

7190.1005 PAYMENT OF CLAIMS WHEN CLAIMANT DIES.

Subpart 1. **Death occurring during investigation.** If a claimant dies from an eligible injury during the investigation of the claim, the Pollution Control Agency shall amend the claim so that it seeks compensation for the claimant's estate for medical expenses and death benefits for the claimant's dependents. If the death of the claimant during the investigation is unrelated to the eligible injury, the agency shall amend the claim so that it seeks compensation for the claimant's dependents for eligible losses due to the injury up to the date of death.

Subp. 2. **Death occurring during payout.** If a claimant who is receiving compensation from the agency dies, the agency shall pay the remaining compensation due the claimant to the dependents in the order of the subparts in part 7190.1015. If there are no dependents, the agency shall pay the remaining compensation to the claimant's estate.

Subp. 3. **Death after award.** If a claimant has received compensation from the agency for future loss of wages and household labor due to the injury that caused the death, the agency shall not accept a claim for death benefits.

Statutory Authority: *MS s 115B.34*

History: *12 SR 1710; L 2002 c 379 art 2 s 23*

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