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## Reminders about electronic medical records requests

Recently, the Department of Labor and Industry (DLI) has received questions about proper payment for electronic medical records. As a reminder, Minnesota Statutes § 176.135, subdivision 7, includes specific payment rates and delivery requirements for electronic medical records. The law applies to any request for copies of medical records that are required to be maintained in an electronic format by state or federal law.

### Q. How much can a medical provider or their agent charge for electronic medical records requests?

A. For electronic medical records requests, a medical provider or their agent can charge:

- \$10 if there are no records available;
- \$30 for copies of records of up to 25 pages;
- \$50 for copies of records of up to 100 pages;
- \$50 plus an additional 20 cents per page for pages 101 and above; or
- \$500 for any request.

### Q. Can there be additional charges for retrieval, storage, delivery, sales tax, etc.?

A. The fee schedule above covers all fees, including those for retrieval, storage and delivery. Sales tax, while allowable for paper records under Minnesota Rules part 5219.0300, is not applicable to electronic medical records. No sales tax should be charged or paid in any Minnesota jurisdiction for electronic medical records.

### Q. How can electronic medical records be sent to the requestor?

A. Upon request, the health care provider or their agent must provide copies of medical records in electronic format.

### Q. Must a cost estimate be given before the electronic medical records are provided?

A. When a requestor asks to be provided with advance notice of costs for records before electronic medical records are sent, the provider should send that estimate to the requestor for approval before sending the records. This is consistent with the text of Minn. Stat. § 176.135, subd. 7(d)(1). If the requestor does not approve the release of the records they requested, the provider may charge a fee not to exceed \$10, which the requestor must pay even if no records are released.

If advanced notice of cost is requested by requestor, that cost estimate must be provided within the seven-day limit as stated in Minn. Stat. § 176.138, subd. a; however, DLI will not penalize a medical provider who is unable to also provide medical records within that same seven-day period following the date the requestor made the medical records request if the requestor asked to be notified of the cost prior to the release of the records.

### Q. Can prepayment be required for providing medical records?

A. A health care provider or the health care provider's agent cannot require prepayment for the costs of the medical records unless there is an outstanding past due notice for the requestor from a previous records request from the provider. A request to be notified of the estimated cost before records are released is not considered by DLI to be a



prepayment request for purposes of the limit on prepayments. If a requestor that asked for an estimated cost does not pay the full, applicable statutory costs for the electronic records, a health care provider or their agent can require prepayment for future records requests.

Q. Where can questions about electronic medical records be directed?

A. Questions about medical records can be emailed to DLI’s medical policy staff at [medical.policy.dli@state.mn.us](mailto:medical.policy.dli@state.mn.us).

# Results of the Special Compensation Fund assessment

## Introduction

The Special Compensation Fund (SCF) assessment funds Minnesota’s workers’ compensation programs. Most of the assessment dollars go to funding the supplementary, second-injury, uninsured and occupational disease benefit programs. The assessment also pays the operating expenses of the workers’ compensation divisions of the Department of Labor and Industry (DLI), the Court of Administrative Hearings and the Workers’ Compensation Court of Appeals. It also funds the state portion of Minnesota OSHA Compliance and the Department of Commerce for rate regulation and fraud prevention.

The SCF assessment is directly invoiced by the Minnesota Department of Labor and Industry. The first half of the assessment is due Aug. 1 every year and the second half is due the following Feb. 1. Invoices are mailed approximately 30 days before the due date. Assessment amounts of \$1,000 or less are invoiced with first-half invoices only.

As a result of the 2025 legislative session, forecasted expenditures against the fund have risen to \$74.5 million in the coming state fiscal year. Fortunately, the fund has a moderate cash reserve to offset the increased uses. After applying \$9.1 million of the fund balance and \$6 million in other revenues, DLI’s 2025 SCF assessment will be \$59.4 million.

The liability was divided between the insurers and self-insurers by the ratio of their 2024 indemnity payments to the total indemnity reported by both groups.

	2024 indemnity	Ratio	FY 2026 funding liabilities	2024 DSR pure premium
Insurers	\$374,672,534	74.88%	\$44,479,005	\$1,068,351,113
Self-insurers	\$125,688,218	25.12%	\$14,920,995	
Total	\$500,360,752	100.00%	\$59,400,000	\$1,068,351,113

## Insurer premium surcharge rate

The insurer premium surcharge rate applied for the purpose of determining the Special Compensation Fund assessment is 4.16%. The rate was determined by dividing the insurer portion of the Special Compensation Fund state-fiscal-year

SCF assessment results, continues ...

**SCF assessment results, continued ...**

2026 liability (\$44,479,005) by the 2024 designated statistical reporting pure premium reported by all insurers (\$1,068,351,113).

The amount each insurer is assessed is determined by multiplying 4.16% by the designated statistical reporting (DSR) pure premium for calendar-year 2024. The total amount assessed is divided into two invoices, the first due Aug. 1, 2025, and the second due Feb. 1, 2026 (unless the total amount due is \$1,000 or less; then the entire amount is due Aug. 1, 2025).

