

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1249**

Chapter 520, Laws of 1993

53rd Legislature  
1993 Regular Session

WORKERS' COMPENSATION--PERMANENT PARTIAL DISABILITY AWARDS

EFFECTIVE DATE: 5/18/93

Passed by the House April 20, 1993  
Yeas 92 Nays 5

BRIAN EBERSOLE  
**Speaker of the  
House of Representatives**

Passed by the Senate April 15, 1993  
Yeas 32 Nays 13

JOEL PRITCHARD  
**President of the Senate**

Approved May 18, 1993

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1249** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

May 18, 1993 - 10:47 p.m.

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1249**

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AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Heavey, King, Franklin, Orr, G. Cole, Jones, Veloria, Johanson and R. Meyers)

Read first time 03/03/93.

1        AN ACT Relating to industrial insurance permanent partial  
2 disability awards; amending RCW 51.32.080; and declaring an emergency.

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)(a) Until July 1, 1993, for the permanent partial disabilities  
7 here specifically described, the injured worker shall receive  
8 compensation as follows:

9

LOSS BY AMPUTATION

10 Of leg above the knee joint with short thigh stump	
11        (3" or less below the tuberosity of ischium).....	\$54,000.00
12 Of leg at or above knee joint with functional stump.....	48,600.00
13 Of leg below knee joint.....	43,200.00
14 Of leg at ankle (Syme).....	37,800.00
15 Of foot at mid-metatarsals.....	18,900.00
16 Of great toe with resection of metatarsal bone.....	11,340.00
17 Of great toe at metatarsophalangeal joint.....	6,804.00

1	Of great toe at interphalangeal joint.....	3,600.00
2	Of lesser toe (2nd to 5th) with resection of	
3	metatarsal bone.....	4,140.00
4	Of lesser toe at metatarsophalangeal joint.....	2,016.00
5	Of lesser toe at proximal interphalangeal joint.....	1,494.00
6	Of lesser toe at distal interphalangeal joint.....	378.00
7	Of arm at or above the deltoid insertion or by	
8	disarticulation at the shoulder.....	54,000.00
9	Of arm at any point from below the deltoid insertion to	
10	below the elbow joint at the insertion of the biceps	
11	tendon.....	51,300.00
12	Of arm at any point from below the elbow joint distal to	
13	the insertion of the biceps tendon to and including	
14	mid-metacarpal amputation of the hand.....	48,600.00
15	Of all fingers except the thumb at metacarpophalangeal	
16	joints.....	29,160.00
17	Of thumb at metacarpophalangeal joint or with resection	
18	of carpometacarpal bone.....	19,440.00
19	Of thumb at interphalangeal joint.....	9,720.00
20	Of index finger at metacarpophalangeal joint or with	
21	resection of metacarpal bone.....	12,150.00
22	Of index finger at proximal interphalangeal joint.....	9,720.00
23	Of index finger at distal interphalangeal joint.....	5,346.00
24	Of middle finger at metacarpophalangeal joint or with	
25	resection of metacarpal bone.....	9,720.00
26	Of middle finger at proximal interphalangeal joint.....	7,776.00
27	Of middle finger at distal interphalangeal joint.....	4,374.00
28	Of ring finger at metacarpophalangeal joint or with	
29	resection of metacarpal bone.....	4,860.00
30	Of ring finger at proximal interphalangeal joint.....	3,888.00
31	Of ring finger at distal interphalangeal joint.....	2,430.00
32	Of little finger at metacarpophalangeal joint or with	
33	resection of metacarpal bone.....	2,430.00
34	Of little finger at proximal interphalangeal joint.....	1,944.00
35	Of little finger at distal interphalangeal joint.....	972.00

36 MISCELLANEOUS

37	Loss of one eye by enucleation.....	21,600.00
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1	Loss of central visual acuity in one eye.....	18,000.00
2	Complete loss of hearing in both ears.....	43,200.00
3	Complete loss of hearing in one ear.....	7,200.00

4        (b) Beginning on July 1, 1993, compensation under this subsection  
5 shall be computed as follows:

6        (i) Beginning on July 1, 1993, the compensation amounts for the  
7 specified disabilities listed in (a) of this subsection shall be  
8 increased by thirty-two percent; and

9        (ii) Beginning on July 1, 1994, and each July 1 thereafter, the  
10 compensation amounts for the specified disabilities listed in (a) of  
11 this subsection, as adjusted under (b)(i) of this subsection, shall be  
12 readjusted to reflect the percentage change in the consumer price  
13 index, calculated as follows: The index for the calendar year  
14 preceding the year in which the July calculation is made, to be known  
15 as "calendar year A," is divided by the index for the calendar year  
16 preceding calendar year A, and the resulting ratio is multiplied by the  
17 compensation amount in effect on June 30 immediately preceding the July  
18 1st on which the respective calculation is made. For the purposes of  
19 this subsection, "index" means the same as the definition in RCW  
20 2.12.037(1).

