

**For Immediate Release:** Tuesday, Sept. 29, 2009  
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## **Advisory Council Discusses Workers' Compensation Recommendations**

**PIERRE, S.D.** – The South Dakota Department of Labor's (DOL) Workers' Compensation Advisory Council, chaired by Lt. Gov. Dennis Daugaard, met today to discuss recommendations for its 2009 report to the governor and Legislature.

Discussed were reimbursement of burial expenses for workers killed on the job, training for workers' compensation representatives, and fees charged by out-of-state providers.

During the 2009 Legislature, the \$5,000 maximum burial expense allowance for workers suffering workplace fatalities was increased to \$7,500 at the Council's recommendation. Input from funeral directors on average funeral costs resulted in the Council today unanimously recommending the amount be raised to \$10,000.

Merle Scheiber, the Department of Revenue and Regulation's Division of Insurance Director, provided a briefing on model legislation guidelines from the National Association of Insurance Commissioners (NAIC) on training for workers' compensation representatives. Scheiber was asked to provide further information at the next Council meeting.

Public testimony was provided by Susan Brunick Simons, a lawyer with Davenport, Evans, Hurwitz & Smith in Sioux Falls. The Council agreed with the concept of her proposal to implement the governing state's fee schedule allowed for health care providers outside of South Dakota, if there are no adverse effects on the injured worker. Out-of-state providers are currently not covered by any fee schedules.

The Council will vote on the final report Oct. 7, and it will then be submitted to Gov. Mike Rounds and the Legislature. It will be available on the DOL Web site [www.sdjobs.org](http://www.sdjobs.org) under the Workers' Compensation Advisory Council link.

The Council was created to help DOL by reviewing the workers' compensation program's content, adequacy and effectiveness. The Council meets twice each year and reports its improvement recommendations to the Governor and Legislature.