

Lifetime Income Benefits (LIBs)

BEN

Information for Injured Employees from the Division of Workers' Compensation

Income benefits replace a portion of wages you lose because of a work-related injury or illness. There are four types of income benefits:

- temporary income benefits (TIBs);
- impairment income benefits (IIBs);
- supplemental income benefits (SIBs); and
- lifetime income benefits (LIBs).

Income benefits may not exceed the maximum weekly amount set by state law. Temporary income benefits, impairment income benefits, and lifetime income benefits are also subject to a minimum amount set by state law. The maximum and minimum benefit amounts are based on the state average weekly wage.



You must report any income (other than workers' compensation benefits you may be receiving) to the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) and the insurance carrier so an adjustment can be made to your income benefit payments. You may be fined and/or charged with fraud if you receive temporary income benefits or supplemental income benefits while also receiving wages

from an employer without informing the TDI-DWC and the insurance carrier.

Income benefits are no longer payable following the death of an injured employee. In the case of an injured employee's death, the injured employee's beneficiaries may be eligible to file a claim for and receive death benefits if the injured employee's death was due to the work-related injury or illness.

Lifetime Income Benefits (LIBs)

[Texas Labor Code §§408.161 – 408.162, 28 Texas Administrative Code §§131.2 – 131.4]

Certain work-related injuries may result in a condition for which you are entitled to income benefits for your lifetime.

Lifetime Income Benefits are paid if you incur:

- total and permanent loss of sight in both eyes;
- loss of both feet at or above the ankle;
- loss of both hands at or above the wrist;

- loss of one foot at or above the ankle and the loss of one hand, at or above the wrist;
- an injury to the spine that results in permanent and complete paralysis of both arms, both legs, or one arm and one leg;
- a physically traumatic injury to the brain resulting in incurable insanity or imbecility; or
- third degree burns that cover at least 40 percent of the body and require grafting, or third degree burns covering the majority of either both hands or one hand and the face.

Note: For purposes of this law, the total and permanent loss of use of a body part is an injury to that body part that ceases to possess any substantial utility as a member of the body.

Amount of Lifetime Income Benefits

Lifetime income benefits equal 75 percent of your average weekly wage, with a 3 percent increase each year.

For example, if your average weekly wage is \$500, your lifetime income benefits would be \$375 a week:

75 percent of \$500 (.75 x \$500) equals \$375

There are maximum and minimum rates for LIBs. The maximum and minimum changes on October 1st of each year based on the state average weekly wage.

When Lifetime Income Benefits Begin

Lifetime income benefits are paid from the time it is determined that your injury has resulted in a condition that meets one of the qualifying conditions for lifetime income benefits. If there is a dispute over eligibility for lifetime income benefits, the issue is addressed through TDI-DWC's dispute resolution process.

When Lifetime Income Benefits End

You may receive Lifetime Income Benefits for the rest of your life.

For further assistance, call

1-800-252-7031

or visit

www.tdi.texas.gov/wc/employee/index.html

This publication is a summary and is presented for informational purposes only. It is not a substitute for the statute and TDI-DWC rules. For questions about TDI-DWC rules, please call Customer Assistance at 1-800-252-7031. CS05-009F(1-12)