Workers' Compensation: Coverage, Benefits, and Costs, 1990-91

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Workers' compensation programs provide protection to workers and their families. The programs compensate for lost wages and medical expenses incurred as a result of work-related injuries or illnesses. Survivor benefits are also provided when the disabilities result in death. In 1991, about \$16.8 billion in medical benefits and \$25.3 billion in wage-loss compensation was paid in settlement of claims filed for disabled or deceased workers. These benefits were paid by private carriers, by State funds, or by self-insuring companies as determined by laws in each State. The employer's cost of providing workers' compensation coverage generally varies according to risk, industrial classification, and experience rating. Nationally, such costs were approximately 2.4 percent of payroll or about \$590 for each of the 93.6 million protected employces. This article examines the recent changes in coverage, in benefit levels, and in employer costs and the factors influencing such changes. Over the past decade, workers' compensation benefits have increased by 157 percent and employer costs by 143 percent. In the same period, the number of covered employees has risen 22 percent and the amount of covered wage and salary payroll, 77 percent.

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Payments to beneficiaries covered under workers' compensation programs in the United States rose more than 10 percent to \$42.2 billion between 1990 and 1991, the eighth consecutive year of double-digit increases. Premium costs to employers rose by less than 4 percent to \$55.2 billion in the same period, while the number of workers covered under the various State and Federal programs decreased to 93.6 million, a decline of 1.6 percent from 1990. This drop reflected a similar decline in the total work force. and the proportion of covered workers remained about the same at 87 percent of all wage and salary workers.

The workers' compensation program provides medical care, hospitalization benefits, and income-maintenance protection to workers whose disabilities are the result of work-related injuries or illnesses. The income-maintenance benefits are intended as partial replacement for lost wages. The program also provides survivor benefits to the dependents of deceased workers whose deaths result from jobrelated accidents and/or occupational diseases. Before the enactment of workers' compensation laws, an injured worker could recover damages only if he or she could establish that the incident was due to the negligence of the employer. Currently, proof of employer negligence is not a prerequisite for benefit payment.

As the workers' compensation system grows, it continues to be of significant interest to administrators of the Social Security system because both are programs that provide for payments to disabled workers and to the survivors of workers. The 1965 Amendments to the Social Security Act provide for a reduction in Social Security payments so that total benefits under both programs do not exceed the higher of either 80 percent of a worker's former earnings or the total family benefit under Social Security.1 The gaps and overlaps in coverage and the benefits and costs incurred under both the Social Security and workers' compensation programs are vital considerations in the effective implementation of the Social Security program.

The Federal Act of 1908 was the first workers' compensation law in the United States. This legislation provided limited benefits for certain Federal employees engaged in hazardous work. By 1911, workers' compensation legislation had been enacted in nine States and, by 1920, all but seven States had established such programs. However, it was not until 1949 that all States had programs to furnish income-maintenance protection. Today, workers' compensation consists of separate programs in 50 States and the District of Columbia, and two Federal programs: the Federal Employees Compensation Act covering civilian Federal Government employees and the Longshoremen's and Harbor Workers' Compensation Act covering longshore and harbor workers.

In addition, the Federal Black Lung program, a specialized workers' compensation program, protects coal miners with pneumoconiosis ("black lung" disease). Under this Federal program, enacted into law in 1969, monthly cash benefits are payable to miners disabled by black lung disease and to their dependents or survivors. Medical benefits are also payable for diagnosis of pneumoconiosis and treatment for conditions resulting from the disease. Claims filed prior to July 1973 are paid from general revenues under a program administered by the Social Security system; those filed after that date are paid from a Department of Labor-administered trust fund financed by an excise tax on coal.

The State workers' compensation programs generally are administered by industrial commissions or special units within each States department of labor, and the Federal programs are administered by the Department of Labor (except for the District of Columbia, which administers its own program). Although all programs are based on the principle of compensation without regard to fault, the enactment of a different law in each jurisdiction and repeated subsequent amendments to these laws result in many variations among the State programs.

Coverage

Approximately 93.6 million persons were protected under workers' compensation programs in 1991. This figure represents a decline of 1.6 percent of the workers covered by laws in 1990, following an increase of 1.5 percent in the number of covered workers in the 1989-90 period. Although coverage levels are primarily impacted by employment changes in the economy, legislative activity may also add or delete workers from coverage.

