Follow-up Information from Research Analysts
Material in response to questions raised at the January 9, 2015 MAC meeting

Contacts: Gary.A.Helmer@Oregon.gov - 503-947-7325, Donald.P.Gallogly@Oregon.gov - 503-947-7020
Information Technology and Research Section – Department of Consumer and Business Services

1. General information

We publish a report about the workers' compensation system. It is the *Report on the Oregon Workers' Compensation System* at
http://www4.cbs.state.or.us/ex/imd/external/reports/index.cfm?fuseaction=dir&ItemID=2000

The 2014 report will be posted shortly.

2. Average PPD awards and average CDA awards

Data on average PPD awards and on average CDA awards is attached; see page 2.

3. Return-to-work and benefit comparisons with other states

These studies take a large amount of effort, so they are usually confined to individual states. Two recent studies are described below.

The first looks at New Mexico claimants injured between 1994 and 2000. The goal was to measure wage loss 10 years after injury. The comparison set was the set of medical-only claims; in New Mexico, medical-only claims are those claims with less than 7 days away from work. The study uses federal wage data, so claimants who moved out of New Mexico or became self employed could still be tracked. See pp. 3-4.

The second is one of a series of worker outcomes reports that have been done for a number of states by the Workers' Compensation Research Institute. This report was done for Connecticut. It consisted of an injured worker survey done in 2014 for 2011 injuries. The use of the survey permitted the inclusion of a wide range of variables. The executive summary and a table listing the major findings are attached; see pp. 5-7.

4. PPD benefits in Oregon and other states

The International Association of Industrial Accident Boards and Commissions (IAIABC) and the Workers' Compensation Research Institute (WCRI) publish an annual report on workers' compensation laws. The attached pdf is taken from *Workers' Compensation Laws as of January 1, 2014*, pp 38-49.

5. Effect of EAIP on temporary disability

We are looking at this issue, but we do not have anything ready at this time.

Average PPD awards and average CDA awards

Year	Claims resolved by closure, with PPD	Percentage of closed claims with PPD	Average PPD award	CDAs approved	Average CDA award
2000	6,937	29.0%	$7,767	3,144	$12,691
2001	7,004	29.6%	$8,291	3,143	$12,504
2002	6,712	30.3%	$8,554	3,207	$14,001
2003	6,223	29.8%	$9,081	3,040	$13,553
2004	6,285	30.0%	$9,567	2,869	$15,267
2005	6,272	30.7%	$9,976	2,923	$14,950
2006	6,347	29.5%	$9,563	2,954	$17,671
2007	6,336	28.7%	$9,769	3,050	$17,213
2008	6,021	28.7%	$10,157	3,182	$19,673
2009	5,726	30.8%	$10,515	3,446	$18,746
2010	5,001	29.1%	$10,743	3,304	$19,885
2011	4,774	27.9%	$10,847	3,180	$20,818
2012	4,704	27.0%	$10,454	2,956	$19,790
2013	4,647	26.3%	$11,112	3,025	$20,298

About 26 percent of claims that resolved by closure in 2013 received permanent partial disability awards, a historical low that continues the recent declining trend.

In 2013, the average award for those claims was $11,112, continuing the generally upward trend, which is mostly due to statutory increases. The effects of a 2003 law change that instituted a formula for benefit level changes began to account for most PPD awards in 2006.

These PPD data are reported by the year of the last claim closure. The average awards include the initial awards made by insurers and the net amounts that were awarded during the appeal process, summed over all claim closures. Data will change as claims are opened and closed.

Closed claims do not include initial claims resolved by claim disposition agreement, none of which receive a PPD award but all of which release future PPD liability. The upward trend for claims resolved by initial-claim CDA accounts for some of the decline in the number of PPD claims.

SB 1197 authorized claim disposition agreements CDAs in 1990. In 2013, 3,025 CDAs were approved. A total of $61.4 million was paid, an average of about $20,300.

Notes: the CDA shown here are all approved CDAs, not just initial-claim CDAs. Also, the averages include claimant attorney fees.

Source: *Report on the Oregon Workers' Compensation System , 2014.*

Using Linked Federal and State Data to Study the Adequacy of Workers' Compensation Benefits

Seth A. Seabury, PhD, Ethan Scherer, MPP, Paul O'Leary, PhD, Al Ozonoff, PhD, and Leslie Boden, PhD

AMERICAN JOURNAL OF INDUSTRIAL MEDICINE 57:1165–1173 (2014)

Background We combined federal and state administrative data to study the long-term earnings losses associated with occupational injuries and assess the adequacy of workers' compensation benefits.
Methods We linked state data on workers' compensation claims from New Mexico for claimants injured from 1994 to 2000 to federal earnings records from 1987 to 2007. We estimated earnings losses up to 10 years after injury and computed the fraction of losses replaced by benefits.
Results Workers with lost-time injuries lost an average of 15% of their earnings over the 10 years after injury. On average, workers' compensation income benefits replaced 16% of these losses. Men and women had similar losses and replacement rates. Workers with minor injuries had lower losses but also had lower replacement rates.
Conclusion Earnings losses after an injury are highly persistent, even for comparatively minor injuries. Income benefits replace a smaller fraction of those losses than previously believed.

Selected portions of the text:

This research takes advantage of a dataset linking state workers compensation data from New Mexico to federal earnings data from the Social Security Administration (SSA) and the Internal Revenue Service (IRS) for 3 years before and up to 10 years after a workplace injury. The dataset allows the evaluation of the long-term earnings losses and replacement rates of injured workers and test for systematic differences in self-employment before and after an injury.

We used multivariable regression to estimate the post-injury difference in earnings between injured and comparison workers while controlling for observed and unobserved factors that could influence earnings. All dollar values were normalized to year 2007 dollars using the West Region Consumer Price Index (CPI).

We used the medical-only cases in our data as comparison workers. Because these medical-only cases involve seven or fewer lost days, the underlying severity of the injuries is (presumably) low and should result in little long-term physical impairment.

The workers' compensation and IRS earnings data provide a rich set of covariates, including gender, age, firm size, job tenure, and pre-injury employment and wage patterns. The covariates we included in the regression model are:

- the variability of pre-injury earnings as measured by the coefficient of variation (standard deviation divided by the mean) over the entire pre-injury period, by quartile,

- the number of years employed in the prior eight years before injury,
- the size of the at-injury employer, based on the total number of workers in the U.S.,
- industry, two-digit Standard Industrial Classifications (SIC),
- whether the worker was in the public or private sector at the time of injury,
- tenure at the firm at the time of injury, and
- age at the time of injury, in 5-year intervals.

To estimate the cumulative earnings losses over the 10 years post-injury, we calculated the present discounted value (PDV) of the sum of the estimated differences from the individual years.

Because workers' compensation benefits are not taxed, we estimated both the before-tax and after-tax replacement rate. The after-tax calculation uses average marginal tax rates for wages at the state and federal level using the TAXSIM model … compiled by the National Bureau of Economic Research for the state of New Mexico …. Our sample of workers has lower wages than the average in the state. As a result, our estimates reflect higher marginal tax rates than actually experienced by injured workers and these rates leads to lower after-tax income. Thus, our replacement rate estimates will likely over-represent after-tax workers' compensation benefits and thus will produce more conservative estimates of earnings losses.

Results

TABLE II. Cumulative Earnings Losses and Replacement Rates Ten Years After the Year of Injury

	Years from injury	Earnings losses (2007$)	Potential uninjured earnings (2007$)	Proportional earnings loss (%)	Total indemnity (2007$)	Replacement rate	
						Before-tax (%)	After-tax (%)
By gender							
Males	10	38,725	262,732	15	5,553	13	17
Females	10	30,541	188,796	16	3,737	11	15
By gender and injury severity							
Males							
Moderate TTD	10	27,396	264,072	10	826	3	4
Severe TTD	10	45,042	258,503	17	6,638	15	20
PPD	10	58,122	303,666	19	14,395	25	35
Females							
Moderate TTD	10	21,287	193,605	11	646	3	4
Severe TTD	10	36,869	183,245	20	4,857	13	18
PPD	10	46,783	213,775	22	9,704	21	28

Note: The present discounted value is calculated using a 0.029 discount rate beginning the year of injury. After tax calculation uses average tax rates for wages at the state and federal level compiled by the National Bureau of Economic Research (http://www.nber.org/taxsim/~taxsim/ally/).

