



June 2023

TO: Interested Parties

FROM: Jason Swant, Manager
Workers' Compensation Section

RE: Permanent Total Disability Benefit
Cost of Living Increase

The cost of living adjustment is the percentage increase, if any, in the state's average weekly wage as adopted by the Department over the state's average weekly wage adopted for the previous year. Section 39-71-702(5), MCA, allows an adjustment of permanent total disability benefits (PTD) benefits for the cost of living on post July 1, 1987 claims. The state's average weekly wage effective July 1, 2023 is \$1,034. The percentage increase from \$974 (last year's average weekly wage) to \$1,034 is **6.16%**.

For dates of injury occurring on or after July 1, 1987 through March 25, 2003, the cost of living adjustment is the percentage increase, if any, in the state's average weekly wage as adopted by the Department over the state's average weekly wage adopted for the previous year, or 3%, whichever is less, and claims of this vintage are limited to a maximum of *only* 10 benefit adjustments. Therefore, **a rate of 3%** should be applied to the benefit amount of any worker who has received 104 weeks of permanent total disability benefits before July 1, 2023 on a post July 1, 1987 claim, subject to the 10 adjustment limit.

Please direct any questions to Jason Swant, Manager, Workers' Compensation Section, (406) 444-6451.