For instance, during 1991, licensed real estate brokers, salespersons, and appraisers were removed from coverage in Connecticut; unpaid officers of nonprofit organizations were removed from mandatory coverage in Nevada; and, certain farm and ranch laborers were added to coverage in Colorado. Also in this year, substantial legislative changes were made in Colorado, Connecticut, Indiana, Maine, Montana, New Hampshire, and North Dakota. The impact of these changes on the total number of protected workers was negligible.

Many programs exempt from coverage those employees of nonprofit, charitable, or religious institutions and some limit coverage provided to workers in hazardous occupations. Among the most common exemptions are domestic service, agricultural employment, casual labor, and State and local employees. In addition, not all covered workers employed in small firms (less than five employees) are covered. Eight States exempt employers with fewer than three employees, three States exempt those with fewer than four employees, and three States exempt those with fewer than five employees.

Coverage is compulsory for most private employment, except in New Jersey, South Carolina, and Texas. In these three States, the programs are elective that is, employers may accept or reject coverage under the law; but, if they reject such coverage, they lose the customary common-law defenses against suits filed by employees.

Wage and salary payroll of workers covered by workers' compensation totaled \$2,300 billion in 1991, about 84 percent of all civilian wage and salary disbursements in that year. Covered payroll was about 2.2 percent higher than in the previous year and increases in average weekly wages were partially offset by the decline in the number of covered workers.

Benefits

An estimated \$42.2 billion was paid in workers' compensation benefits in 1991 or about \$450 for every worker protected by workers' compensation laws. In 1991, the rate of increase in total benefits paid over that in 1990 was 10.3 percent, a rate slightly lower than the 10.9 percent average annual increase for the 1981-91 period. The total amount paid in benefits was about \$4 billion more than in 1990 and more than double the \$19.7 billion paid in 1984.

Regular program benefits (those payable under all programs except the Black Lung program) increased by 10.8 percent from 1990 to 1991, but were less than the 11.9 percent average annual increase since 1981. Also in 1991, Black Lung payments declined 3 percent, the eighth consecutive annual decrease.

Increases in benefit payments may be the result of a variety of causes. One of the most important causes in recent years has been the interaction of rising wage levels and increasing statutory benefit amounts. Because cash benefits are usually calculated as a percentage of weekly earnings at the time of injury or death—usually 66-2/3 percent—increases in benefits partially reflect wage increases that averaged 4 percent from 1990 to 1991.

Changes in the incidence and severity of occupational injuries and diseases also influence the level of benefits paid for workers' compensation. Survey data available from the Bureau of Labor Statistics indicate that the rate of on-the-job injuries and illnesses per 100 full-time equivalent workers (working 40 hours per week, 50 weeks per year) was 8.4 in 1991, down from 8.8 in 1990. However, the number of workdays lost per lostworkday case was 22.2 (compared with 18.0 in 1986), the highest in more than 50 years of collecting such data.²

Finally, the increasing cost of medical care also contributes to the rising level of workers' compensation benefits. The Bureau of Labor Statistics reported that its medical care index for all urban consumers in 1991 rose 8.7 percent over the 1990 level, following an increase of 9 percent from 1989 to 1990.

States do have the legislative authority to adjust the amount of benefits paid out as wage-loss compensation. All programs place dollar maximums on the weekly amounts payable to disabled workers or to survivors. As a result, even though most programs base the maximums on automatic adjustments that reflect changes in the States average weekly wages, some beneficiaries (generally higher-paid workers) receive less than the amount indicated by these percentages. In addition, States may mandate changes in benefit amounts for burial expenses and scheduled injuries (those that are clearly measurable such as the loss of a part of the body) as well as adjust the maximum length of the payment period.

States may also pass laws to adjust the levels of benefits paid and the lengths of the waiting periods before these benefits can be paid, to establish competitive State-operated funds, and to impose policy deductibles. During 1991, Connecticut became the fourth State to change the method of calculating benefits from 66-2/3 percent of the worker's average weekly wage to 80 percent of spendable wages. State legislatures in Louisiana, Maine, and Texas established State funds while eight States initiated or revised provisions relating to policy deductibles.

Also, protection against occupational disease is still restricted in many States because of time limitations on the filing of claims. Benefits for diseases with long latency periods are either restricted or not payable in many cases because most State laws pay benefits only if the disabilities or deaths occur within a relatively short period after the last exposure to the occupational disease. As States implement restrictions on coverage, payments will decrease accordingly.