The proportional earnings loss is the earnings losses divided by the potential uninjured earnings. The replacement rate is the total indemnity divided by the earnings losses.

Predictors of Worker Outcomes in Connecticut
Bogdan Savych, Vennela Thumala, Richard A. Victor
Workers' Compensation Research Institute, WC-15-03, January 2015

EXECUTIVE SUMMARY

This study examines key outcomes achieved by injured workers in Connecticut and 11 other states. The primary focus is on the predictors of worker outcomes. This study is the ninth in a series of studies of the outcomes of injured workers in a growing number of states. The outcomes analyzed are typically important to many workers when they have a workplace injury.[1]

- Recovery of physical health and functioning
- Return to work
- Earnings recovery
- Access to medical care
- Satisfaction with medical care

Not coincidently, these outcomes are commonly raised in significant public policy debates about the performance of the workers' compensation systems. However, these are often raised by advocates in the form of assertions or anecdotes. The Workers Compensation Research Institute (WCRI) worker outcomes studies seek to ground those discussions in data on the outcomes achieved by workers.

This study is part of Phase 2 of a four-phase study. The objective of Phases 1 and 2 of this study is to identify important predictors of these worker outcomes. By *predictors* we mean factors that demonstrate a strong statistical association with better or poorer outcomes. This statistical association may also be causal, but may not be.[2]

In distinguishing these predictors, we identify factors that may help public officials, payors, and health care providers to better predict which cases are more likely to have poorer outcomes. For example, if we found that workers who were diabetic were more likely to have slower returns to work, then payors might want to evaluate the effectiveness of targeting special interventions to facilitate return to work, and health care providers might want to assess if coordination of care is necessary in cases where the doctor treating the back pain is different from the doctor who is treating the patient's diabetes.

The study examines outcomes of Connecticut workers who were injured in 2011 and interviewed in 2014. We also include information for workers injured in 11 other states: Arkansas, Indiana, Iowa, Massachusetts, Michigan, Minnesota, North Carolina, Pennsylvania, Tennessee, Virginia, and Wisconsin.[3]

Looking ahead, the objective of Phase 3 is to benchmark the outcomes achieved by injured workers in

different states. Equipped with this information, policymakers and stakeholders will be armed with more robust information with which to debate future system enhancements. In Phase 4, we expect to revisit states that had significant system reforms in order to measure the impact of those reforms on worker outcomes.

In this study, we analyze a wide range of possible predictors, some of which are based on data that are not usually available in workers' compensation data systems.

- Injury characteristics
- Unrelated health conditions or comorbidities
- Worker characteristics
- Attributes of the work environment
- Local labor market conditions

The major predictors found to be significant in the statistical analysis were:

- Recovery of physical health and functioning: measure of trust in the work relationship, workers' age, and educational attainment.
- Return to work: injury type and severity, measure of trust in the work relationship, workers' age, educational attainment, tenure, and comorbidities (hypertension and heart problems).
- Earnings recovery: injury type and severity and measure of trust in the work relationship.
- Access to medical care: injury type and severity, measure of trust in the work relationship, and workers' English language proficiency.
- Satisfaction with medical care: injury type and severity, measure of trust in the work relationship, and workers' English language proficiency.

PREDICTORS ANALYZED

We analyze a large and diverse set of predictors, including:

Table 1.1 Predictors Examined in This Study

Category	Examples
Injury characteristics	Severity, type
Unrelated health conditions	Diabetes, hypertension, heart problems, lung conditions, smoking history, prior work injury
Worker characteristics	Education, language proficiency, age, gender, marital status, stable job history
Work environment	Job satisfaction; trust; industry; job tenure; wage level; part-time, hourly, or salaried
Labor market conditions	Local unemployment rate, urbanization

Table 5.1 Case-Mix Adjustment Variables

Variable	Strength of Relationship with Outcome Variables
Worker demographics	
Age	Predictor of recovery, return to work, duration of disability, earnings losses, and some measures of satisfaction with provider
Gender	Not a strong predictor once we account for other correlates
Marital status	Not a strong predictor of outcomes
Education	Predictor of recovery, return to work, and duration of disability
Language chosen to be interviewed	Predictor of satisfaction with care and provider
Employment characteristics	
Tenure with employer	Predictor of return to work
Wage	Predictor of recovery and return to work
Part-time status	Predictor of return to work and duration of disability
Hourly worker	Predictor of duration of disability
Multiple employers in the year before injury	Not a strong predictor once we account for other correlates
Satisfaction with job at the time of injury	Predictor of recovery, return to work, and satisfaction with care
Worker was concerned that he/she would be fired or laid off	Predictor of all measures included in this report
Employer's payroll size	Predictor of satisfaction with care, but not a statistically strong predictor of other outcomes
Industrial classification	Predictor of duration of disability, but not a statistically strong predictor of other outcomes
Metropolitan statistical area	Predictor of return to work
Injury characteristics	
Nature of injury	Predictor of all measures included in this report
Perceived severity	Predictor of all measures included in this report
Comorbidities	
Cancer	Not a strong predictor once we account for other correlates
Diabetes	Predictor of earnings losses and satisfaction with care
Heart problems	Predictor of recovery, return to work, and satisfaction with care
Hypertension	Predictor of return to work
Lung conditions	Not a strong predictor once we account for other correlates
Smoking history	Predictor of duration of disability
Other	
Unemployment rate	Predictor of return to work

TABLE 6. PERMANENT PARTIAL DISABILITY BENEFITS PROVIDED BY WORKERS' COMPENSATION SYSTEMS AS OF JANUARY 1, 2014

Information on the approach used for the payment and calculation for permanent partial disability (PPD) benefits, the maximum and minimum, any limitations placed on unscheduled injuries and, if a rating guide is used, which one.

Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Alabama	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity; unscheduled PPD based on functional impairment alone; benefits are paid more like a percentage of PTD	66 2/3% AWW	N/A	None	$220.00	Statutory cap of $220	300 weeks	No	N/A
Alaska	Scheduled permanent partial impairment benefits (1)	N/A	% of impairment x $177,000	(2)	(2)	120% of the state average weekly wage	No unscheduled PPD	Yes	6th Edition
Arizona	Statutory scheduled PPD benefits; benefits based on functional impairment or total loss; unscheduled PPD benefits based on actual wage loss/loss of earning capacity plus other factors, such as age, education, occupation, work experience, limitations	N/A	Based on the employee's established average monthly wage	No minimum (3)	$736.83 for scheduled injuries; for unscheduled injuries, N/A	75% of maximum average monthly wage of $4,256.94, if unable to return to date of injury job for scheduled injuries; for unscheduled injuries, 55% difference between maximum average monthly wage and earning capacity	Payable for life unless rearranged by Industrial Commission	Yes	Latest edition
Arkansas	Statutory scheduled PPD benefits based on objective anatomical rating based on AMA Guides, 4th Edition; unscheduled PPD benefits; benefits based on objective anatomical rating based on AMA Guides, 4th Edition plus other wage-loss disability factors, such as age, education, and occupation	75% of TTD rate; 100% of TTD rate if total loss or amputation of scheduled injury	N/A	$20.00	$463.00	75% of 85% of the SAWW	450 week maximum for all disability (4)	Yes	4th Edition
California	Statutory scheduled PPD benefits; PD level translates to number of weeks as set by legislature	2/3 of AWW, subject to minimum and maximum rates	N/A	$160.00	$290.00	Set by legislature	N/A	Yes	5th Edition
Colorado	Statutory scheduled PPD benefits; unscheduled PPD benefits based on functional impairment plus age and TTD rate (5)	% of PPD x age factor x TTD rate x 400 weeks (5)	% of PPD x age factor x TTD rate x 400 weeks (5)	None	$275.10 is set weekly rate for all scheduled injuries; $875.42 weekly is maximum for calculating unscheduled injuries	Legislature set the scheduled maximum which increases each July 1st based on increase in the SAWW unscheduled weekly maximum is paid at the TTD rate but not more than 50% of the SAWW at the time of injury (5)	400 weeks (6)	Yes	3rd Edition (revised)
Connecticut	Statutory scheduled PPD benefits	75% of spendable, after-tax, or net wages	N/A	$50.00	$985.00	100% production wage	520 weeks	No	N/A
Delaware	Statutory scheduled PPD benefits; benefits based on actual wage losses; unscheduled PPD based on functional impairment alone; injured worker can receive both TTD/TPD benefits while receiving PPD benefits	Number of weeks multiplied by the injured worker's AWW fixed at the date of the permanent impairment	N/A	$220.26	$660.79	66 2/3% of the SAWW	300 weeks	No	N/A
District of Columbia	Statutory scheduled PPD benefits; benefits based on actual wage losses	66 2/3% of the worker's AWW	N/A	$360.20	$1,441.80	100% of the D.C. employed average weekly wage	500 week limit for all disability; worker may petition for an additional 167 weeks	Yes	Most recent edition of the AMA guides

