

**DEPARTMENT OF INDUSTRIAL RELATIONS  
OFFICE OF SELF INSURANCE PLANS**

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# Labor Code §§ 4800 and 4850 Reporting Requirements

## Public Entities and Third Party Administrators (TPAs)

The OSIP Annual Report for public entities contains three questions referring to Labor Code §§4800 and 4850 benefits on the TPA portion of the report. The same information is being requested as last year, but the questions have been re-worded for clarity on the FY 2014-2015 report. The picture below highlights the questions and contains the amounts discussed in the example to follow.

	\$ Indemnity	\$ Medical
SUBTOTAL		
3) Estimate Future Liability (Indemnity Plus Medical) → TOTAL		
	\$ Indemnity	\$ Medical
4) Indemnity benefits paid to all employees, except for the part of LC §§ 4800/4850 benefits paid that are more than the temporary disability (TD) rate.		
<ul style="list-style-type: none"> <li>• Include the TD payments or salary in lieu thereof for all employees, permanent disability, life pensions, death benefits, and supplemental job displacement benefit vouchers.</li> <li>• Please see LC §§ 4800/4850 for detailed information, including which employees should receive LC §§ 4800/4850 benefits.</li> </ul>	\$1,680	
5) Number of MEDICAL-ONLY Cases Reported in 2013/2014		
6) Number of INDEMNITY Cases Reported in 2013/2014		
7) Total of 5 and 6 (Also entered in 2E above)		
8) Total Number of open Indemnity Cases (All Years)		
9) Number of Fatality Cases Reported In 2013/2014		
10) (a) Number of FY 2014 claims for which the employer or administrator was notified of representation by an attorney or legal representative in 2013/2014		
10) (b) Number of non-FY 2014 claims for which the employer or administrator was notified of representation by an attorney or legal representative in 2013/2014		
11) The amount paid to employees receiving LC § 4800/4850 benefits, not including the TD benefits they received.	\$1,660	
12) TD benefits paid to employees while they were receiving LC § 4800/4850 benefits.	\$840	
* Attach (PDF Attachments only) a List of ALL Open Indemnity Claims (by reporting location and by year) reported and with claims (in alphabetical order)		<a href="#">Attach Document</a>

## Example for Reporting LC §§ 4800/4850 Benefits

Assume that there were only two employees, one who qualifies for LC §§ 4800/4850 benefits, and one that does not. Both have a salary of \$2,500 per week and were disabled by injury arising out of and in the course of his/her duties. Let's also assume that:

- a) Line 4 in this example does not include permanent disability, life pensions, death benefits, and supplemental job displacement benefit vouchers as it should when actually filling out the report.
- b) The example is if only one week of benefits were paid to the two employees.
- c) The dates of injuries were in 2005, when the maximum temporary disability (TD) rate was \$840 per week. The date of injury will determine the temporary disability benefits as outlined in [LC §4453](#).

The employee who does not qualify for LC §§ 4800/4850 benefits (Employee A):

1. Receives TD benefits at the rate of \$840 for a period of up to 104 weeks.

The employee who qualifies for LC §§ 4800/4850 benefits (Employee B):

1. Receives TD benefits at the rate of \$840 for a period of up to 104 weeks.
2. Receives \$1,660 (the difference between the employee's full salary of \$2,500 and the TD benefits) for the first 52 weeks.

This combination of payments provides the employee the equivalent of their full salary for the first 52 weeks and is referred to as LC §§ 4800/4850 benefits.

Enter the benefits on the report:

- Line 4

*Indemnity benefits paid to all employees, except for the part of LC §§ 4800/4850 benefits paid that is more than the temporary disability (TD) rate.*

*-Include the TD payments or salary in lieu thereof for all employees, permanent disability, life pensions, death benefits, and supplemental job displacement benefit vouchers.*

*-Please see LC §§ 4800/4850 for detailed information, including which employees should receive LC §§ 4800/4850 benefits.*

Enter \$1,680 (\$840 TD for employee A + \$840 TD for employee B)

- Line 11

*The amount paid to employees receiving LC §§ 4800/4850 benefits, not including the TD benefits they received.*

Enter \$1,660 (employee B's full salary of \$2,500 – \$840 TD benefit paid to them)

- Line 12

*TD benefits paid to employees while they were receiving LC §§ 4800/4850 benefits.*

Enter \$840 (TD benefit for employee B)

More simply put:

Employee A

TD = \$840 → Line 4 

\$1,680
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Employee B

TD = \$840 → Line 11 

\$1,660
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LC §§ 4800/4850 benefit - TD = \$1,660 → Line 12 

\$840
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