The insurer portion of the 2025 assessment will be adjusted for actual 2024 data reported by the Minnesota Workers' Compensation Insurers Association. As a result of 2014 amendments to [Minnesota Statutes 176.129, subdivision 2a](#), the current assessment is considered to be an estimate based on the prior year's data. The reconciliation and final determination (true-up) for insurers will be completed by December 2025. See [2014 Minnesota Laws Chapter 182](#).

**Self-insured assessment rate**

The self-insured assessment rate is 11.87%. It was determined by dividing the self-insured portion of the Special Compensation Fund state-fiscal-year 2026 liability (\$14,920,995) by the total 2024 indemnity reported by the self-insured employers (\$125,688,218).

The amount each self-insurer is assessed is determined by multiplying 11.87% by the indemnities self-reported to DLI for calendar year 2024. The total amount assessed is divided into two invoices, the first due Aug. 1, 2025, and the second due Feb. 1, 2026 (unless the total amount due is \$1,000 or less).

**Further information**

If you need further information, send an email message to [dli.assessment@state.mn.us](mailto:dli.assessment@state.mn.us).

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## New benefit, provider fee levels, and fee schedules effective Oct. 1

The statewide average weekly wage (SAWW) effective Oct. 1, 2025, is \$1,423, a 3.72% increase from the current SAWW of \$1,372, which has been in effect since Oct. 1, 2024. The levels for minimum and maximum weekly benefit payments are presented in the table on page 7.

The new SAWW is based on 2024 payroll and employment figures supplied by the Department of Employment and Economic Development and the calculation procedure in Minnesota Statutes § 176.011, subdivision 1b. The change in the SAWW is the basis for the Minn. Stat. § 176.645 annual benefit adjustment. The time and amount of the adjustments are limited by Minn. Stat. § 176.645.

Tables showing the historical value of workers' compensation benefits, reimbursements, medical services conversion factors, maximum hourly vocational rehabilitation rates and independent medical examination (IME) fees are posted on the Department of Labor and Industry (DLI) website at [dli.mn.gov/business/workers-compensation/work-comp-rate-information-statewide-average-weekly-saww](https://dli.mn.gov/business/workers-compensation/work-comp-rate-information-statewide-average-weekly-saww).

### Vocational rehabilitation maximum hourly fee adjustments

Pursuant to Minnesota Rules, part 5220.1900, subpart 1b:

- the maximum qualified rehabilitation consultant (QRC) hourly rate will increase by 3.00% to \$129.98 for rehabilitation services provided on or after Oct. 1, 2025; and
- the maximum hourly rate for rehabilitation job development and placement services, whether provided by rehabilitation vendors or by QRC firms, will increase by 3.00% to \$104.09 on Oct. 1, 2025.



### Relative value medical fee schedule adjustments

The following updates to the workers' compensation physician fee schedule conversion factors in Minn. R. part 5221.4005 to 5221.4061 have been made pursuant to Minn. Stat. § 176.136, subd. 1a, and have been approved by an administrative law judge. The rule amendments, which are effective for services provided on or after Oct. 1, 2025, are available on DLI's website at [dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-chapter-5221-2025](https://dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-chapter-5221-2025).

- Relative value unit (RVU) updates:** As required by law, the Department of Labor and Industry has incorporated by reference the 2025 Medicare RVU table and the GPCI table (used to geographically adjust the RVUs for Minnesota). The Notice of Incorporation by Reference of these 2025 tables was [published in the State Register](#) on July 28, 2025.
- Conversion factor adjustments:** There are two conversion factor adjustments. First, as required by law, each time the RVU tables are updated the conversion factors must be adjusted so that, for services in both the new fee schedule and the one most recently in effect, there is no difference in the overall payment under the fee schedules for each of the four categories of service. Second, the conversion factors are also required to be annually adjusted by no more than the percent change in the annual statewide average weekly wage. As in previous years, the annual adjustment of the conversion factors is based on the percent change in the federal Department of Labor's Producer Price Index for Offices of Physicians (PPI-P) (annual-average basis), which for 2024 was 1.90%.

Based on these two adjustments, the conversion factors effective for services provided on or after Oct. 1, 2025, are:

- for medical/surgical services described in Minn. R. 5221.4030 ..... \$67.29;
- for pathology and laboratory services described in Minn. R. 5221.4040 ..... \$59.91;
- for physical medicine/rehabilitation services described in Minn. R. 5221.4050 ..... \$60.56; and
- for chiropractic services described in Minn. R. 5221.4060 ..... \$52.15.

- 3. RVU fee schedule rule amendments:** Minnesota Rules, parts 5221.4020, 5221.4030, 5221.4033, 5221.4050 and 5221.4060 have been amended, effective for services on or after Oct. 1, 2025, to implement the adjusted conversion factors and updated Medicare relative value tables. Specifically, the rules are amended to reflect Medicare changes to recognized service codes and where necessary to clarify implementation of other sections. The rule amendments are online at [dli.mn.gov/sites/default/files/pdf/5221-2025\\_draft\\_rules.pdf](https://dli.mn.gov/sites/default/files/pdf/5221-2025_draft_rules.pdf).

