



## **Questions and Answers about Your Benefits from the Special Fund**

### **1. How do I contact the Department of Labor about my Special Fund benefits?**

You should contact your local Longshore district office because it maintains your claims records and has the most current information regarding your claim. When you call or write, give your OWCP claim number or your Social Security Number (the deceased employee's Social Security Number if you are receiving death benefits). If your district office directs you to the national office for further assistance, you may contact the national office at: U.S. Department of Labor, Office of Workers' Compensation Programs, Division of Longshore and Harbor Workers' Compensation, 200 Constitution Avenue, N.W., Room C-4315, Washington, DC 20210. Telephone: (202) 693-0038

### **2. How do I go about getting income verification of my Special Fund benefits?**

Requests for income verification must be submitted to your district office in writing. If a third-party requests income verification directly from your district office, your written authorization releasing this information must accompany the request. The district office will not release income information to a third party without your written authorization.

### **3. To whom and how do I report an address or bank account change?**

Report address changes or changes in payment instructions to the district office in writing. Telephone messages will not be honored.

### **4. What do I do when my Special Fund check is late or missing?**

Report late or missing checks to the attention of the national office fiscal officer in writing at the address provided in Question 1. This notification must include the date of the missing check and should not be submitted until the check is seven calendar days overdue. Telephone messages will not be honored.

### **5. How do I go about having my biweekly benefits payments directly deposited into my bank account?**

Obtain a direct deposit sign-up form from either your bank or your district office. Fill out the top section of that form, and have your bank fill out the bottom section. Then return the form to your district office.

### **6. What do I need to do if I want someone else to manage my Special Fund benefits?**

You must submit a properly-executed Power of Attorney to the district office if you want to authorize another person to manage your Special Fund payments.

### **7. Why wasn't my annual October 1<sup>st</sup> cost-of-living-adjustment increase in my first October check?**

October 1 frequently falls between pay periods, so the adjustment beginning October 1 is included in the following pay period.

### **8. I receive Special Fund checks, but there was no increase in October. Why not?**

You are only entitled to annual adjustments if your benefits are for permanent total disability benefits, or you are the dependent survivor of a claimant whose death was related to his/her work-related injury.

### **9. My spouse, a Special Fund recipient, recently passed away. What do I do with the Special Fund checks/direct deposits s/he received after s/he died? Can I keep them?**



No. Any checks or direct deposits paid to your spouse after his/her death must be returned to the attention of the national office fiscal officer at the address provided in Question 1. The national office will then determine whether your spouse's estate is entitled to a full or partial refund.

**10. Will I be entitled to receive death benefits when my spouse dies?**

In order to obtain workers' compensation survivor benefits, you must file a claim and supply medical information that supports the connection between your spouse's work-related injury and his/her death. A claim for death benefits must be filed within one year of the employee's death, two years in the case of occupational disease (e.g., asbestosis). To file a claim for death benefits you should complete Form LS-262, which can be obtained from your district office or on the internet at <http://www.dol.gov/esa/owcp/dlhwc/ls-262.pdf>. You must submit this information to your district office.

**11. I'm a widow/widower receiving death benefits from the Special Fund. Will I receive these benefits for life?**

As a widow/widower receiving Special Fund payments, you will receive survivor benefits for life as long as you do not remarry. If you remarry, you will receive a one-time, lump-sum payment, representing two years of survivor benefits. If you subsequently divorce your new spouse, or s/he dies, your benefits will not be reinstated.

**12. I am a Special Fund recipient currently receiving permanent total disability (PTD) / permanent partial disability (PPD) benefits. Will I continue to receive these benefits for life?**

Generally, you will receive PTD or PPD benefits for as long as your disability continues. However, your benefit may be increased, decreased, or terminated as a result of modification of your award. Any party in interest (including the Director or employer/insurer) may ask for modification based on a change in your condition or due to a mistake of fact. A change in condition may include either a change in physical (medical) condition or a change in economic condition, such as wage earning capacity.

**13. I am receiving permanent partial disability benefits from the Special Fund. My doctor has just informed me I require more surgery. I will be temporarily and totally disabled for a while. Who will compensate me during this period?**

Your employer/insurer will compensate you during periods of temporary disability. As soon as you become aware that you will require more surgery, or that other circumstances have temporarily disabled you, you or your attorney should submit medical information to your employer/insurer and to the district office to that effect. If your employer/insurer does not agree that your benefits should be modified, you may request an informal conference on the issue. If all parties agree to the modification, the district office will issue an order modifying your original award of compensation. All parties involved must comply with the original order until it is modified. Your case will be reviewed when it is determined you have once again reached maximum medical improvement.

**14. I am currently receiving permanent partial disability (PPD) benefits but my condition has worsened and my doctor advises me to stop working. How do I apply for permanent total disability (PTD) benefits?**

As soon as you become aware that you are permanently and totally disabled, you or your attorney should submit medical information to your employer/insurer and to the district office to that effect. If your employer/insurer does not agree that your benefits should be modified from PPD to PTD, you may request an informal conference on the issue by contacting your district office. If all parties agree to the modification, the district office will issue an order modifying your original award of compensation. If not, your case must be referred to an Administrative Law Judge for a decision on the matter. All parties involved must comply with the original order until it is modified.