н-0260.1		
	HOUSE BILL 1249	
State of Washington	53rd Legislature	1993 Regular Session

By Representatives Heavey, King, Franklin, Orr, G. Cole, Jones, Veloria, Johanson and R. Meyers

Read first time 01/20/93. Referred to Committee on Commerce & Labor.

- 1 AN ACT Relating to industrial insurance permanent partial
- 2 disability awards; and amending RCW 51.32.080.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 4 Sec. 1. RCW 51.32.080 and 1988 c 161 s 6 are each amended to read
- 5 as follows:
- 6 (1) For the permanent partial disabilities here specifically
- 7 described, the injured worker shall receive compensation as follows:
- 8 LOSS BY AMPUTATION
- 9 Of leg above the knee joint with short thigh stump
- 10 (3" or less below the tuberosity of ischium)......
- $11 \quad \$((54,000.00)) \quad 108,000.00$
- 12 Of leg at or above knee joint with functional stump.....
- ((48,600.00)) 97,200.00
- 14 Of leg below knee joint......
- 15 ((43,200.00)) 86,400.00
- 16 Of leg at ankle (Syme).....
- 17 ((37,800.00)) 75,600.00

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1	Of foot at mid-metatarsals
2	((18,900.00)) <u>37,800.00</u>
3	Of great toe with resection of metatarsal bone
4	((11,340.00)) <u>22,680.00</u>
5	Of great toe at metatarsophalangeal joint
6	((6,804.00)) <u>13,608.00</u>
7	Of great toe at interphalangeal joint
8	((3,600.00)) <u>7,200.00</u>
9	Of lesser toe (2nd to 5th) with resection of
10	metatarsal bone
11	((4,140.00)) <u>8,280.00</u>
12	Of lesser toe at metatarsophalangeal joint
13	((2,016.00)) 4,032.00
14	Of lesser toe at proximal interphalangeal joint
15	((1,494.00)) <u>2,988.00</u>
16	Of lesser toe at distalarm interphalangeal joint
17	((378.00)) <u>756.00</u>
18	Of arm at or above the deltoid insertion or by
19	disarticulation at the shoulder
20	((54,000.00)) <u>108,000.00</u>
21	Of arm at any point from below the deltoid insertion to
22	below the elbow joint at the insertion of the biceps
23	tendon
24	((51,300.00)) <u>102,600.00</u>
25	Of arm at any point from below the elbow joint distal to
26	the insertion of the biceps tendon to and including
27	mid-metacarpal amputation of the hand
28	((48,600.00)) <u>97,200.00</u>
29	Of all fingers except the thumb at metacarpophalangeal
30	joints
31	((29,160.00)) 58,320.00
32	Of thumb at metacarpophalangeal joint or with resection
33	of carpometacarpal bone
34	((19,440.00)) 38,880.00
35	Of thumb at interphalangeal joint
36	((9,720.00)) 19,440.00
37 38	Of index finger at metacarpophalangeal joint or with
38 39	resection of metacarpal bone
ンフ	((12,150.00)) 24,300.00

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1	Of index finger at proximal interphalangeal joint
2	((9,720.00)) <u>19,440.00</u>
3	Of index finger at distal interphalangeal joint
4	((5,346.00)) <u>10,692.00</u>
5	Of middle finger at metacarpophalangeal joint or with
6	resection of metacarpal bone
7	((9,720.00)) <u>19,440.00</u>
8	Of middle finger at proximal interphalangeal joint
9	((7,776.00)) <u>15,552.00</u>
10	Of middle finger at distal interphalangeal joint
11	((4,374.00)) <u>8,748.00</u>
12	Of ring finger at metacarpophalangeal joint or with
13	resection of metacarpal bone
14	((4,860.00)) 9,720.00
15	Of ring finger at proximal interphalangeal joint
16	((3,888.00)) $7,776.00$
17	Of ring finger at distal interphalangeal joint
18	((2,430.00)) 4,860.00
19	Of little finger at metacarpophalangeal joint or with
20 21	resection of metacarpal bone
22	Of little finger at proximal interphalangeal joint
23	$((\frac{1,944.00}{2}))$ 3,888.00
24	Of little finger at distal interphalangeal joint
25	((972.00)) 1,944.00
26	MISCELLANEOUS
27	Loss of one eye by enucleation
28	((21,600.00)) <u>43,200.00</u>
29	Loss of central visual acuity in one eye
30	((18,000.00)) <u>36,000.00</u>
31	Complete loss of hearing in both ears
32	((43,200.00)) <u>86,400.00</u>
33	Complete loss of hearing in one ear
34	((7,200.00)) <u>14,400.00</u>

35 (2) Compensation for amputation of a member or part thereof at a 36 site other than those above specified, and for loss of central visual

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acuity and loss of hearing other than complete, shall be in proportion 2 to that which such other amputation or partial loss of visual acuity or hearing most closely resembles and approximates. Compensation for any 3 4 other permanent partial disability not involving amputation shall be in 5 the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most 6 7 closely resembles and approximates in degree of disability such other 8 disability, compensation for any other unspecified permanent partial 9 disability shall be in an amount as measured and compared to total 10 bodily impairment: PROVIDED, That in order to reduce litigation and establish more certainty and uniformity in the rating of unspecified 11 12 permanent partial disabilities, the department shall enact rules having 13 the force of law classifying such disabilities in the proportion which the department shall determine such disabilities reasonably bear to 14 15 total bodily impairment. In enacting such rules, the department shall give consideration to, but need not necessarily adopt, any nationally 16 17 recognized medical standards or guides for determining various bodily impairments. For purposes of calculating monetary benefits, the amount 18 19 payable for total bodily impairment shall be deemed to be ((ninety)) 20 one hundred eighty thousand dollars: PROVIDED, That the total compensation for all unspecified permanent partial disabilities 21 resulting from the same injury shall not exceed the sum of ((ninety)) 22 23 one hundred eighty thousand dollars: PROVIDED FURTHER, That in case 24 permanent partial disability compensation is followed by permanent 25 total disability compensation, any portion of the permanent partial 26 disability compensation which exceeds the amount that would have been 27 paid the injured worker if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension 28 29 reserve of such injured worker and his or her monthly compensation 30 payments shall be reduced accordingly. 31

(3) Should a worker receive an injury to a member or part of his or her body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such worker, his or her compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

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(4) When the compensation provided for in subsections (1) and (2) 1 2 exceeds three times the average monthly wage in the state as computed 3 under the provisions of RCW 51.08.018, payment shall be made in monthly 4 payments in accordance with the schedule of temporary total disability payments set forth in RCW 51.32.090 until such compensation is paid to 5 the injured worker in full, except that the first monthly payment shall 6 be in an amount equal to three times the average monthly wage in the 7 8 state as computed under the provisions of RCW 51.08.018, and interest 9 shall be paid at the rate of eight percent on the unpaid balance of such compensation commencing with the second monthly payment: 10 PROVIDED, That upon application of the injured worker or survivor the 11 monthly payment may be converted, in whole or in part, into a lump sum 12 payment, in which event the monthly payment shall cease in whole or in 13 part. Such conversion may be made only upon written application of the 14 15 injured worker or survivor to the department and shall rest in the 16 discretion of the department depending upon the merits of each individual application: PROVIDED FURTHER, That upon death of a worker 17 all unpaid installments accrued shall be paid according to the payment 18 19 schedule established prior to the death of the worker to the widow or widower, or if there is no widow or widower surviving, to the dependent 20 children of such claimant, and if there are no such dependent children, 21 22 then to such other dependents as defined by this title.

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