

## Compensation claim for survivor's pension

Fill in and submit this form only after the Patient Insurance Centre has issued a positive claims decision.

**Patient Insurance Centre's claim reference number**

### Deceased person

Lastname

First name

Personal identity code

Date of death

Municipality of residence on the date of the injury

Name, address and phone number of the last employer or pension institution's name if deceased was in pension on the date of the injury

### Person applying for survivor's pension

Last name

First name

Personal identity code

Postal address

Postal code, city and country

Phone (also country code, e.g. +358 401234567)

E-mail

Name, address and phone number of the last employer or pension institution's name

## **Payment details for compensation**

Bank account number in IBAN form, 18 digits

Name of account holder

## **Child applying for survivor's pension**

If there are several children applying for survivor's pension, please provide information for the remaining children with a separate appendix. There is no specific form for the attachment; instead, the information should be written on a separate sheet of paper (preferably A4 size).

Last name

First name

Personal identity code

Postal address

Postal code, city and country

## **Payment details for compensation**

Bank account number in IBAN form, 18 digits

Name of account holder

## **Other insurance institutions paying survivor's pension**

If you have applied for survivor's pension or other corresponding benefit due to a death under a statutory insurance policy (Kela, pension institutions, motor liability insurance company, occupational accident insurance company etc. even non-Finnish) or if you have been granted survivor's pension or other corresponding benefits under such a policy, specify this matter on the application. Append copies of the issued decisions.

## Signature

The party claiming compensation must undersign this form. Otherwise, the claim will not be processed.

I affirm that all the information I have provided with this form and its appendices are correct and that I have not applied or received any other compensation for the costs and losses now claimed for from anyone else than is stated on this form and its appendices.

The Patient Insurance Centre has the right, without being prevented by provisions on personal data security, to obtain information that is necessary for handling a claim from insurance and pension institutions, authorities and other parties subject to the Act on the Openness of Government Activities (621/1999), employers, healthcare providers, parties performing rehabilitation, and parties providing social welfare services (Patient Insurance Act section 54). The Centre also has the right to obtain information on wages, salaries and benefits from the Incomes Register for the determination of the grounds for compensation and the scope of the liability to compensate (Act on the Incomes Information System, chapter 5, section 13).

## Agreement

I also agree that the tax authorities, the employers of the injured person, the pension and insurance institutions, the Finnish Centre for Pensions, Kela and other authorities may, without being prevented by non-disclosure provisions, give the Patient Insurance Centre the information, documents and decisions regarding the compensation and salary received by the claimant, which are necessary to resolve the compensation case.

Date                                  Name and signature of the applicant

## Documents to be appended

With the information acquired with this form, the Patient Insurance Centre aims to obtain the information required in the determination of the amount of the survivor's pension from the employers, tax authorities, and other insurance and compensation institutions. At your discretion, you may append a statement specifying your opinion on the appropriate amount for the survivor's pension, particularly if you feel that the statements the Patient Insurance Centre will receive from the previously specified parties will not provide an accurate understanding on your family's level of income before and after the death.

If the deceased person was an entrepreneur, the level of income used in the determination for the amount of the survivor's pension and the effect of the death to the level of income are assessed on a case-by-case basis according to the statements obtained. We request that you provide answers to the following questions as a separate appendix to serve as a basis for the assessment. Please provide information for all companies the deceased person owned (incl. agriculture and forestry companies).

1. Name of company, contact details and business ID?
2. Form and field of your business and number of employees?
3. The deceased person's and the applicant's shares of ownership in the company?
4. Share of the deceased person's and the applicant's work input in the company's business operations prior to the death?
5. Will the company continue its operations after the death?
6. Share of the applicant's work input in the company's business operations after the death?
7. How the work is organised after the death?
8. Effect of the death on the operations of the company, e.g. what work is left undone or has to be postponed?

## **Parties entitled to survivor's pension**

The parties entitled to survivor's pension under patient insurance are the parties who have a statutory right to receive maintenance from the deceased party. These parties include the deceased person's married spouse and children. In addition, for patient accidents that occur from 1 January 2016 onwards, parties who de facto received maintenance from the deceased person (e.g. cohabitant) are entitled to survivor's pension. Underaged children of the deceased are entitled to survivor's pension until they turn 18 years of age. In addition, if certain conditions are met, children of the deceased between 18 and 20 years of age who are students are entitled to survivor's pension.

## **Amount of survivor's pension**

According to chapter 5, section 4 of the Tort Liability Act, a person is entitled to compensation if they are deprived of the necessary maintenance because the person liable for the maintenance has died.

The amount of survivor's pension is determined on the basis of the income that the family would have received if the death did not occur, and the income the family will receive or could receive after the death. The amount of the income the family would have received without the death is determined on the basis of the level of income of the deceased person before their death, unless it is likely that this level is not representative of the level that the family could have achieved in the future without the death.

The purpose of the survivor's pension paid under patient insurance is not to cover the loss of income resulting from the death in its entirety. Instead, the share of the income that would have been spent by the deceased person is considered as a deduction. According to established compensation practice, 60 per cent of the family's level of income prior to the death is deemed to guarantee necessary maintenance, if the party receiving the survivor's pension is the spouse only. This amount is raised by 5 percentage points for each surviving child up to 75 per cent.

The amount of income received by the survivors and the pensions paid under other legislation are considered in determining the amount of survivor's pension as well.

## **Recommendation of Traffic Accident and Patient Injury Boards**

Under the Patient Insurance Act, the Patient Insurance Centre must request Traffic Accident and Patient Injury Board to issue a recommendation on the case, before the Centre can issue its final decision on the compensations to be paid due to a death. Therefore, the Patient Insurance Centre first issues a conditional decision on the amount of the survivor's pension, in accordance with which payment of the pension will be commenced. If the Board recommends amending the amount of the pension, a new claims decision will be issued.

## **Pension indexation**

Pensions paid under patient insurance are linked to an annually confirmed index than considers changes in the levels of pay and retail prices (Patient Insurance Act, section 28) Patient Insurance Centre.

Patient Insurance Centre

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