## Independent medical examination fee adjustment

Minnesota Rules, part 5219.0500, subp. 4, provides for adjustment of the maximum fees for IMEs in the same manner as the adjustment of the conversion factors. Therefore, the maximum fees will increase by 1.90% for IME services provided on or after Oct. 1, 2025.

A table of the maximum IME fee adjustments from Dec. 1, 1993, to present is available on DLI's website at [dli.mn.gov/business/work-comp-ime-fees](https://dli.mn.gov/business/work-comp-ime-fees).

## Link to inpatient PPS Web Pricer under Minn. Stat. § 176.1362, subd. 1

Since Oct. 1, 2021, payment for inpatient services, articles and supplies must be calculated using the inpatient PPS Web Pricer available on Medicare's website using the applicable dates of inpatient hospitalization. DLI must publish the link to the inpatient PPS Web Pricer on its website.

The link to the inpatient PPS Web Pricer is available at [dli.mn.gov/business/workers-compensation/work-comp-pc-pricer-tool-inpatient-hospital-bills](https://dli.mn.gov/business/workers-compensation/work-comp-pc-pricer-tool-inpatient-hospital-bills).

## Hospital catastrophic injury threshold adjustment

The threshold for payment of inpatient hospital services, articles and supplies provided to patients with catastrophic, high-cost injuries is adjusted pursuant to Minn. Stat. § 176.1362, subd. 2. For hospital discharges on or after Oct. 1, 2025, the threshold amount is adjusted to \$330,993. If a hospital's usual and customary charges exceed this amount, payment is 75% of the hospital's charges instead of the MS-DRG amount calculated using the inpatient PPS Web Pricer.

## Notice of availability of ambulatory surgical center addenda

The fee schedule for workers' compensation ambulatory surgical center (ASC) services is based on the Medicare Ambulatory Surgical Center Payment System (ASCPS) addenda AA, BB and DD1, available on the Medicare website as of July 1, 2025, and the corresponding Medicare rules and claims processing manual. Payment for workers' compensation procedures and services is the ASCPS amount on the total bill multiplied by 320%, or the ASC's total usual and customary charges, whichever is less.

Links to Addenda AA, BB and DD1 are available on the DLI website at [dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-ascps](https://dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-ascps). They are effective for services provided by an ASC on or after Oct. 1, 2025.

## Notice of availability of hospital outpatient fee schedule

The workers' compensation hospital outpatient fee schedule (HOFS) establishes payment rates for workers' compensation outpatient hospital services that are listed in the HOFS (see Minn. Stat. § 176.1364). The updated HOFS table, effective for services from Oct. 1, 2025, through Sept. 30, 2026, is available on the DLI website at [dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-hofs](https://dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-hofs).

HOFS provides two separate payment rates, one for hospitals with more than 100 licensed beds and one for non-critical access hospitals with 100 or fewer licensed beds.



## Compensation rates as of Oct. 1, 2025

**Statewide average weekly wage (SAWW) = \$1,423**

**Percentage change in SAWW from previous year = 3.72%**

*(Apply Minnesota Statutes § 176.645 adjustment as necessary based on date of injury.)*

### Maximum under Minn. Stat. § 176.101, subd. 1(b)(1)

*Set by statute*

10-01-00 .....	\$750.00
10-01-08 .....	\$850.00

*102% of SAWW*

10-01-13 .....	\$963.90
10-01-14 .....	\$980.22
10-01-15 .....	\$1,008.78
10-01-16 .....	\$1,046.52
10-01-17 .....	\$1,061.82
10-01-18 .....	\$1,098.54
10-01-19 .....	\$1,134.24
10-01-20 .....	\$1,166.88
10-01-21 .....	\$1,256.64
10-01-22 .....	\$1,312.74
10-01-23 .....	\$1,363.74

*108% of SAWW*

10-01-24 .....	\$1,481.76
<b>10-01-25 .....</b>	<b>\$1,536.84</b>

### Minimum under Minn. Stat. § 176.101, subd. 1(c)

*Set by statute, the listed amount or the employee's actual weekly wage, whichever is less*

10-01-00.....	\$130.00
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*20% of the maximum weekly benefit or the employee's actual weekly wage, whichever is less*

10-01-22.....	\$262.55
10-01-23.....	\$272.75
10-01-24.....	\$296.35
<b>10-01-25.....</b>	<b>\$307.37</b>