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Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Florida	Statutory scheduled PPD benefits; benefits paid at 75% of the average TTD (reduced by 50% if return to work at same or higher preinjury wages)	75% of the average TTD rate, reduced by 50% if wages are equal to or higher than preinjury	N/A	$20 or actual wages if AWW less than $20	$827.00	100% of the SAWW	2 weeks for each % of impairment from 1–10%; 3 weeks from 11–15%; 4 weeks from 16–20%; and 6 weeks for each rating over 21%	Yes, the Florida Impairment Rating Guide	N/A
Georgia	Statutory scheduled PPD benefits	Paid at TTD rate	N/A	$50.00	$525.00	Set by the legislature	300 weeks	Yes	5th Edition
Hawaii	Statutory scheduled PPD benefits; unscheduled PPD based on functional impairment alone; unscheduled PPD benefits based on functional impairment plus other disability factors, such as age, education, and occupation	The pay out is based on the average weekly wage multiplied by 66 2/3%	N/A	$194.00	$777.00	100% of the SAWW	312 weeks	Yes	5th Edition
Idaho	Statutory scheduled PPD benefits (55% of the average weekly state wage for the year of injury); benefits based on an estimated loss of wage-earning capacity (based on a % of loss of labor market); unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation (based on medical and non-medical factors)	55% of the average weekly state wage for the year of injury	N/A	$376.20	55% of the average weekly state wage for the year of injury (7)	55% of the average weekly state wage for the year of injury	500 weeks	No	N/A
Illinois	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity; unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation	Multiply employee's AWW times 60%, subject to max. and min. levels	N/A	$220.00	$721.66	Multiply previous maximum times change in SAWW	500 weeks	Yes	Most recent
Indiana	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Iowa	Statutory scheduled PPD benefits; benefits based on an estimated loss of wage-earning capacity; unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation; unscheduled PPD benefits using a tiered approach, where the rating takes into account return-to-work status (whether release to work or actual return to work)	80% of the worker's spendable, after-tax, or net weekly wages	N/A	Based on AWW of $270.00 and the employee's marital status and number of entitled exemptions	$1,419.00	184% of the SAWW	500 weeks	No (8)	N/A
Kansas	Statutory scheduled PPD benefits; nonscheduled PPD benefits; work disability benefits based on average actual wage losses and task loss	66 2/3% of preinjury AWW up to the maximum	N/A	$25.00	$587.00	75% of the SAWW	415 weeks	Yes	4th Edition

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Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Kentucky	Unscheduled PPD benefits based upon permanent impairment rating and statutory modifiers	66 2/3% worker's AWW subject to maximum of 75% of the SAWW x permanent impairment rating as determined by AMA Guides x statutory grid factor contained in KRS 342.730(1)(b) x other specific factors if applicable	N/A	None	$576.80	75% of the SAWW	425 weeks if disability rating is 50% or less; 520 weeks if disability rating is over 50%; limited to qualification for normal old age Social Security; no scheduled benefits	Yes	5th Edition
Louisiana	Statutory scheduled PPD benefits	66 2/3% of the difference between pre- and post-accident AWW, calculated monthly and subject to the maximum	Monthly payment based on the difference between what the employee can earn and what he or she earned at the time of injury multiplied by 66 2/3%	$165.00	$619.00	75% of the SAWW	520 weeks	No	N/A
Maine	Statutory scheduled PPD benefits; benefits based on an estimated loss of wage-earning capacity (9)	1/1/1993–12/31/2012: 80% of the worker's spendable, after-tax, or net wage; 1/1/2013 and after: 2/3 of average gross weekly wages	N/A	None	DOI 1/1/1993–12/31/2012: $717.90; DOI on/after 1/1/2013: $728.63	DOI 1/1/1993–12/31/2012: 90% of the SAWW; DOI on/after 1/1/2013: 100% SAWW	1/1/1993–12/31/2012: 520 weeks or for duration of disability if PI rating is greater than a threshold of approximately 13.4%; on/after 1/1/2013: 520 weeks; longer if PI > 18% & earning 65% or less of AWW & worked 12 months out of 24-month period before benefits end	Yes	4th Edition
Maryland	Statutory scheduled PPD benefits; unscheduled PPD based on functional impairment plus other disability factors such as age, education, and occupation; unscheduled PPD benefits using a tiered approach, where the rating takes into account return-to-work status (whether release to work or actual return to work)	(10)	(10)	$50.00 or the AWW of the covered employee, if the AWW is less than $50.00	$749.00	75% of the SAWW	None	Yes	4th Edition
Massachusetts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Michigan	None	No scheduled PPD paid	N/A	N/A	N/A	N/A	N/A	No	N/A
Minnesota	Statutory scheduled PPD benefits	Percentage of disability times statutory dollar amounts	N/A	$130 or the worker's actual weekly wage, whichever is less	102% of SAWW	By statutory formula	Rated by analogy to similar scheduled injury	No (11)	N/A
Mississippi	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity	Wage difference or medical impairment rating if injury is scheduled	N/A	No minimum	$449.12	66 2/3% x SAWW	450 weeks	Yes	Most current

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Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Missouri	PPD benefits are a lump sum based on the weekly statutory value assigned to the injured body part	66 2/3% of worker's preinjury average weekly wage, not to exceed 55% of the SAWW	N/A	$40.00	$446.85	55% of the SAWW	400 weeks	No	N/A
Montana	Awards PPD benefits only to injured workers who suffer a whole person impairment rating greater than zero and a wage loss or to injured workers with a Class 2 or greater impairment rating converted to a whole person and no wage loss	66 2/3% of preinjury wage	N/A	None	$349.00	50% of the SAWW	400 weeks	Yes	6th Edition
Nebraska	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity; unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation	66 2/3% of the worker's AWW	N/A	$49.00	$747.00	100% of the SAWW	300 weeks	No	N/A
Nevada	Statutory scheduled PPD benefits; benefits based on actual wage losses (note maximum compensation limits); benefits are paid more like a percentage of PTD	66 2/3% of the worker's AWW	0.666% of the workers' average monthly wage is paid for each 1% of disability as rated under the AMA Guides	No minimum	$811.09	150% of the SAWW	PPD benefits paid for 5 years or to age 70, whichever is later	Yes	5th edition
New Hampshire	Statutory scheduled PPD benefits	60% of AWW multiplied by number of weeks for scheduled body part percentage	N/A	$276.60	$1,383.00	150% of the SAWW	350 weeks for a whole-person award	Yes	5th Edition
New Jersey	Statutory scheduled PPD benefits	70% of the worker's preinjury weekly wage	N/A	$35.00	$843.00	75% of the SAWW	600 weeks	No	N/A
New Mexico	Statutory scheduled PPD benefits, plus other disability factors, such as age, education and physical capacity	66 2/3% of the worker's AWW	N/A	None	$759.89	100% of the SAWW	500 weeks if the rating is less than 80%, 700 weeks if rating is greater	Yes	Most recent edition
New York	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity; unscheduled PPD based on functional impairment plus vocational factors such as age, education, skills, English proficiency, and occupation	(12)	N/A	$150.00 (13)	$803.21	Weekly maximum benefit is 2/3 of the New York SAWW (14)	$421,685.25 (15)	No	N/A
North Carolina	(16)	66 2/3% of the worker's preinjury wage	N/A	$30 for scheduled injuries	$912 for scheduled injuries	110% of SAWW	$20,000	Yes	NC Rating Guide Used
North Dakota	Statutory scheduled PPD benefits; unscheduled PPD based on functional impairment alone	The PPI benefit is 35% of the SAWW in effect on the date of the impairment evaluation (17)	PPI rate multiplied by the permanent impairment multiplier tied to the percentage whole body impairment	PPI rate multiplied by the permanent impairment multiplier; minimum body impairment percentage of 14%; paid as lump sum	PPI rate multiplied by the permanent impairment multiplier; maximum body impairment percentage of 100%; paid as lump sum	35% of the SAWW	100% impairment based on lump-sum payment	Yes	6th Edition