Types of Payments

In 1991, covered workers received \$16.8 billion in medical and hospital care for work-related disabilities (table 1). This care included first-aid treatment, physician services, surgical and hospital services, nursing services, medical drugs and supplies, and appliances and prosthetic devices. The cost of this care accounted for 40 percent of the \$42.2 billion total. In contrast, medical payments to Black Lung beneficiaries constituted only 8 percent of all Black Lung payments.

Cash compensation payments accounted for the remaining 60 percent of total program expenditures in 1991. Of the \$25.3 billion in cash compensation, more than 92 percent (\$23.4 billion) was paid to disabled workers and the remainder was paid to the survivors of deceased workers in the form of death and funeral benefits. Most programs provide weekly or monthly payments to the spouses of deceased workers for life or until remarriage, while all programs provide payments to children up to age 18 (later, if incapacitated or a student). Among the regular cash compensation payments-those that exclude Black Lung program compensation—\$22.8 billion (or 95 percent) of the \$24.1 billion total was paid to disabled workers. Lump-sum payments are permitted under most programs.

In 1991, Black Lung benefit payments totaled \$1.4 billion, a decrease of 25 percent from the peak year of 1980. This decrease was the tenth in the past 11 years and is a result of the imbalance that occurs as older beneficiaries die and are only partially replaced by a smaller number of new claimants.

At the end of 1991, approximately 275,000 disabled workers, dependents, and survivors were receiving Black Lung cash benefit payments. The monthly amount payable to a disabled miner or a surviving dependent was \$403.30. For a disabled worker with three or more dependents, the maximum monthly amount was \$806.60.

Black Lung benefits are paid regardless of the age of the miner or dependent (other than a child) or the length of time from which the miner's disability began or death occurred. Benefit payments are reduced if the beneficiary is also receiving payments for disability (due to black lung) under a State workers' compensation program. Black Lung benefits are not considered workers' compensation payments for purposes of applying the workers' compensation offset provisions contained in the Social Security Disability Insurance (DI) provisions, and thus are not reduced due to receipt of DI benefits.

Table 1.—Estimates of workers' compensation benefit payments, by type of benefit, 1989-91

[In millions]

			<u> </u>
Type of benefit	1989	1990	1991
Total	\$34,316	\$38,238	\$42,169
Medical and hospitalization	13,424	15,187	16,832
Compensation	20,892	23,051	25,337
Disability	19,171	21,212	23,373
Survivor	1,721	1,839	1,964
Regular programs, total	32,837	36,804	40,778
Medical and hospitalization	13,299	15,067	16,715
Compensation	19,538	21,737	24,063
Disability	18,553	20,635	22,840
Survivor	985	1,102	1,223
Black Lung program, total	1,479	1,434	1,391
Medical and hospitalization	125	120	117
Compensation	1,354	1,314	1,274
Disability	618	577	533
Survivor	736	737	741

Types of Insurers

Workers' compensation programs vary according to the methods used to assure that compensation will be paid when due. Employers generally insure workers for the required protection by three different methods: private insurance, publicly operated State funds, or self-insurance (used primarily by employers who have a large number of employees and who are able to provide proof of their financial ability to carry their own risk). However, because only 22 States have operating State funds, employers in most States either insure privately or self-insure.

Insurance options are also limited for employers in North Dakota and Wyoming because employers must insure through an exclusive State fund. In four other States-Nevada, Ohio, Washington, and West Virginia-employers must either self-insure or provide protection through an exclusive State-insurance fund. Federal employees are provided protection through a system that is federally financed and operated, the Federal Employee Compensation program. In 1991, about 58.1 percent of all benefits were paid by private insurers, 23.0 percent by State and Federal funds, and 18.8 percent by self-insurers (table 2).

Private insurance and self-insurance payments each have increased at an annual rate of about 12 percent since 1982, compared with an increase of more than 8 percent in State and Federal fund disbursements. Excluding Black Lung program benefits, State fund payments increased at an annual average of nearly 12 percent over the 9-year period from 1982 through 1991.

Geographical Variations

Each year, wide variation occurs both in the amount of benefits paid in each State and in the amount of benefits paid, by type of insurance. This range reflects a number of influences, such as the variation in State benefit formulas and maximum benefit amounts, the differences in methods of administration, the extent of litigation, the occupational distributions and incidence of disability, and, most importantly, the overall size of the labor force.

Workers' compensation benefits paid in California exceeded \$7.2 billion in 1991. This amount was higher than the sum of benefits paid in 28 smaller States (table 3). Benefit levels were \$2 billion or more in Texas (\$3.3 billion), Pennsylvania (\$2.3 billion), Ohio (\$2.2 billion), and New York (\$2.0 billion). These five States accounted for \$17 billion in benefits, or more than twofifths of the amount paid out under all State programs.