### Supplementary benefits under Minn. Stat. § 176.132 (Minnesota Statutes 1994)

**and permanent total minimum under  
Minn. Stat. § 176.101, subd. 4  
(for injuries 10-1-95 and later)**

10-01-05 .....	\$503.10	(rounded to \$504)*
10-01-06 .....	\$508.30	(rounded to \$509)*
10-01-07 .....	\$525.20	(rounded to \$526)*
10-01-08 .....	\$552.50	(rounded to \$553)
10-01-09 .....	\$570.70	(rounded to \$571)*
10-01-10 .....	\$564.20	(rounded to \$565)*
10-01-11 .....	\$582.40	(rounded to \$583)*
10-01-12 .....	\$595.40	(rounded to \$596)*
10-01-13 .....	\$614.25	(rounded to \$615)*
10-01-14 .....	\$624.65	(rounded to \$625)*
10-01-15 .....	\$642.85	(rounded to \$643)*
10-01-16 .....	\$666.90	(rounded to \$667)*
10-01-17 .....	\$676.65	(rounded to \$677)*
10-01-18 .....	\$700.05	(rounded to \$701)*
10-01-19 .....	\$722.80	(rounded to \$723)*
10-01-20 .....	\$743.60	(rounded to \$744)*
10-01-21 .....	\$800.80	(rounded to \$801)
10-01-22 .....	\$836.55	(rounded to \$837)*
10-01-23 .....	\$869.05	(rounded to \$870)*
10-01-24 .....	\$891.80	(rounded to \$892)*
<b>10-01-25 .....</b>	<b>\$924.95</b>	<b>(rounded to \$925)*</b>

\*Rounding applies to supplementary benefits.

# Ask the ADR and Work Comp Campus pro

## DLI's Alternative Dispute Resolution unit answers frequently asked questions

By Brian Mak, director, Alternative Dispute Resolution

*Editor's note: The Alternative Dispute Resolution (ADR) unit at the Minnesota Department of Labor and Industry (DLI) seeks early intervention in workers' compensation disputes through conferences and mediations. It handles calls from the Workers' Compensation Help Desk and responds to questions from all stakeholders.*

**Q. When initiating a dispute in Work Comp Campus, what are some things to keep in mind for effective filings?**

**A.** For effective filings in Campus, include (click) all the necessary parties in the "Other Parties to the Dispute" section. Including the parties to the dispute ensures they will be able to access and respond to the dispute. *Serving* parties is not the same as *including* them as parties to the dispute.

Provide details of your request in the "Additional Details" section. An additional, more detailed, description in this section gives the other parties and the arbitrator the most clear understanding of the what is being requested and why.

When a dispute is being initiated by counsel for the employee, list the adjuster information, where possible. This will help certification efforts to be done swiftly.



When an issue is certified following a "Request for Certification" form, the subsequent "Request for Assistance" form can and should be filed in that same dispute, rather than initiating a second, new dispute. Using the same dispute is faster for the filer and the related pleadings are kept together.

**Q. I am an attorney who has initiated a dispute in Campus; why can I not see or access the claim?**

**A.** To have access to a claim, a "Notice of Appearance" (NOA) or "Notice of Representation" (NOR) Campus webform must be filed in that claim. This will give the attorney user access to information, documents and other disputes associated with that claim. Because C-Track and Campus are separate systems, an NOA or NOR filed at the Court of Administrative Hearings (formerly the Office of Administrative Hearings) will not be sufficient for access at the Department of Labor and Industry. A dispute can be initiated even if an NOA or NOR was not filed, but the filer would only have access to that dispute.

**Q. I want to file an NOA, but cannot locate the claim; how can I file it?**

**A.** An NOA or NOR can only be filed on a claim if that claim was created via the submission of a first report of injury (FROI). If no claim exists, but there is a dispute (which would have been filed with a temporary claim shell), an attorney can file an NOA or NOR on that dispute. But the NOA or NOR will still need to be filed on that new claim after the claim is created.



## Translated webpages, materials, Language Line available via DLI website

The Department of Labor and Industry (DLI) posts its available translated materials online at [dli.mn.gov/translations](https://dli.mn.gov/translations). It has documents available in Chinese, Hmong, Karen, Somali and Spanish. A few other documents throughout the website are available in additional languages.

The DLI website now also provides Google Translate near the upper left corner of each page, allowing visitors to choose the language for the website text.

In addition, DLI has access to Language Line, a free language translation phone service for limited-English speakers. If DLI help is needed, view the contact information at [dli.mn.gov/about-department/about-dli/contact-us](https://dli.mn.gov/about-department/about-dli/contact-us), call and a DLI employee will get in touch with an interpreter in the needed language.



## Workers' compensation, Campus assistance available by phone, email

The Workers' Compensation Help Desk is available to answer basic questions related to workers' compensation or Work Comp Campus. It will also route more complex questions to subject matter experts within the Workers' Compensation Division.

Live support is available 8 a.m. to 4:30 p.m., Monday through Friday (except holidays). Voicemail messages left outside of office hours will be responded to within 24 hours of the next business day.

- 651-284-5005 (press 3)
- 800-342-5354 (press 3)
- [helpdesk.dli@state.mn.us](mailto:helpdesk.dli@state.mn.us)



### Are you registered to vote?

The Minnesota Secretary of State website has everything you need to know about voting in Minnesota. Visit [sos.state.mn.us/elections-voting](https://sos.state.mn.us/elections-voting) to register to vote, find out where and how you can cast your vote, what's on your ballot and more.