21        (2) Compensation for amputation of a member or part thereof at a  
22 site other than those ((above)) specified in subsection (1) of this  
23 section, and for loss of central visual acuity and loss of hearing  
24 other than complete, shall be in proportion to that which such other  
25 amputation or partial loss of visual acuity or hearing most closely  
26 resembles and approximates. Compensation shall be calculated based on  
27 the adjusted schedule of compensation in effect for the respective  
28 time period as prescribed in subsection (1) of this section.

29        (3)(a) Compensation for any other permanent partial disability not  
30 involving amputation shall be in the proportion which the extent of  
31 such other disability, called unspecified disability, shall bear to  
32 ((that above)) the disabilities specified in subsection (1) of this  
33 section, which most closely resembles and approximates in degree of  
34 disability such other disability, and compensation for any other  
35 unspecified permanent partial disability shall be in an amount as  
36 measured and compared to total bodily impairment((: PROVIDED, That in  
37 order)). To reduce litigation and establish more certainty and  
38 uniformity in the rating of unspecified permanent partial disabilities,

1 the department shall enact rules having the force of law classifying  
2 such disabilities in the proportion which the department shall  
3 determine such disabilities reasonably bear to total bodily impairment.  
4 In enacting such rules, the department shall give consideration to, but  
5 need not necessarily adopt, any nationally recognized medical standards  
6 or guides for determining various bodily impairments.

7 (b) Until July 1, 1993, for purposes of calculating monetary  
8 benefits under (a) of this subsection, the amount payable for total  
9 bodily impairment shall be deemed to be ninety thousand dollars(~~(+  
10 PROVIDED, That))~~). Beginning on July 1, 1993, for purposes of  
11 calculating monetary benefits under (a) of this subsection, the amount  
12 payable for total bodily impairment shall be adjusted as follows:

13 (i) Beginning on July 1, 1993, the amount payable for total bodily  
14 impairment under this section shall be increased to one hundred  
15 eighteen thousand eight hundred dollars; and

16 (ii) Beginning on July 1, 1994, and each July 1 thereafter, the  
17 amount payable for total bodily impairment prescribed in (b)(i) of this  
18 subsection shall be adjusted as provided in subsection (1)(b)(ii) of  
19 this section.

20 (c) Until July 1, 1993, the total compensation for all unspecified  
21 permanent partial disabilities resulting from the same injury shall not  
22 exceed the sum of ninety thousand dollars(~~(+ PROVIDED FURTHER, That in  
23 ease))~~). Beginning on July 1, 1993, total compensation for all  
24 unspecified permanent partial disabilities resulting from the same  
25 injury shall not exceed a sum calculated as follows:

26 (i) Beginning on July 1, 1993, the sum shall be increased to one  
27 hundred eighteen thousand eight hundred dollars; and

28 (ii) Beginning on July 1, 1994, and each July 1 thereafter, the sum  
29 prescribed in (b)(i) of this subsection shall be adjusted as provided  
30 in subsection (1)(b)(ii) of this section.

31 (4) If permanent partial disability compensation is followed by  
32 permanent total disability compensation, any portion of the permanent  
33 partial disability compensation which exceeds the amount that would  
34 have been paid the injured worker if permanent total disability  
35 compensation had been paid in the first instance, shall be deducted  
36 from the pension reserve of such injured worker and his or her monthly  
37 compensation payments shall be reduced accordingly.

38 ~~((+3+))~~ (5) Should a worker receive an injury to a member or part  
39 of his or her body already, from whatever cause, permanently partially

1 disabled, resulting in the amputation thereof or in an aggravation or  
2 increase in such permanent partial disability but not resulting in the  
3 permanent total disability of such worker, his or her compensation for  
4 such partial disability shall be adjudged with regard to the previous  
5 disability of the injured member or part and the degree or extent of  
6 the aggravation or increase of disability thereof.

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

30 (7) Awards payable under this section are governed by the schedule  
31 in effect on the date of injury.

32 NEW SECTION. Sec. 2. This act is necessary for the immediate  
33 preservation of the public peace, health, or safety, or support of the  
34 state government and its existing public institutions, and shall take  
35 effect immediately.

Passed the House April 20, 1993.

Passed the Senate April 15, 1993.

Approved by the Governor May 18, 1993.

Filed in Office of Secretary of State May 18, 1993.