



# State Worker's Compensation Overview

## South Dakota

Presented by **Heffernan Insurance Brokers**

Issue	Regulation	Comments
Employee's Notice to Employer	Immediately or as soon as practicable	Written notice must be provided within 3 business days. Exceptions apply if the employer has actual knowledge or the employee has good cause.
Employee's Claim Filing Requirements	Within two years	Time begins running when the claimant becomes disabled or dies.
Employer's Report of Accident	Within seven days	Required for any injury that requires medical treatment beyond first aid or that causes a disability that lasts longer than seven days.
Waiting Period	Seven consecutive days	Benefits for the first seven days are paid retroactively if the disability exceeds seven days.
Temporary Total Disability (TTD) Benefits	<u>July 1, 2023 to June 30, 2024</u>	TTD rate is 66 and two-thirds percent of average weekly wage (AWW), subject to the limits in effect on the date of injury. New rate limits become effective as of July 1 each year.
Permanent Partial Disability (PPD) Benefits	Max: <b>\$1,029.00</b> per week Min: \$515.00 per week	PPD benefits are one-half of the difference between pre- and post-injury AWW, subject to the limits in effect on the date of injury. The aggregate amount an employee receives (post-injury wages and PPD benefits) must be at least equal to the employee's TTD rate, unless the employee refuses an offer of suitable employment.
Death Benefits	<u>July 1, 2022 to June 30, 2023</u> Max: <b>\$975.00</b> per week Min: \$488.00 per week	Death benefits are payable to surviving dependents. If the deceased leaves children under the age of 18, each child is entitled to an additional sum of \$50 per month. Employers must also pay funeral expenses of up to \$10,000 for a deceased employee.
Coverage of Minors	Yes	
Coverage of Occupational Disease	All diseases	A disease must be due to causes in excess of the ordinary hazards of employment. This includes any disease due or attributable to exposure to or contact with any radioactive material in the course of employment.

### ADDITIONAL INFORMATION

[South Dakota Department of Labor and Regulation](#)

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