**Now:** Sixteen- and 17-year-olds can pre-register to vote in Minnesota.

## Workers' compensation trends continue stability, long-term downward trajectories

Workers' compensation claim rates and benefits paid in Minnesota continue to be stable or follow their long-term downward trajectories, a new Department of Labor and Industry (DLI) report shows.

The *2025 Minnesota Workers' Compensation System Report* presents trend data from 2003 to the present regarding several aspects of Minnesota's workers' compensation system. For the past four years, the report has tracked two sets of trends for the workers' compensation system: one for the whole system, including COVID-19 claims; and another for the system excluding COVID-19 claims, which shows a pattern more similar to prior years.

### Significant findings

- Relative to the number of full-time-equivalent (FTE) workers, the total number of paid claims dropped by 45%, indemnity claims by 28% and medical-only claims by 50% from 2003 to 2023. The total claim rate reached its lowest level in 2023 compared to any other reported year.
  - COVID-19: There was a 43% increase in the indemnity claim rate from 2019 to 2022, due to the influx of COVID-19 indemnity claims. However, in 2023, with the large decline in COVID-19 claims, the indemnity claim rate reverted to the rate observed before the pandemic.
- Between 2003 and 2023, indemnity benefits per \$100 of payroll fell 38% and medical benefits per \$100 of payroll fell 50%.
- The estimated total cost of Minnesota's workers' compensation system was \$1.80 billion for 2023, or \$0.91 per \$100 of payroll, indicating a decrease of 45% over 20 years.
- In 2023, on a current-payment basis, the three largest components of total workers' compensation system cost were medical benefits (33.5%), insurer expenses (32.7%) and indemnity benefits other than vocational rehabilitation (29.2%).
- Compared to 2003, the average amount of time an injured worker received total disability benefits was 18% longer in 2023 for non-COVID-19 claims. The average duration of temporary partial disability (TPD) fell 20% by 2023 for non-COVID-19 claims.
  - COVID-19: Total disability duration decreased 35% from 2019 to 2022 due to the significantly shorter duration of COVID-19 claims. In 2023, total disability duration was closer to pre-pandemic levels. TPD duration increased 8% from 2019 to 2023.

After adjusting for average wage growth, the following was found.

- Total disability benefits (temporary total disability benefits and permanent total disability benefits combined) per paid indemnity claim were largely stable from 2003 to 2019, but increased 12% from 2019 through 2023 for non-COVID-19 claims.



- COVID-19: When COVID-19 claims were included, total disability benefits per paid indemnity claim fell 27% from 2019 to 2022, but increased above pre-pandemic levels in 2023.
- TPD benefits per paid indemnity claim fell 38% from 2003 to 2023 for non-COVID-19 claims.
  - COVID-19: When COVID-19 claims were included, there was a 37% decrease in TPD benefits per paid indemnity claim from 2019 to 2022, but increased to pre-pandemic levels in 2023.
- Permanent partial disability (PPD) benefits per paid indemnity claim fell 74% from 2003 to 2023 for non-COVID-19 claims.
  - COVID-19: When COVID-19 claims were included, the decrease from 2003 to 2023 was 75%. From 2019 to 2023 there was a 32% decrease in PPD benefits per paid indemnity claim.
- Participation in vocational rehabilitation rose from 21% of paid indemnity claims for injury-year 2003 to 24% for 2019, but decreased to 23% among non-COVID-19 indemnity claims for injuries in 2023.
  - COVID-19: The 2023 vocational rehabilitation participation rate was 22% when COVID-19 indemnity claims are included.
- The denial rate for non-COVID-19 claims with 2023 injuries was 16.6%, which is less than the 17.4% rate observed in 2022.
  - COVID-19: The denial rate of filed indemnity claims, with COVID-19 claims included, was 23% for 2023. This was below the rate of 30% for 2022.
- In 2024, 86% of scheduled mediations were completed, while 28% of scheduled medical conferences and 25% of scheduled rehabilitation conferences were completed.

The complete report is available at [dli.mn.gov/business/workers-compensation/work-comp-minnesota-workers-compensation-system-report](https://dli.mn.gov/business/workers-compensation/work-comp-minnesota-workers-compensation-system-report).

## Subscribe to DLI's email newsletters

Did you know the Department of Labor and Industry offers more than two dozen email lists you can subscribe to to receive news targeted to specific groups? (If you are reading this, you are probably on the *COMPACT* email list.)