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Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Ohio	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity	33 1/3% of the AWW; two weeks of %PP for each percent of impairment	N/A	No minimum	$283.00	33 1/3% of the SAWW	200 weeks	No	By policy, 5th Edition
Oklahoma (18)	Statutory scheduled PPI benefits; unscheduled PPI based on functional impairment alone (unscheduled PPI is calculated as a percentage of 500 weeks)	70% of the employee's AWW not to exceed 50% of the SAWW	N/A	$150.00	$323.00	50% of the SAWW	500 weeks	Yes	AMA Guide in effect on date of injury
Oregon	Statutory scheduled PPD benefits (19); benefits based on actual wage losses (20); work-disability benefits are based on socio-economic factors (21); impairment benefits portion of PPD based on loss of functional impairment alone (22)	(23)	(24)	N/A	N/A	100% SAWW for impairment and 133% of the SAWW for work loss	$330,499.66	No	Oregon has its own disability rating standards
Pennsylvania	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	Most recent edition
Rhode Island	Loss of use and loss of hearing	Weekly payment based on 50% of the AWW	N/A	$90.00	$180.00	Per statute 28-33-19, 1/2 the average weekly earnings but no more than $180 and no less than $90	500 weeks	No	N/A
South Carolina	Statutory scheduled PPD benefits; benefits based on actual wage losses; unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation	66 2/3% of the AWW	N/A	N/A	Depends on scheduled body part	100% of the SAWW	340 weeks	No	N/A
South Dakota	Statutory scheduled PPD benefits; unscheduled PPD based on functional impairment alone	66 2/3% of the worker's AWW	N/A	$346.00	$691.00	100% of the SAWW	312 weeks	Yes	6th Edition
Tennessee	Statutory scheduled PPD benefits; unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation; unscheduled PPD benefits using a tiered approach, where the rating takes into account return-to-work status (whether release to work or actual return to work)	Percentage of the disability multiplied by the maximum scheduled weeks multiplied by 2/3 of AWW, up to the SAWW	N/A	$125.25	$835.00	100% of the SAWW	400 weeks	Yes	6th Edition
Texas	Unscheduled PPD based on functional impairment alone	70% of AWW, subject to maximums and minimums	N/A	$127.00	$595.00	70% of the SAWW	300 weeks	Yes	4th Edition
US Federal Programs - FECA	Statutory scheduled PPD benefits; benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity	Based on pay rate on date of injury, date disability began, or date disability recurred	N/A	GS-2, step 1	GS-15, step 10	Maximum and minimum are based on federal GS pay schedules	None	Yes	No (25)
US Federal Programs - Longshore	Statutory scheduled PPD benefits; benefits based on an estimated loss of wage-earning capacity	66 2/3% of the worker's AWW	2/3 of difference between the wage at injury and the postinjury wage	None	$1,346.68	200% of the national AWW	None	Yes, for hearing loss or pulmonary cases only	Not specified
Utah	Statutory scheduled PPD benefits; for amputations, total loss of sight or hearing in one or both eyes or ears is set in statute (34A-2-412, Utah Code Annotated)	Weekly PPD is 66 2/3% of the worker's AWW, not to exceed 66 2/3% of the SAWW	N/A	$45.00	$521.00	66 2/3% of the SAWW	312 weeks	Yes	(26)

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TABLE 6. PERMANENT PARTIAL DISABILITY BENEFITS PROVIDED BY WORKERS' COMPENSATION SYSTEMS AS OF JANUARY 1, 2014

Information on the approach used for the payment and calculation for permanent partial disability (PPD) benefits, the maximum and minimum, any limitations placed on unscheduled injuries and, if a rating guide is used, which one.

Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Vermont	Unscheduled PPD based on functional impairment alone (27); schedule by administrator for injuries not rated by AMA 5th Edition Guidelines	66 2/3% of AWW	N/A	$389.00	$1,166.00	150% of the SAWW	405 weeks for non-spinal; 550 weeks spinal	Yes	5th Edition
Virginia	Statutory scheduled PPD benefits (28)	66 2/3% of the worker's AWW	N/A	$238.75	$955.00	100% of the SAWW	None	No	N/A
Washington	Statutory scheduled PPD benefits; benefits based on an estimated loss of wage-earning capacity	N/A	When award exceeds three times the SAMW, down payment made in that amount; benefits are then paid monthly based on the TTD schedule	$43.19	$1,178.59 for DOI prior to 7/1/2011; $1,162.07 for DOI 7/1/2011–6/30/2012; $1,164.17 for DOI 7/1/2012–6/30/2013; $1,203.86 for DOI on or after 7/1/2013	Set by statute	$194,446.65	Yes	5th Edition
West Virginia	Statute sets forth a schedule of PPD awards for certain specific amputation/loss injuries	66 2/3% of the worker's AWW, not to exceed 70% of the average weekly wage in West Virginia	N/A	Federal minimum wage	$497.97	70% of the SAWW	None	Yes	4th Edition
Wisconsin	Statutory scheduled PPD benefits; benefits based on actual wage losses; unscheduled PPD based on functional impairment alone	66 2/3% of the worker's AWW	N/A	$20.00 (29)	$322.00	Set by the legislature	1,000 weeks	No	N/A
Wyoming	Benefits based on actual wage losses	Must be less than 95% of preinjury wage before eligible for PPD	(30)	Dependent on date of injury	Dependent on date of injury	SAWW on the date of injury	None	Yes	Most current
Canadian Jurisdictions Participating (stated in Canadian currency)									
British Columbia	Statutory schedule for non-traumatic hearing loss (31); benefits based on an estimated loss of wage-earning capacity (32); unscheduled PPD based on functional impairment plus other disability factors, such as age, education, and occupation (33); benefits are paid more like a percentage of PTD (in the majority of cases)	(34)	(35)	$381.38 (36)	$1,006.40	(37)	No distinction made between scheduled and unscheduled	No	N/A
New Brunswick	N/A (38)	N/A (38)	N/A (38)	N/A (38)	N/A (38)	N/A (38)	N/A (38)	N/A (38)	N/A (38)
Nova Scotia	Benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity; unscheduled PPD based on functional impairment alone	75% of the worker's earnings loss minus the permanent impairment benefit for first 26 weeks, 85% of earnings loss minus permanent impairment benefit for over 26 weeks (39)	N/A	$1.00	$1,077.00	140.2% of the average industrial wage for Nova Scotia	None	Yes	5th Edition for chronic pain impairment rating and 4th Edition for all other impairment ratings
Ontario	(40)	N/A	Base amount is adjusted for the worker's age and multiplied by % of impairment	N/A	N/A	Depending on the worker's age, the worker may be entitled to the maximum NEL base amount, which is multiplied by % of impairment	Limit would be in accordance with the annually indexed maximum base amount	Yes	3rd Edition (revised)

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TABLE 6. PERMANENT PARTIAL DISABILITY BENEFITS PROVIDED BY WORKERS' COMPENSATION SYSTEMS AS OF JANUARY 1, 2014

Information on the approach used for the payment and calculation for permanent partial disability (PPD) benefits, the maximum and minimum, any limitations placed on unscheduled injuries and, if a rating guide is used, which one.

Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
Prince Edward Island	Wage-loss benefits	Wages are average wage indexed to current year and then the worker's loss of earning capacity is calculated at 85% of net	N/A	N/A	Based on maximum annual earning for the year of accident	Based on maximum annual earnings	N/A	No	N/A
Saskatchewan	Benefits based on actual wage losses; benefits based on an estimated loss of wage-earning capacity	Paid as the difference between earnings before injury and earnings after injury	Partial benefits are paid as the difference between earnings before injury and earnings after injury	$474.49	$822.65	Based on a covered annual wage of $59,000	None	No	N/A

Notes: *Amounts for Canadian jurisdictions are stated in Canadian currency; amounts for U.S. jurisdictions are stated in U.S. currency.*

1 **Alaska** - These are based on the whole person impairment system utilized in the AMA Guides to the Evaluation of Permanent Impairment, 6th Edition. The percentage of whole person impairment is multiplied by $177,000 for benefit determination.

2 **Alaska** - PPI is paid in a lump sum amount unless the claimant is in a reemployment training program, in which case PPI benefits can be paid at the weekly TTD rate. In that case the TTD minimum ($251) and maximum ($1,143) rates apply.

3 **Arizona** - Benefits are always based on established average monthly wage.

4 **Arkansas** - Except for PTD, which is payable for life at the TTD rate.

5 **Colorado** - Scheduled PPD benefits are calculated based on the statutory number of weeks for that type of injury and are all paid at a statutory $254.06 per week multiplied by the % increase in the SAWW from July 1, 2000, and each year until the date of injury. Unscheduled injuries are paid as medical impairment benefits and are calculated by taking the medical impairment rating and multiplying it by the statutory age factor and then by 400 weeks, and the TTD rate. Up to $10,000 of these medical impairment benefits are to be paid in a lump sum with the remaining being paid at the TTD rate but no less than $150 a week and no more than 50% of the SAWW beginning on the date of maximum medical improvement.

6 **Colorado** - Beginning Jan 1, 2012, the caps are adjusted each year. As of Jan. 1, 2014, the caps are $80,868.10 and $161,734.15.

7 **Idaho** - If the injury occurred in 2014 and PPD is a factor, it would be paid at $376.20 per week.

8 **Iowa** - AMA Guides are not required by statute, but the 5th Edition is adopted as a guide. Other medical opinions or guides, or other material evidence, may be presented.

9 **Maine** - Maine is a wage-loss state; partial is a percentage of total.

10 **Maryland** - For awards for a period less than 75 weeks for events occurring on or after January 1, 2003, but before January 1, 2009, compensation is to be paid at the rate of 33 1/3% of the employee's average weekly wage, not to exceed $114.00. For awards for a period less than 75 weeks for events occurring on or after January 1, 2009, but before January 1, 2010, compensation is to be paid at the rate of 33 1/3% of the employee's average weekly wage, not to exceed 14.3% of the state average weekly wage or $130.00. For awards for a period of less than 75 weeks for events occurring on or after January 1, 2010, but before January 1, 2011, compensation is to be paid at the rate of 33 1/3% of the employee's average weekly wage, not to exceed 15.4% of the state average weekly wage or $142.00. For awards for a period of less than 75 weeks for events occurring on or after January 1, 2011, but before January 1, 2012, compensation is to be paid at the rate of 33 1/3% of the employee's average weekly wage, not to exceed 16.7% of the state average weekly wage or $157.00. For awards for a period of less than 75 weeks for events occurring on or after January 1, 2012, but before January 1, 2013, compensation is to be paid at the rate of 33 1/3% of the employee's average weekly wage, not to exceed 16.7% of the state average weekly wage or $162.00. (The minor disability category does not apply to certain public safety employees. For awards for a period of less than 75 weeks for events occurring on or after January 1, 2013, but before January 1, 2014, compensation is to be paid at the rate of thirty-three and one-third per centum of the employee's Average Weekly Wage, not to exceed 16.7% of the State Average Weekly Wage or $166.00. The minor disability category does not apply to certain public safety employees. See LE 9-628(a).) For awards for a period of less than 75 weeks for events occurring on or after January 1, 2014, but before January 1, 2015, compensation is to be paid at the rate of thirty-three and one-third per centum of the employee's Average Weekly Wage, not to exceed 16.7% of the State Average Weekly Wage or $167.00. The minor disability category does not apply to certain public safety employees. See LE 9-628(a).) For awards for a period equal to or greater than 75 weeks, but less than 250 weeks, for events occurring on or after January 1, 2014, but before January 1, 2015, the compensation is to be paid at two-thirds of the employee's Average Weekly Wage not to exceed one-third of the State Average Weekly Wage or $333.00. Awards between 75 and 250 weeks are paid at 2/3 of the employee's AWW, not to exceed 1/3 of the SAWW. Awards for more than 250 weeks are paid at 2/3 of the employee's AWW, not to exceed 75% of the SAWW.

11 **Minnesota**- Minnesota has developed by rule its own PPD schedule. Minn. Stat. 176.105 requires DLI, in establishing Minnesota's PPD schedule, to "study disability or permanent impairment schedules set up by other states, the American Medical Associations and other organizations." Additionally, the rules incorporate the AMA Guides to incorporate by reference some terminology, and incorporates a couple of ANSI measurement standards. See, https://www.revisor.mn.gov/statutes/?id=176.105; https://www.revisor.mn.gov/rules/?id=5223.0300. However, the statute does not require that the AMA ratings be used to determine the PPD rating for injured workers.

12 **New York** - For scheduled PPD benefits the basis is 66 2/3% of the worker's preinjury average weekly wage multiplied by the appropriate number of weeks based on the percentage loss of use for the particular body part. For nonscheduled PPD benefits when the claimant is not working, the basis is 66 2/3% of the worker's preinjury average weekly wage multiplied by the loss of wage-earning capacity. However, if the worker is working, the worker will receive PPD benefits equal to 2/3 of the difference between the preinjury average weekly wage and the postinjury wages. Unless the worker earns less than $150, then the worker receives the full wages.

13 **New York** - Unless the worker earns less than $150, then the worker receives the full wages. However, if the worker who earns less than $150 is working, the worker will receive the difference between the preinjury average weekly wage and the postinjury wages.

14 **New York** - New York State Average Weekly Wage is the average weekly wage of the state of New York for the previous calendar year as reported by the Commissioner of Labor to the Superintendent of Insurance on March 31 of each year.

15 **New York** - Calculated by multiplying 525 (maximum number of weeks) by the maximum weekly rate ($803.21).

16 **North Carolina** - See N. C. Gen Stat §97-31.

17 **North Dakota** - Schedule for impairment—NDCC 65-05-12.2(10).

18 **Oklahoma** - Please note that the Oklahoma workers' compensation system underwent significant legislative change on February 1, 2014.

19 **Oregon** - Whole person impairment, and work disability when the worker is not able to return to his or her regular work.

20 **Oregon** - The worker's average weekly wage is used in the calculation of work disability only when the worker is not able to return to his or her regular work.

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TABLE 6. PERMANENT PARTIAL DISABILITY BENEFITS PROVIDED BY WORKERS' COMPENSATION SYSTEMS AS OF JANUARY 1, 2014

Information on the approach used for the payment and calculation for permanent partial disability (PPD) benefits, the maximum and minimum, any limitations placed on unscheduled injuries and, if a rating guide is used, which one.