Employer Costs

Premiums paid by employers (including an estimate of the amount of hypothetical premiums from those employers financially able to carry their own risk) exceeded \$55.2 billion in 1991, about \$2 billion more than the premiums in 1990. This total was nearly 4 percent above the 1990 level, the smallest increase since 1982-83 and the first year since 1984 that the increase has fallen below 10 percent. The total cost represents about \$590 for each worker protected by workers' compensation programs compared with \$296 in 1982 (table 4). The premium consists of the amount needed to pay benefits and to administer the insurance operation, including sales and operating costs, claims administration, rehabilitation costs, profits, taxes, and reserves for future benefits.

As presented in table 5, the \$55.2 billion expended by employers in 1991 included:

- \$35.7 billion to private carriers
 (2 percent higher than in 1990);
- (2) \$10.8 billion to State funds and for Federal programs (the Federal Employee Compensation program and that part of the Federal Black Lung program financed by employers); and
- (3) \$8.7 billion in the cost of selfinsurance (benefits paid by selfinsurers plus estimated administrative expenses).

The relationship of costs to benefits has remained relatively stable in recent years despite the steady increase in employer costs. Although this ratio usually has fluctuated between 0.55 and 0.70, the disproportionate increase in costs (4 percent) and benefits (10 percent) between 1990 and 1991 resulted in a higher-than-average ratio of 0.76 in 1991. This relationship—also called the loss ratio when expressed as a percent permits an examination of the percent of the employer contribution that is being paid as benefits to disabled workers and their dependents or survivors.³ Costs

Table 2.—Workers' compensation benefit payments, by type of insurer, selected years, 1952-91

		Private	State	Federal	Self
Year	Total	carriers	funds	programs	insurers
1952	\$785	\$491	\$157	\$36	\$101
1957	1,062	661	215	56	130
1962	1,489	924	307	64	194
1967	2,189	1,363	449	75	303
1972	4,061	2,179	837	542	504
1977	8,630	4,629	1,230	1,520	1,251
1982	16,407	8,647	2,196	2,572	2,993
1987	27,318	15,453	4,084	2,698	5,082
1988	30,733	17,512	4,687	2,760	5,744
1989	34,316	19,918	5,205	2,760	6,433
1990	38,238	22,222	5,873	2,893	7,249
1991	42,169	24,515	6,713	2,998	7,944

[In millions]

Table 3.-Estimates of workers' compensation payments, by State and type of insurance, 1990-91'

[Amounts in thousands]