Lists related to workers' compensation news include:

- |                                    |                             |
|------------------------------------|-----------------------------|
| • Adjusters updates                | • Attorney updates          |
| • <i>COMPACT</i>                   | • <i>Campus Connect</i>     |
| • Employer updates                 | • Medical providers updates |
| • Rehabilitation providers updates | • Trading partner updates   |



Other email lists are available for:

- |   |   |
|---|---|
| • <i>Labor and Industry News</i>                    | • Apprenticeship, dual-training and Youth Skills Training |
| • Construction codes, licensing and building trades | • Labor standards, worker rights, wage and hour           |
| • Minnesota OSHA and workplace safety               | • Rulemaking  |

To learn more about the available email lists, visit [dli.mn.gov/about-department/news-and-media/sign-news-department-labor-and-industry](https://dli.mn.gov/about-department/news-and-media/sign-news-department-labor-and-industry).

## CompFact: Study analyzes work comp premium rates; median index rate decreases

Oregon has published the most recent edition of its premium rate ranking study, [Oregon Workers' Compensation Premium Rate Ranking](#). This edition of the study analyzes premium rates effective through Jan. 1, 2024. The study compares premium rates across all jurisdictions for a shared set of industry class codes, weighted by Oregon's payroll for each class code. Only Oregon's 50 largest classes were used in the industry mix. These index rates are not the average premium rates paid by employers, since each of the 51 jurisdictions has a unique payroll distribution. However, the Oregon study reflects premium differences for a standardized set of industry classes.

Nationally, the median index rate decreased by 14.2% from 2022 to a value of 1.09 and is the lowest median in the history of the study, which started with 1986 rates. The national median has been decreasing since reaching 2.58 in 2004. The Oregon national study median tracks very closely with the U.S. Bureau of Labor Statistics' data series on national workers' compensation costs.

Minnesota's ranking dropped five places, from 12th to 17th highest, from 2022 to 2024 (Table 1). Even with this drop in the rankings, Minnesota's index rate remains slightly higher than Iowa's. Wisconsin has the highest ranking of the surrounding states, at seventh highest. Changes in insurers' expense load factors due to the recent changes in how the Minnesota Workers' Compensation Insurers Association calculates the advisory pure premium rates may have contributed to Minnesota's decreased index rate and lower ranking.

State	2022 rank (1 = highest)	2024 rank (1 = highest)	Index rate (cost per \$100 payroll)	Percent of study median
Minnesota	12	17	1.25	114%
Wisconsin	8	7	1.42	130%
Iowa	14	19	1.21	110%
South Dakota	25	22	1.13	103%
North Dakota	51	51	0.50	45%

Source: *Oregon Workers' Compensation Premium Rate Ranking: Calendar Year 2024.*

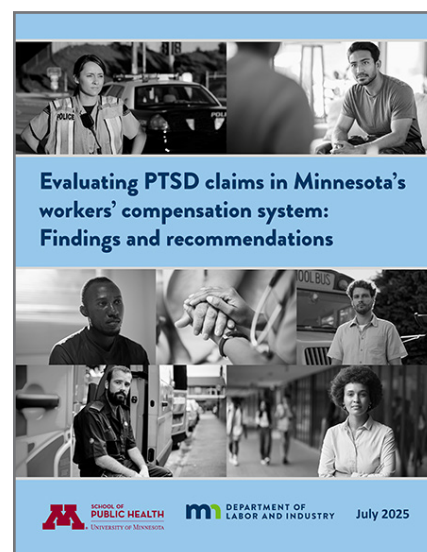
## Report: PTSD claims in Minnesota's workers' compensation system

In 2023, the Minnesota Legislature directed the Department of Labor and Industry (DLI) to conduct a study about post-traumatic stress disorder (PTSD) claims in the workers' compensation system and issue a report with its findings and recommendations by Aug. 1, 2025.

DLI partnered with the Midwest Center for Occupational Health and Safety at the University of Minnesota to complete the PTSD study and prepare the report.

The report, [Evaluating PTSD claims in Minnesota's workers' compensation system: Findings and recommendations](#), provides a comprehensive examination and analysis of PTSD claims in the workers' compensation system.

Visit [DLI's PTSD study webpage](#) for more information.



## Register today: Minnesota CLE Work Comp Deskbook Seminar, Dec. 5

On Friday, Dec. 5, join your colleagues for the Minnesota CLE 2025 Workers' Compensation Deskbook seminar. In addition to getting up to date on all the new case law developments and other important topics, you will also receive must-have resources for attorneys practicing in this area of law:



**MINNESOTA CLE**

*Your Success Is Our Goal*

1. the 2025 Update to the Minnesota Workers' Compensation Deskbook;
2. a one-year subscription to the LinkedLaw (online) version of the entire Deskbook, which contains links to all the authority you need when researching; and
3. the 2025 Workers' Compensation Benefit Calculation Chart.

Don't miss this once-a-year event – great education and great fun! Register today at [minncle.org/seminar/1052232601](https://minncle.org/seminar/1052232601).

## Be a part of Workplace Rights Week 2025 – Sept. 21 through 27

The Minnesota Department of Labor and Industry (DLI) has been planning the second annual Workplace Rights Week, taking place Sept. 21 through 27, 2025. The week is an opportunity to educate workers and employers across Minnesota about their rights and responsibilities on the job. Safe and healthy workplaces make our economy and communities strong and it is important Minnesotans know and are empowered to assert those rights.