Jurisdiction	Types Of PPD Benefits Offered	Basis Of Weekly PPD Calculation	Basis Of PPD Calculation (If Not Weekly)	PPD Disability Benefit		Basis Of Weekly Maximum Calculation	Maximum PPD Benefits For Unscheduled Injuries	Statutory Requirements For Use Of Specific Rating Guide	
				Weekly Minimum	Weekly Maximum			Yes/No	AMA Guide Required
21	**Oregon** - When the worker can not return to his or her regular work, loss of earning capacity is considered in the calculation of permanent partial disability.								
22	**Oregon** - Oregon has no scheduled and unscheduled benefits—PPD is based on whole person.								
23	**Oregon** - Monthly payments are made at 4.35 multiplied by the TTD rate.								
24	**Oregon** - If a worker returns to his or her regular work, PPD benefits are calculated using the percentage of permanent impairment multiplied by the state's average weekly wage. If the worker does not return to his or her regular work, social-vocational factors are considered and then multiplied by the worker's average weekly wage.								
25	**US Federal Programs** - FECA - 6th edition is currently being used.								
26	**Utah** - All impairment raters are to use the Utah Supplemental Impairment Guides (2006 edition); AMA 5th Edition is to be used in instances not covered by the Utah Supplemental Guides.								
27	**Vermont** - Impairment of whole person per AMA Guides, 5th Edition.								
28	**Virginia** - Or percentage thereof, if loss of use of scheduled body part is less than 100%.								
29	**Wisconsin** - The PPD rate is based on 2/3 of wages up to the maximum PPD rate for year of injury. The minimum wage is $30. Therefore, the minimum PPD rate would be $20. However, this is obsolete and would only come up in circumstances in which the employer were licensed to pay sub-minimum (e.g., sheltered workers).								
30	**Wyoming** - The calculation is based on a computer calculation that uses the disability factors (age, education, occupation, etc.) entered by the claims analyst. Injured workers can take an optional vocational training award instead of PPD.								
31	**British Columbia** - Policy item 39.10 of the Rehabilitation Services and Claims Manual, Volume II, ("RSCM") establishes a permanent disability evaluation schedule based on functional impairment, with disability factors such as age and enhancement and devaluation for multiple disabilities taken into account.								
32	**British Columbia** - PPD can be based on comparison between a worker's preinjury earnings and the earnings the worker would have been capable of earning after the injury.								
33	**British Columbia** - Age of worker and disability factors such as enhancement and devaluation for multiple disabilities may be taken into account.								
34	**British Columbia** - A loss of earnings award compares a worker's pre- and postinjury average net earnings. Loss of function applies the percentage of disability to 90% of the worker's average net earnings. The loss of function approach is used most often, while the loss of earnings approach is only used in exceptional circumstances.								
35	**British Columbia** - The basis of PPD calculation is monthly.								
36	**British Columbia** - Unless the worker's average earnings are less than this amount; if this is the case, the worker will receive an amount equal to his or her average earnings but only to the extent of the partial disability.								
37	**British Columbia** - The weekly maximum is based on the maximum annual wage rate of $77,900 [90% x ($77,900 - federal tax - provincial tax - Canada Pension Plan contributions - employment insurance premium)]. The actual amount would depend on the percentage of disability and taxation status, status for Canada Pension Plan Disability, and employment insurance used in the calculation of net.								
38	**New Brunswick** - WorkSafeNB pays loss of earnings benefits until age 65 (see Table 4).								
39	**Nova Scotia** - Permanent impairment benefits are calculated as the permanent impairment rate multiplied by 30% multiplied by 85% of the net average weekly earnings.								
40	**Ontario** - For the purpose of answering questions related to PPD benefits, the assumption is that it is a non-economic loss (NEL) benefit that is awarded as a result of a permanent impairment. This would be in addition to benefits for loss of earnings.								

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TABLE 7. MAXIMUM BENEFIT PAYMENTS FOR SELECTED SCHEDULED PERMANENT PARTIAL DISABILITIES AS OF JANUARY 1, 2014

This table compares the maximum benefit due an injured worker for a specific loss of permanent bodily function when it is considered a *scheduled* injury across jurisdictions with statutory PPD schedules. The injured worker in each example made $1,000.00 a week, had four dependents, and was 50 years old at the time of injury. In some cases, the injured worker would also be eligible for TTD and/or PTD, which are not supposed to be included in these figures. If jurisdictions pay ongoing TTD, or would pay PTD (or pensions) in these cases and do not pay scheduled PPD benefits, this amount should not be included in this table. The reader should be cautious about using these comparisons for interstate comparisons unless they have a significant understanding of the different jurisdictional benefits structures. To better understand the different jurisdictional PPD structures for states in the U.S., the reader should refer to another WCRI report entitled *Permanent Partial Disability Benefits: Interstate Differences*. Users are also reminded that benefit levels in each jurisdiction are heavily affected by jurisdictional wage rates and varying maximum statutory benefit levels and the fact that these figures are undiscounted and not usually paid in a lump sum, but over time in biweekly or monthly amounts.

Jurisdiction	Amputation Of Dominant Arm At The Shoulder	Amputation Of Dominant Hand	Amputation Of Left Leg At The Hip	Amputation Of Left Foot	Loss Of One Eye	Loss Of Hearing In Both Ears	Loss Of Hearing In One Ear	Maximum Payable For A Nonscheduled Loss
Alabama	$48,840.00	$37,400.00	$44,000.00	$30,580.00	$27,280.00	$35,860.00	$11,600.00	$66,000.00
Alaska	$106,200.00 (1)	$95,580.00	$70,800.00	$60,180.00	$177,000.00 is maximum (2)	$61,950.00	$10,620.00	N/A
Arizona	$140,479.02	$117,065.85	$117,065.85	$93,652.68	$70,239.51	$140,479.02	$46,826.34	(3)
Arkansas	$150,548 (4)	$112,911.00	$113,528.00	$80,827.00	$64,785.00	$97,486.00	$25,914.00	N/A (5)
California (6)	$168,817.50 (7)	$147,217.50 (7)	$88,147.50	$54,280.00	$57,500.00	$73,427.50	$6,957.50	No maximum
Colorado	$57,220.80 (8)	$28,610.40 (8)	$57,220.80 (8)	$28,610.40 (8)	$28,610.40 (8)	$38,238.90 (8)	$9,628.50 (8)	$161,734.15 (8)
Connecticut	$132,649.92	$107,140.32	$98,849.70	$79,717.50	$100,125.18	$66,324.96	$22,320.90	$331,624.80
Delaware	250 weeks x AWW	220 weeks x AWW	250 weeks x AWW	160 weeks x AWW	Percentages are statutorily mandated and will not fluctuate	175 weeks x AWW	75 weeks x AWW	300 weeks x maximum compensation rate of $660.79
District of Columbia	312 weeks of compensation at 75% of the weekly pay rate	244 weeks of compensation at 75% of the weekly pay rate	288 weeks of compensation at 75% of the weekly pay rate	205 weeks of compensation at 75% of the weekly pay rate	160 weeks of compensation at 75% of the weekly pay rate	200 weeks of compensation at 75% of the weekly pay rate	52 weeks of compensation at 75% of the weekly pay rate	N/A
Florida	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Georgia	225 weeks x TTD rate	160 weeks x TTD rate	225 weeks x TTD rate	135 weeks x TTD rate	150 weeks x TTD rate	150 weeks x TTD rate	75 weeks x TTD rate	Rating x 300 weeks x TTD rate
Hawaii	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Idaho	$112,860.00	$101,574.00	$75,240.00	$52,668.00	$65,835.00 (9)	$65,835.00	(10)	$376.20 (11)
Illinois	$429,977.60	$272,896.00	$394,035.20	$222,310.40	Approx. $115,000 if 100% loss of vision; $230,297.60 if enucleation of eye	Approx. $154,000	Approx. $39,000	N/A
Indiana	$92,425.00	$66,425.00	$79,425.00	$53,425.00	$53,425.00	$66,425.00	$21,735.00	$325,000.00
Iowa	$164,782.50	$125,234.70	$145,008.60	$98,869.50	$92,278.20	$115,347.75	$32,956.50	$329,565.00
Kansas	$75,000.00 (12)	$75,000.00 (12)	$75,000.00 (12, 13)	$75,000.00 (12)	$70,440.00	$64,570.00	$17,610.00	$75,000.00
Kentucky	N/A (14)	N/A (14)	N/A (14)	N/A (14)	N/A (14)	N/A (14)	N/A (14)	$576.40 for either 425 weeks or 520 weeks, depending on disability rating
Louisiana	$123,800; credit can be taken for other indemnity benefits paid	$92,850, subject to credit for other indemnity benefits paid	$108,325, subject to credit for other indemnity benefits paid	$77,375, subject to credit for other indemnity benefits paid	$61,900, subject to credit for other indemnity benefits paid	$61,900, subject to credit for other indemnity benefits paid	$61,900, subject to credit for other indemnity benefits paid	N/A
Maine	N/A (15)	N/A (15)	N/A (15)	N/A (15)	N/A (15)	N/A (15)	N/A (15)	N/A (15)
Maryland	$298,851.00	$249,417.00	$298,851.00	$249,417.00	$249,417.00	$249,417.00	$41,625.00	$498,085.00
Massachusetts	$50,795.04	$40,163.52	$46,069.92	$34,257.12	$46,069.92	$90,958.56	$34,257.12	$94,502.40
Michigan	$171,315.34	$136,924.90	$136,924.90	$103,171.32	$103,171.32	N/A	N/A	N/A
Minnesota	$114,000.00	$89,100.00	$48,000.00	$26,000.00	$22,800.00	$38,500.00	$4,800.00 if no hearing loss in other ear	All PPD benefits are scheduled, maximum is $515,000.00
Mississippi	$89,824.00 (16)	$67,368.00 (16)	$78,596.00 (16)	$56,140.00 (16)	$44,912.00 (16)	$67,368.00 (16)	$17,964.80 (16)	$202,104.00
Missouri (17)	$114,036.12	$86,018.63	$101,747.75	$76,187.93	$68,814.90	$88,476.30	$24,085.22	$178,740.00
Montana	N/A (18)	N/A (18)	N/A (18)	N/A (18)	N/A (18)	N/A (18)	N/A (18)	N/A (18)
Nebraska	$150,000.00	$116,667.25	$143,334.05	$100,000.50	$83,333.75	PTD would be paid for life	$33,337.50	Benefits could be payable for life
Nevada	$375,717.60	$344,407.20	$250,478.40	$219,168.00	$175,334.40	$100,190.40	$37,572.00	There are no nonscheduled injury evaluations