		1990				1991			
Jurisdiction	Total	Insurance losses paid by private insurance ²	State and Federal fund dis- burse- ments ³	Self- insurance payments ⁴	Total	Insurance losses paid by private insurance ²	State and Federal fund dis- burse- ments ³	Self- insurance payments ⁴	Percent- age change in total pay- ments
United States	\$38,237,622	\$22,221,957	\$8,766,239	\$7,249,426	\$42,169,157	\$24,514,802	\$9,710,500	\$7,943,855	10.3
Alabama Alaska Arizona Arkansas California	443,815 113,317 371,411 228,526 6,064,551	313,815 90,617 144,046 175,526 3,265,136	158,365 1,069,415	130,000 22,700 69,000 53,000 1,730,000	472,462 123,975 367,794 250,522 7,247,896	332,462 99,175 149,608 192,522 4,031,640	 149,686 1,316,256	140,000 24,800 86,500 58,000 1,900,000	6.5 9.4 -1.0 9.6 19.5
Colorado Connecticut Delaware District of	594,645 693,637 74,809	255,801 547,939 56,809	244,844 	94,000 145,698 18,000	656,963 773,298 80,063	290,484 577,543 60,863	262,479 	104,000 195,755 19,200	10.5 11.5 7.0
Columbia Florida	86,160 1,976,320	68,960 1,236,320	· · · · · · ·	17,200 740,000	90,566 1,960,860	72,466 1,225,860	•••	18,100 735,000	5.1 -0.8
Georgia Hawaii Idaho Illinois Indiana	735,410 215,767 105,301 1,606,763 349,968	640,410 159,767 61,878 1,171,763 309,968	33,423 	95,000 56,000 10,000 435,000 40,000	790,509 249,555 114,920 1,744,802 380,012	685,509 184,555 61,776 1,274,802 335,012	42,144 	105,000 65,000 11,000 470,000 45,000	7.5 15.7 9.1 8.6 8.6
lowa Kansas Kentucky Louisiana Maine	231,383 265,860 382,796 574,869 379,917	220,383 222,860 285,796 459,869 313,917	· · · · · · · · · ·	11,000 43,000 97,000 115,000 66,000	241,061 294,774 431,919 559,885 418,587	229,561 246,774 321,919 447,885 345,587	· · · · · · · · · ·	11,500 48,000 110,000 112,000 73,000	4.2 10.9 12.8 -2.6 10.2
Maryland Massachusetts Michigan Minnesota Mississippi	504,749 1,234,871 1,205,173 582,412 197,856	298,820 1,134,871 627,886 433,889 182,856	105,929 102,287 26,523 	100,000 100,000 475,000 122,000 15,000	523,080 1,275,572 1,286,108 646,220 203,344	314,937 1,170,572 671,135 464,411 188,344	98,143 114,973 31,809 	110,000 105,000 500,000 150,000 15,000	3.6 3.3 6.7 11.0 2.8
Missouri Montana Nebraska Nevada New Hampshire	495,970 150,444 137,002 338,524 169,039	410,970 40,062 113,002 2,409 147,039	⁵93,482 286,115	85,000 16,900 24,000 50,000 22,000	556,661 167,942 145,678 392,444 202,573	461,661 35,520 124,678 3,190 176,573	⁵115,222 329,254	95,000 17,200 21,000 60,000 26,000	12.2 11.6 6.3 15.9 19.8
New Jersey New Mexico New York North Carolina North Dakota	844,466 227,557 1,752,164 480,207 60,265	714,466 175,557 817,164 390,207 265	585,000 60,000	130,000 52,000 350,000 90,000	916,279 232,218 2,013,769 545,321 73,032	776,279 177,218 908,562 445,321 2,632	 705,207 70,400	140,000 55,000 400,000 100,000	8.5 2.0 14.9 13.6 21.2
Ohio Oklahoma Oregon Pennsylvania Rhode Island	1,960,080 369,315 572,785 2,019,204 218,664	10,080 196,336 250,785 1,487,104 208,664	1,500,000 87,979 227,000 ⁵137,100	450,000 85,000 95,000 395,000 10,000	2,195,466 433,586 586,623 2,328,824 214,038	10,466 220,406 236,623 1,644,623 205,038	1,700,000 113,180 250,000 ⁵194,201	485,000 100,000 100,000 490,000 9,000	2.4
South Carolina South Dakota Tennessee Texas Utah	276,873 55,638 462,606 2,896,223 187,296	238,873 47,638 420,606 2,896,223 41,641	 115,655	38,000 8,000 42,000 30,000	291,778 63,991 515,489 3,263,924 182,774	251,778 54,991 468,489 3,263,924 47,774	 105,000	40,000 9,000 47,000 30,000	15.0 11.4 12.7

See footnotes at end of table.

Table 3.- Estimates of workers' compensation payments, by State and type of insurance, 1990-91'-Continued

[Amounts in thousands]

		1990			······	1991			
Jurisdiction	Total	Insurance losses paid by private insurance ²	State and Federal fund dis- burse- ments ³	Self- insurance payments 4	Total	Insurance losses paid by private insurance ²	State and Federal fund dis- burse- ments ³	Self- insurance payments 4	Percent- age change in total pay- ments
Vermont	\$60,993	\$55,493		\$5,500	\$67,213	\$61,213		\$6,000	10.2
Virginia	507,487	412,487		95,000	544,866	442,866		102,000	7.4
Washington	882,915	17,915	\$700,000	165,000	948,954	18,954	\$740,000	190,000	7.5
West Virginia	388,963	704	291,831	96,428	416,963	2,291	316,872	97,800	7.2
Wisconsin	560,931	445,931		115,000	627,454	497,454		130,000	11.9
Wyoming	48,574	434	48,140		58,876	876	58,000	•••	21.2
Federal Civilian employee	2,893,151		2,893,151		2,997,674		2,997,674		3.6
program ⁶ Black Lung	1,447,517		1,447,517		1,594,939		1,594,939		10.2
program 7	1,434,575		1,434,575		1,391,411		1,391,411		-3.0
Other [®]	11,059		11,059		11,324		11,324		2.4

¹ Calendar-year figures, except that data for Montana, Nevada, and West Virginia, for Federal civilian employees and ''other'' Federal workers' compensation, and for State fund disbursements in Maryland, North Dakota, and Wyoming, represent fiscal years ended in 1990 and 1991. Includes benefit payments under the Longshoremen's and Harbor Workers' Compensation Act and extensions for the States in which such payments are made.