**WORKPLACE  
RIGHTS WEEK**

Sept. 21-27, 2025 • [dli.mn.gov/rights-week](https://dli.mn.gov/rights-week)

In 2024, DLI launched the first-ever Workplace Rights Week, during which DLI staff members visited 1,243 businesses in 29 cities, hosted webinars with partners and joined Lt. Gov. Peggy Flanagan at a worksite event to increase awareness of workplace rights in Minnesota. The first year was a success and 2025 is expected to be even bigger.

We invite you to join us in this effort. DLI is looking to partner with organizations to host webinars, distribute educational materials or host other events. If you want to collaborate with us or plan your own event during Workplace Rights Week 2025, email Diana Salas at [diana.salas@state.mn.us](mailto:diana.salas@state.mn.us).

To see what is already planned for Workplace Rights Week 2025, visit [dli.mn.gov/rights-week](https://dli.mn.gov/rights-week).

## Register today for MWCIA, WCRA Minnesota Work Comp Forum, Oct. 14

Get ready for an unparalleled experience at the one-day Minnesota Work Comp Forum on Tuesday, Oct. 14, in celebration of the core of the Minnesota workers' compensation community. The Minnesota Workers' Compensation Insurers Association (MWCIA) and the Workers' Compensation Reinsurance Association (WCRA) have united to bring you an unforgettable day of learning and networking.

This is your chance to immerse yourself in dynamic sessions led by industry trailblazers, connect with fellow professionals from both local and regional backgrounds, and deepen your expertise in this essential field. Whether you are aiming to elevate your skills or forge valuable connections, this event is a must.

[Register now and watch for](#) exciting updates about the distinguished sponsors, exhibitors and speakers committed to enhancing your experience.





## Workers' compensation events calendar

**Note:** Event dates may change. Always check the online calendar at [dli.mn.gov/about-department/about-dli/events-workers-compensation](https://dli.mn.gov/about-department/about-dli/events-workers-compensation).

### September 2025

Sept. 21-27	Workplace Rights Week
Sept. 26	Training: OSHA recordkeeping basics

### October 2025

Oct. 8	Workers' Compensation Advisory Council
Oct. 16	Medical Services Review Board
Oct. 30	Rehabilitation Review Panel

### November 2025

Nov. 19	Workers' Compensation Insurers' Task Force
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## Training: OSHA recordkeeping basics offered online Sept. 26

The Department of Labor and Industry is offering a free, online introductory-level training seminars about OSHA recordkeeping requirements Friday, Sept. 26, from 8:30 to 11:30 a.m.

Maintaining an accurate OSHA log of recordable work-related injuries and illnesses is an important skill that benefits employers, workers, safety professionals and government agencies.

### Topics

- Recordability of injuries and illnesses
- Counting time
- How many logs to keep
- Creating a log summary
- Recording COVID-19 cases
- Differences between OSHA cases and workers' compensation claims
- Classifying cases
- Privacy cases
- Maintaining logs
- Reporting log data to OSHA



### More information

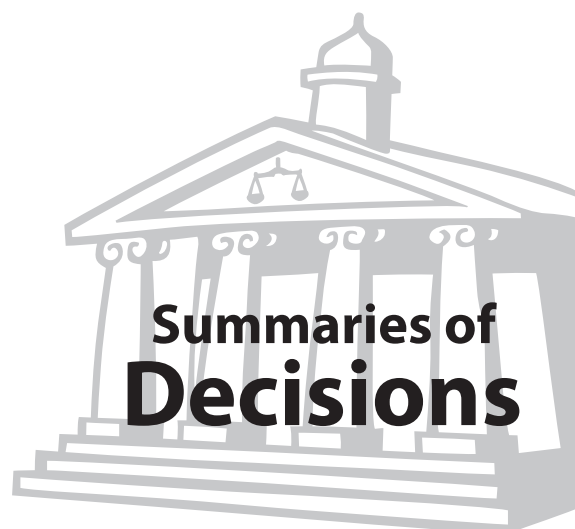
Learn more about these sessions and register to attend (**required**) on the [MNOSHA Compliance: Recordkeeping standard webpage](#).



# Workers' Compensation Court of Appeals

*May through July 2025*

Case summaries published are  
those prepared by the WCCA



## *Michael E. Hill v. Federal Express Corporation, May 5, 2025*

### **Discontinuance – NOID Statutes Construed – Minnesota Statutes § 176.239, Subdivision 6**

At an expedited administrative conference under Minnesota Statutes § 176.239, subdivision 6, an employer and insurer must show reasonable grounds to discontinue the employee's wage loss benefits.

### **Practice and Procedure – Matters at Issue Discontinuance – Matters at Issue Statutes Construed – Minn. Stat. § 176.238, Subd. 5**

At a de novo hearing on a petition to discontinue benefits under Minn. Stat. § 176.238, subd. 5, the employer and insurer must show a basis for discontinuance by a preponderance of the evidence, and the compensation judge did not err by failing to consider whether the employer and insurer had reasonable grounds for their petition to discontinue.

