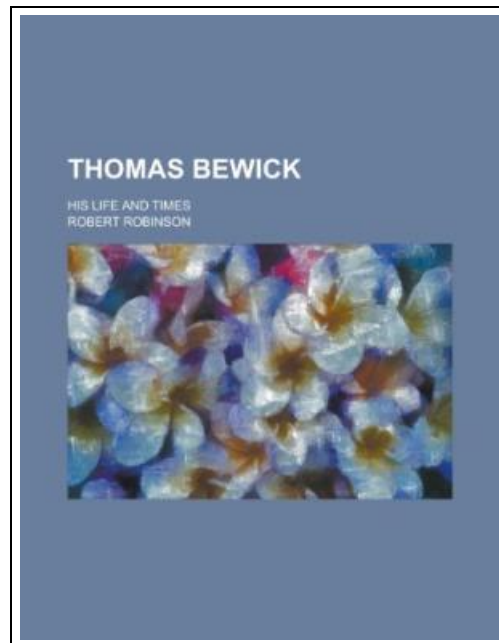


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THOMAS BEWICK HIS LIFE AND TIMES



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RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 40 pages. Original publisher: Washington, D. C. : The Office, 2001 OCLC Number: (OCoLC)47116800 Subject: Workers compensation -- United States. Excerpt: . . . benefit). Because combined benefits are below 800, the workers DI benefits would not be reduced. Because calculating the monthly benefit rate based on life expectancy makes the monthly rate relatively low and thus reduces the chance that the WC offset will apply, it has been used intentionally for this purpose. We examined articles in various legal publications that discuss the use of life expectancy in settlements to avoid offset of their clients Social Security benefits. The articles caution attorneys practicing WC law that not knowing how to structure the settlement so there would be little or 14 no offset exposes them to potential malpractice claims. Our review of Virginia cases involving persons receiving both DI and WC benefits showed that stating a benefit rate based on remaining life expectancy was relatively common and the WC offset was often avoided. From a sample of 139 cases, 76 percent (105) were resolved by a negotiated settlement with a lump-sum payment. In 37 percent (39) of the lump-sum cases, the settlement stated an award rate based on the persons 15 remaining life expectancy. In 46 percent (18) of the 39 cases, SSA did not offset DI benefits and in 41 percent (16 cases) SSA did offset DI benefits. In the remaining 13 percent (5 cases), SSA records did not indicate that SSA knew that the beneficiary received WC benefits. The manner in which remaining life expectancy is being used to establish a monthly benefit rate for a lump-sum payment raises concerns because it does not account...



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