² Net cash and medical payments paid during calendar year by private insurance carriers under standard workers' compensation policies. Data primarily from A.M. Best Company, a national data-collecting agency for private insurance.

³ Net cash and medical benefits paid by State funds compiled from State reports (published and unpublished); estimated for some States.

⁴ Cash and medical benefits paid by self-insurers, plus the value of medical benefits paid by employers carrying workers' compensation policies that do not include standard medical coverage. Estimated from available State data.

⁵ Includes payment of supplemental pensions from general revenues.

⁶ Payments to civilian Federal employees (including emergency relief workers) and their dependents under the Federal Employees' Compensation Act. ⁷ Includes \$571,175,000 in 1990 and \$568,811,000 in 1991 paid by the Department of Labor.

⁸ Primarily payments made to dependents of reservists who died while on duty in the Armed Forces, to individuals under the War Hazards Act, the War Claims Acts, and the Civilian War Benefits Act, and to Civil Air Patrol and Reserve Officers Training Corps personnel, persons involved in maritime war risks, and law enforcement officers (P.L. 90-921).

Table 4.—Workers' compensation cost ratios for selected years, 1952-91

	Cost per covered	Cost per \$100 of	Benefits per \$1
Year	employee	payroll	in costs
952	\$ 33	\$0.94	\$0.59
957	39	.91	.62
962	49	.96	.65
967	67	1.07	.59
972	93	1.14	.60
977	195	1.71	.54
982	296	1.75	.67
987	430	2.06	.69
988	475	2.16	.69
989	510	2.27	.70
990	560	2.36	.70
991	590	2.40	.76

¹Excludes programs financed from general revenues—most Federal black lung benefits and in a few States, supplemental pensions.

may also be related to payroll covered under workers' compensation. This measure provides a perspective in relation to workers' compensation as a component of labor costs. In 1991, the premium cost per \$100 of covered payroll was \$2.40, the seventh consecutive annual increase since its decrease to \$1.66 in 1984. This cost had been below \$1 prior to 1965.

The wide differences that exist among individual employers are, of course, hidden by these overall cost ratios. The major factors in the differences are the employer's industrial classification and the hazards of that industry as modified by experience rating. The premium rate that an employer pays, in comparison with the rate for the same industrial classification in another State, also reflects the level of benefits provided in his

Table 5Workers'	compensation	costs,	by type	of insurer	, selected	years,
1952-91						
	[In millio	ns]			

Year	Total	Private carriers	State funds	Federal programs ¹	Self- insurers
1952	\$1,333	\$956	\$229	\$40	\$108
1957	1.734	1.234	301	59	140
1962	2,323	1,651	395	68	209
1967	3,655	2,640	592	97	325
1972	5,832	4,181	899	211	542
1977	14,151	9,920	2.297	589	1,346
1982	22,765	15,398	2,640	1,509	3.217
1987	38,095	25,448	5,515	1,728	5,404
1988	43,284	28,538	6,660	1,911	6,175
1989	47,955	31,853	7,231	1,956	6,915
1990	53,123	35,054	8,003	2,156	7,910
1991	55,217	35,713	8,698	2,128	8,677

¹ Includes the Federal Employee Compensation program and that portion of the Federal Black Lung program financed from employer contributions.

or her jurisdiction and the method used to insure—commercial carrier, exclusive or competitive State fund, or self-insurance.

Notes

¹ Disabled worker benefits are payable monthly under Social Security to the worker, spouse, and children up to a family maximum (\$1,688 as of December 1991) based on the worker's earnings. In those cases where the disabled worker is also entitled to a workers' compensation benefit and the offset is applied (89,000 disabled workers as of September 1989), the Social Security disability benefit is reduced dollar-for-dollar until the combined payment under both programs reaches the higher of the two specified limits. Combined payments after reduction will never be less than the total Social Security benefit before reduction. The offset is not applied, however, if the State law offsets the workers' compensation benefit. Although 13 States have such provisions, the Omnibus Budget Reconciliation Act of 1981 eliminated the preference for any additional States.

² Occupational Injuries and Illnesses in the United States by Industry, 1987, Bureau of Labor Statistics, Department of Labor, 1989.

³ These benefit estimates exclude amounts paid from general revenues, which cover most Federal Black Lung program benefits and, in a few States, supplemental pensions.