

## Weekly Death Benefits for Deaths Occurring During the Period of January 1, 2026 through December 31, 2026

The following chart, in accordance with 85A O.S. § 47, represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose AWW equals or exceeds the SAWW of \$1128.66

	Beneficiary or Beneficiaries	Calculation	Benefit Amount for Beneficiary	Aggregate Benefit Amount Per Week For All Beneficiaries
1	Spouse Only	$1128.66 \times 70\%$	\$790.06	\$790.06
2	Spouse and one (1) child	Spouse: $\$1128.66 \times 70\%$	\$790.06	\$959.36
		Child: $\$1128.66 \times 15\%$	\$169.30	
3	Spouse and more than one (1) but less than five (5) children	Spouse: $\$1128.66 \times 70\%$	\$790.06	790.06 For Spouse
		Children: $(\text{Employee's Average Weekly Wage} \times 30\%) \div (\# \text{ of children}) = \text{Benefit Per Child}$	Determined by divisor	An Amount Determined by Divisor
4	Spouse and five (5) or more children	Spouse: $\$1128.66 \times 70\%$	\$790.06	790.06 For Spouse
		Children: $(\text{Employee's Average Weekly Wage} \times 30\%) \div (\# \text{ of children}) = \text{Benefit Per Child}$	Determined by divisor	An Amount Determined by Divisor
5	No spouse, one (1) or two (2) children	$1128.66 \times 50\%$ to each child	\$564.33	\$1,128.66
6	No spouse, three (3) or more children	$1128.66 \div (\# \text{ of children}) = \text{benefit per child}$	Determined by divisor	\$1,128.66
7	No spouse or children, actually dependent beneficiary	$1128.66 \times 25\% = \text{benefit per beneficiary}$		

The Workers' Compensation Commission determined on 10/18/19 that 85A O.S. § 2(24) requires that the effective date of the average weekly wage is January 1 of the year following the determination of the rate by the Oklahoma Employment Security Commission, rather than November 1 of the current year. For example, the rate for 2019 becomes effective January 1, 2019, rather than November 1, 2018. Note 2024 Statutory change for children in families of more than (1) child See 85A O.S. § 47 (c) (2). For compensation to alien nonresidents, see 85A O.S. §11.

**Lump Sum Death Benefits - 85A O.S. § 47(c)**

	<b>Beneficiary or Beneficiaries</b>	<b>Benefit Amount</b>
1	Spouse Only	\$100,000
2	Spouse and one (1) child	Spouse: \$100,000
		Child: \$25,000
3	Spouse and more than one (1) but less than five (5) children	Spouse: \$100,000
		\$25,000 per child
4	Spouse and five (5) or more children	Spouse \$100,000
		Children \$100,000 divided equally
5	No spouse, up to two (2) children	\$25,000 per child
6	No spouse, more than two (2) children	\$25,000 per child, up to a maximum of \$150,000 divided equally
7	Spouse, upon remarriage	Two (2) years' indemnity benefit in one lump sum

In all cases, the employer shall pay actual funeral expenses, not to exceed Ten Thousand Dollars (\$10,000).