### **Discontinuance – Substantial Evidence**

Substantial evidence supports the compensation judge's finding that the employer and insurer had not proven that the effects of the employee's work injury had fully resolved without restrictions as they had claimed.

Affirmed

## *Linder Konneh v. Sundog Enterprises, June 5, 2025*

### **Causation – Temporary Injury**

The record as a whole, including testimony and medical record evidence, supports the compensation judge's finding that the employee suffered a temporary injury to her low back as a result of the work injury, even in the absence of expert medical opinion.

**Evidence – Medical Expert Opinion**

It was an abuse of the compensation judge's discretion to rely upon medical records with no causation discussion or analysis in finding that the employee's current right knee injury was ongoing and causally related to the work injury.

Affirmed in part, modified in part and reversed in part.

*Allen McKissic v. Bor-Son Construction, Inc., June 30, 2025*

**Appeals – Interlocutory Order**

The compensation judge's order denying a motion to dismiss a medical request is not appealable as the order did not constitute a final decision on the merits.

**Practice and Procedure – Dismissal**

An order of dismissal without prejudice does not support a later assertion of collateral estoppel or res judicata because the dismissal order does not affect the merits of the case.

Dismissed.

*Joely Johnson v. Provide Care, Inc., July 18, 2025*

**Evidence – Expert Medical Opinion**

An examination of the employee, taking a history and a review of the medical records by a doctor provide a level of knowledge sufficient to establish the doctor's competence to render an expert medical opinion.

**Evidence – Expert Medical Opinion**

Where evidence in the record supports the basis for a doctor's opinion that an employee's preexisting condition was the cause of her ongoing condition, not her work injury, the doctor's opinion does not lack foundation.

**Causation – Substantial Evidence**

Substantial evidence, including adequately founded expert medical opinion, supports the compensation judge's decision granting the employer and insurer's petition to discontinue the employee's benefits.

Affirmed.

# Minnesota Supreme Court

May through July 2025

Case summaries published are  
those prepared by the WCCA



## Workers' Compensation Decisions

### ***Bobby Lykins, by George Duranske, conservator, v. Anderson Contracting, Inc., May 21, 2025***

The Workers' Compensation Court of Appeals has discretion under Minnesota Statutes § 176.521, subdivision 3, to set aside a workers' compensation award made upon a settlement that is not valid under Minn. Stat. § 176.521, subd. 1(a).

Substantial evidence in the employee's petition to set aside an award supported a prima facie showing that the employee was an incapacitated person when he signed agreements to settle his workers' compensation claims.

Minnesota Statutes § 176.092, subd. 3, does not apply when the employee has been assigned a conservator.

In a workers' compensation proceeding involving an allegation that an employee was an incapacitated person at the time of settlement, the workers' compensation courts have subject-matter jurisdiction to determine whether the employee was incapacitated.

Where an allegation that an employee was incapacitated at the time of settlement is made in a petition to set aside an award on settlement, the matter may be referred to the Office of Administrative Hearings for assignment to a compensation judge to determine whether the employee was incapacitated at that time.

Affirmed in part; vacated in part.

### ***James Jurgensen v. Dave Perkins Contracting, Inc., June 25, 2025***

The 2024 amendments to Minnesota Statutes § 176.081, which increases the cap on attorney fees in workers' compensation cases, does not apply retroactively.

The Workers' Compensation Court of Appeals (WCCA) did not err by declining to automatically approve the requested excess fee.

Minnesota Statutes § 176.081, subdivision 1(a) (2022), which provides a presumptive cap on attorney fees, does not violate the Contracts Clause of the Minnesota Constitution.

WCCA did not err by affirming the compensation judge's denial of excess attorney fees under *Irwin v. Surdyk's Liquor*, 599 N.W.2d 132 (Minn. 1999).

Affirmed.

***Lucas Peterson v. City of Minneapolis, July 16, 2025***

The Workers' Compensation Court of Appeals did not err in affirming the compensation judge's finding that the employee has a compensable mental injury because that finding is not manifestly contrary to the evidence, which included testimony by a licensed professional psychologist that, based on the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, the employee has a present diagnosis of post-traumatic stress disorder (PTSD).

The Workers' Compensation Court of Appeals erred in addressing the employee's argument that he was entitled to compensation benefits for a diagnosis of other specified trauma and stressor-related disorder (OSTD) as a consequential mental injury of PTSD because that issue was moot given the record here, where the employee's expert psychologist opined that the employee's OSTD diagnosis was "subthreshold PTSD" and the Workers' Compensation Court of Appeals decided that the employee is entitled to compensation benefits for a present diagnosis of PTSD.

The Workers' Compensation Court of Appeals did not err in affirming the compensation judge's award of a penalty for frivolous denial of primary liability.

Affirmed in part and reversed in part.