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TABLE 7. MAXIMUM BENEFIT PAYMENTS FOR SELECTED SCHEDULED PERMANENT PARTIAL DISABILITIES AS OF JANUARY 1, 2014

This table compares the maximum benefit due an injured worker for a specific loss of permanent bodily function when it is considered a *scheduled* injury across jurisdictions with statutory PPD schedules. The injured worker in each example made $1,000.00 a week, had four dependents, and was 50 years old at the time of injury. In some cases, the injured worker would also be eligible for TTD and/or PTD, which are not supposed to be included in these figures. If jurisdictions pay ongoing TTD, or would pay PTD (or pensions) in these cases and do not pay scheduled PPD benefits, this amount should not be included in this table. The reader should be cautious about using these comparisons for interstate comparisons unless they have a significant understanding of the different jurisdictional benefits structures. To better understand the different jurisdictional PPD structures for states in the U.S., the reader should refer to another WCRI report entitled *Permanent Partial Disability Benefits: Interstate Differences*. Users are also reminded that benefit levels in each jurisdiction are heavily affected by jurisdictional wage rates and varying maximum statutory benefit levels and the fact that these figures are undiscounted and not usually paid in a lump sum, but over time in biweekly or monthly amounts.

Jurisdiction	Amputation Of Dominant Arm At The Shoulder	Amputation Of Dominant Hand	Amputation Of Left Leg At The Hip	Amputation Of Left Foot	Loss Of One Eye	Loss Of Hearing In Both Ears	Loss Of Hearing In One Ear	Maximum Payable For A Nonscheduled Loss
New Hampshire	$126,000.00	$113,400.00	$66,000.00	$58,800.00	$50,400.00	$73,800.00	$18,000.00	$210,000.00
New Jersey	$265,122.00 (19)	$161,161.00 (19)	$253,071.00 (19)	$134,550.00 (19)	$78,600.00 (19,20)	$78,600.00 (19)	$13,500.00 (19)	$505,800.00
New Mexico	$146,632.00 (21)	$91,645.00	$146,632.00 (21)	$84,313.40	$87,979.20	$109,974.00	$29,326.40	$513,212.00
New York	$250,601.52 (22)	$195,983.24 (22)	$231,324.48 (22)	$164,658.05 (22)	$128,513.60	$120,481.50	$48,192.60	$421,685.25 (23)
North Carolina	Compensation rate x 240 weeks	Compensation rate x 200 weeks	Compensation rate x 200 weeks	Compensation rate x 144 weeks	Compensation rate x 120 weeks	Compensation rate x 150 weeks	Compensation rate x 70 weeks	(24)
North Dakota	N/A (25)	N/A (25)	N/A (25)	N/A (25)	N/A (25)	N/A (25)	N/A (25)	N/A (25)
Ohio	$191,025.00	$148,575.00	$169,800.00	$127,350.00	$106,125.00	$106,125.00	$21,225.00	$56,600.00
Oklahoma (26)	$88,825.00	$71,060.00	$88,825.00	$71,060.00	$88,825.00	$106,590.00	$35,530.00	$161,500.00
Oregon	$227,199.66	$193,627.16	$193,627.16	$180,714.56	$152,307.16	$227,199.66	$121,317.16	$330,499.66 (27)
Pennsylvania (28)	$382,120.00	$312,220.00	$382,120.00	$233,000.00	$256,300.00	$242,320.00	$55,920.00	N/A
Rhode Island	$28,080.00	$21,960.00	$28,080.00	$18,450.00	$14,400.00	$18,000 if traumatic; $21,960 if an occupational disease	$5,400 if due to trauma; $6,750 if an occupational disease	$275,184.00
South Carolina	$155,082.40	$130,410.20	$137,459.80	$98,688.80	$98,688.80	$116,311.80	$56,393.60	$352,460.00
South Dakota	$138,200.00	$103,650.00	$110,560.00	$86,375.00	$103,650.00	$103,650.00	$34,550.00	$215,592.00
Tennessee	$133,340.00	$100,005.00	$133,340.00	$83,337.00	$66,670.00	$100,005.00	Loss of hearing in one ear is not a scheduled injury; TCA 50-6-207	$266,680.00
Texas	$107,100.00	$107,100.00	$71,400.00	$71,400.00	$42,840.00	$62,475.00	$10,710.00	$178,500.00
US Federal Programs - FECA	312 weeks of compensation at 75% of the weekly payrate	244 weeks of compensation at 75% of the weekly payrate	288 weeks of compensation at 75% of the weekly payrate	205 weeks of compensation at 75% of the weekly payrate	160 weeks of compensation at 75% of the weekly payrate	200 weeks of compensation at 75% of the weekly payrate	52 weeks of compensation at 75% of the weekly payrate	N/A
US Federal Programs - Longshore	$207,997.92	$162,665.04	$191,998.08	$136,665.30	$106,665.60	$133,332.00	$34,666.32	2/3 of the difference between $1,000 and post-accident wages for life
Utah	$99,748.00	$87,528.00	$65,125.00	$45,848.00	By enucleation: $62,520; total loss of sight in one eye: $52,100	$56,789.00	$28,395.00	$162,552.00
Vermont	Not scheduled	Not scheduled	Not scheduled	Not scheduled	Not scheduled	Not scheduled	Not scheduled	Theoretically, $617,000 before COLAs; 100% WPI x maximum CR rate $1,122 x 550; however, a person with 100% WPI would likely be eligible for PTD instead
Virginia	$191,000.00 (29)	$143,250.00	$167,125.00	$119,375.00	$95,500.00	$95,500.00	$47,750.00	None; only payable for scheduled body parts and losses, such as disfigurement
Washington	$116,668.08 (30)	$105,001.20 (30)	$116,668.08 (30)	$81,667.68 (30)	$46,667.13	$93,334.53	$15,555.63	$194,446.65
West Virginia	60 percent (60 months)	50 percent (50 months)	60 percent (60 months)	35 percent (35 months)	33 percent (33 months)	55 percent (55 months)	22.5 percent (22.5 months)	$27,550.56
Wisconsin (31)	$201,250.00	$161,000.00	$161,000.00	$80,500.00	$88,550.00	Traumatic: $106,260; Occupational hearing loss: $69,552	Traumatic: $17,710; Occupational hearing loss: $11,592	$322,000.00
Wyoming (32)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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TABLE 7. MAXIMUM BENEFIT PAYMENTS FOR SELECTED SCHEDULED PERMANENT PARTIAL DISABILITIES AS OF JANUARY 1, 2014

This table compares the maximum benefit due an injured worker for a specific loss of permanent bodily function when it is considered a *scheduled* injury across jurisdictions with statutory PPD schedules. The injured worker in each example made $1,000.00 a week, had four dependents, and was 50 years old at the time of injury. In some cases, the injured worker would also be eligible for TTD and/or PTD, which are not supposed to be included in these figures. If jurisdictions pay ongoing TTD, or would pay PTD (or pension) in these cases and do not pay scheduled PPD benefits, this amount should not be included in this table. The reader should be cautious about using these comparisons for interstate comparisons unless they have a significant understanding of the different jurisdictional benefits structures. To better understand the different jurisdictional PPD structures for states in the U.S., the reader should refer to another WCRI report entitled *Permanent Partial Disability Benefits: Interstate Differences*. Users are also reminded that benefit levels in each jurisdiction are heavily affected by jurisdictional wage rates and varying maximum statutory benefit levels and the fact that these figures are undiscounted and not usually paid in a lump sum, but over time in biweekly or monthly amounts.

