

(2) the surviving spouse deserts the covered employee at any time after the time of the occurrence of the accidental PERSONAL injury or the date of disablement from the occupational disease; or

(3) the surviving spouse and the covered employee:

(i) were married after the time of the occurrence of the accidental PERSONAL injury or the date of disablement from the occupational disease; and

(ii) do not have any dependent children.

9-681.

(a) If there are individuals who were wholly dependent on a deceased covered employee at the time of death resulting from an accidental PERSONAL injury or occupational disease, the employer or its insurer shall pay death benefits in accordance with this section.

(b) (2) If the average weekly wage of the deceased covered employee was less than \$25 at the time of the accidental PERSONAL injury or the last injurious exposure to the hazards of the occupational disease, the weekly death benefit payable under this section shall equal the average weekly wage of the deceased covered employee.

9-689.

(a) The employer or its insurer shall pay reasonable funeral expenses of a deceased covered employee, not exceeding \$2,500, if the covered employee died as a result of:

(1) an accidental PERSONAL injury, within 7 years of the accidental PERSONAL injury; or

(2) an occupational disease.

9-702.

Absent substantial evidence to the contrary, in a proceeding for the enforcement of a claim under this title, it is presumed that:

(1) the claim comes within this title;

(2) sufficient notice was given to the employer; and

(3) the employer or its insurer was not prejudiced by a failure to file a claim for an accidental PERSONAL injury within 60 days after the date of the accidental PERSONAL injury.

9-704.

(b) If a covered employee is injured or dies due to an accidental PERSONAL injury, oral or written notice shall be given to the employer:

(1) for injury, within 10 days after the accidental PERSONAL injury; or