not workers' compensation
benefits; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (14) is added to section 440.15,
Florida Statutes, to read:

440.15 Compensation for disability.--Compensation for
disability shall be paid to the employee, subject to the
limits provided in s. 440.12(2), as follows:

(14) COORDINATION OF BENEFITS.--

(a) Workers' compensation benefits that are otherwise
payable under this chapter must be reduced to the extent that
the combination of workers' compensation benefits, social
security benefits under 42 U.S.C. ss. 402 and 423, and
employer-funded benefits provided to the employee and his or
her dependents exceeds 100 percent of the employee's average
weekly wage at the time of injury.

(b) As used in this subsection, the term:

1. "Employer-funded benefits" includes those benefits
for which the employer has contributed more than 50 percent of
the cost of the benefits, and includes retirement benefits,
disability benefits, and any other payment of wages or medical
expenses by the employer during the period of disability; and

1 2. "Workers' compensation benefits" excludes
2 supplemental payments for permanent total disability pursuant
3 to s. 440.15(1)(f).

4 Section 2. This act shall take effect October 1, 1998.

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7 SENATE SUMMARY

8 Provides for a reduction in workers' compensation
9 benefits when the total amount of those benefits plus
10 certain other benefits payable to the employee exceeds a
11 specified maximum. Excludes certain supplemental payments
12 from workers' compensation benefits.

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