



# State Worker's Compensation Overview West Virginia

Presented by **Heffernan Insurance Brokers**

Issue	Regulation	Comments
Employee's Notice to Employer	Within two days	Must be in writing and must indicate the name and address of the employer, the name and address of the employee, the time, place, nature and cause of the injury, and whether any disability has resulted from the injury.
Employee's Claim Filing Requirements	Within six months	If an employee is mentally or physically incapable of filing the application, it may be filed by his or her attorney or by a family member.
Employer's Report of Accident	Within five days	Employers have the right to file supplemental reports at a later date, but initial reports must be made within the required time frame.
Waiting Period	Three days	Benefits are paid retroactively if the disability exceeds seven days from the day the employee leaves work as a result of the injury.
Temporary Total Disability (TTD) Benefits	<u>July 1, 2023 to June 30, 2024</u> Max: <b>\$1,010.41</b> per week Min: \$193.33 per week	Weekly benefits are 66 and two-thirds percent of the employee's average weekly wage (AWW) subject to limits in effect on the date of injury. TTD benefits are payable for up to 104 weeks.
Death Benefits	<u>July 1, 2023 to June 30, 2023</u> Max: \$957.40 per week Min: \$193.33 per week	Children receive benefits beyond age 18 if disabled or until age 25 if full-time students. Employers must also pay burial expenses for a deceased employee.
Permanent Partial Disability (PPD) Benefits	<u>July 1, 2023 to June 30, 2024</u> Max: <b>\$707.29</b> per week Min: \$193.33 per week <u>July 1, 2022 to June 30, 2023</u> Max: <b>\$670.18</b> per week Min: \$193.33 per week	Actual PPD benefits depend on the severity of the disability.
Coverage of Minors	Yes	
Coverage of Occupational Disease	All diseases	Must be a direct causal connection between the conditions under which work is performed and the occupational disease.

## ADDITIONAL INFORMATION

[West Virginia Offices of the Insurance Commissioner](#)

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## Heffernan Insurance Brokers

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