Jurisdiction	Amputation Of Dominant Arm At The Shoulder	Amputation Of Dominant Hand	Amputation Of Left Leg At The Hip	Amputation Of Left Foot	Loss Of One Eye	Loss Of Hearing In Both Ears	Loss Of Hearing In One Ear	Maximum Payable For A Nonscheduled Loss
Canadian Jurisdictions Participating (stated in Canadian currency)								
British Columbia	$269,409.35 (33)	$207,829.82 (33)	$250,165.82 (33)	$96,217.62 (33)	$69,277.44 (33)	$115,461.15 (33)	$11,545.61 (33)	Potential 100% of $366,543.51 (32)
New Brunswick	$42,070 (70% of the NBIAE for 2014) (34)	$32,454 (54% of the NBIAE for 2014) (34)	$39,065 (65% of the NBIAE for 2014) (34)	$15,025 (25% of the NBIAE) (34)	$10,818 (18% of the NBIAE for 2014)(34)	$18,030 (30% of the NBIAE for 2014) (34) (35)	$3,005 (5% of the NBIAE for 2014) (34)	Cannot exceed the maximum annual earnings for the year of the work-related accident (34)
Nova Scotia	$1,000.00 (36)	$1,000.00	$1,000.00	$1,000.00	$1,000.00	$1,000.00	$1,000.00	$1,000.00
Ontario	Benefit determined based on worker's age and % of impairment	Benefit determined based on worker's age and % of impairment	Benefit determined based on worker's age and % of impairment	Benefit determined based on worker's age and % of impairment	Benefit determined based on worker's age and % of impairment	Benefit determined based on worker's age and % of impairment	Benefit determined based on worker's age and % of impairment	Maximum would be in accordance with the annually-indexed maximum base amount
Prince Edward Island	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides	The benefit would be based on the percentage of impairment, using the AMA Guides
Saskatchewan	Based on % of impairment	Based on % of impairment	Based on % of impairment	Based on % of impairment	Based on % of impairment	Based on % of impairment	Based on % of impairment	$45,200.00

Notes: ***Amounts for Canadian jurisdictions are stated in Canadian currency; amounts for U.S. jurisdictions are stated in U.S. currency.***

1. **Alaska** - As per AMA Guides, 6th Edition: 60% x $177,000.00.
2. **Alaska** - Assumes vision in other eye is poor.
3. **Arizona** - Unscheduled injuries are based on factors of limitation, age, locale, education, experience, and ability to earn in the labor market. 55% of earning capacity is paid based on determination by the Commission.
4. **Arkansas** - TTD rate, not PPD rate, is used for total loss involving scheduled injury.
5. **Arkansas** - Claimant receives PTD benefits for life.
6. **California** - All amounts are calculated for level for maximum PD earnings with no adjustment for age or occupation, which could cause the amount to either increase or decrease. In addition, the amount awarded may be subject to 15% increase or decrease depending on whether the injured worker returns to work with his or her employer. Ratings of 70% or greater receive a life-time, life-pension benefit due at the expiration of PD benefits.
7. **California** - There is an additional life pension due.
8. **Colorado** - Those injuries which result in the total loss or total loss of use of a specified body part are compensated as a nonscheduled award. There is a maximum combined TTD and PPD total payment set at $161,734.15 for a whole person impairment greater than 25% and $80,868.10 for less than 25%. Therefore, the amounts stated in this table are not necessarily just for PPD, but would likely include some weeks of TTD payments as well.
9. **Idaho** - Loss of an eye by enucleation: $65,835.00. Total loss of vision for one eye: $56,430.00.
10. **Idaho** - Only binaural hearing loss is addressed in the statutes.
11. **Idaho** - All permanent partial impairment ratings are calculated based upon 55% of the average weekly state wage for the year of injury.
12. **Kansas** - There is an additional allowance of 10% and not over 15 weeks for the healing period following an amputation.
13. **Kansas** - Amputation of the left leg at the hip is a body as a whole injury—nonscheduled.
14. **Kentucky** - No schedule of benefits for specific body parts with the exception of irrebuttable presumption of PTD with certain substantial injuries, see KRS 342.0012(11)©.
15. **Maine** - There is no maximum. Maine is a wage-loss state.
16. **Mississippi** - If the claimant is PTD, it is $202,104.00.
17. **Missouri** - If the disability suffered in any of the items of the schedule of losses is total by reason of severance or complete loss of use thereof, the number of weeks of compensation allowed in the schedule for such disability shall be increased by 10%.
18. **Montana** - Benefits are paid according to the degree of impairment and wage loss. If eligible, other factors of age, education, wage loss, and lifting restrictions may apply.
19. **New Jersey** - Plus any PPD attributed to neurological/psychological.
20. **New Jersey** - If the eye is enucleated, an additional 25 weeks of benefits are awarded. For 2014, the amount is increased to $88,425.00.
21. **New Mexico** - In cases of actual amputation of arm or leg, the WCA judge has discretion to double this award if certain criteria are met.
22. **New York** - The worker may also be entitled to unscheduled PPD benefits, since there has been a loss of use greater than 50%, if the worker is unable to work solely due to the loss of the member.
23. **New York** - Maximum benefit would be for loss of wage-earning capacity greater than 95% but less than 100%, which is 525 weeks multiplied by $803.21 where 2/3 of the average weekly wage is greater than or equal to the maximum weekly benefit of $803.21. However, as the loss of wage-earning capacity is greater than 80%, in the last year of benefits, the worker can request to be reclassified as PTD or total industrial disabled due to factors reflecting extreme hardship.

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Jurisdiction	Amputation Of Dominant Arm At The Shoulder	Amputation Of Dominant Hand	Amputation Of Left Leg At The Hip	Amputation Of Left Foot	Loss Of One Eye	Loss Of Hearing In Both Ears	Loss Of Hearing In One Ear	Maximum Payable For A Nonscheduled Loss
24	**North Carolina** - Loss or permanent injury to important external or internal organs or parts of the body for which no compensation is payable: $20,000. Facial or head disfigurement: $20,000. Serious bodily disfigurement: $10,000.							
25	**North Dakota** - PPI benefit is 35% of SAWW for a scheduled number of weeks. Impairments are paid as a lump sum and are not based on any disability of the injured worker. Impairment schedule—NDCC 65-05-12.2 (10).							
26	**Oklahoma** - Please note that the Oklahoma workers' compensation system underwent significant legislative change on February 1, 2014.							
27	**Oregon** - Oregon has no scheduled and unscheduled benefits—PPD is based on the whole person.							
28	**Pennsylvania** - We do not have permanent partial disability but do have a classification of permanent injuries referred to as specific loss injuries. Under the specific loss classification claimants are entitled to a set number of weeks of compensation benefits for the loss, or loss of use of, a particular body part. In addition to the scheduled benefits, claimants may also be eligible for an additional number of weeks' benefits for a "healing period." The numbers in the above chart refer only to the base specific loss schedule and do not include any applicable healing period.							
29	**Virginia** - No distinction is made for dominant arm, age, number of dependents, etc. PPD and TTD are not payable simultaneously, and all are subject to the 500-week limitation.							
30	**Washington** - There is no difference in compensation between dominant/non-dominant or left/right.							
31	**Wisconsin** - All calculations executed on the assumption that the injured worker received the maximum weekly PPD rate.							
32	**Wyoming** - AMA Guide impairment ratings are used to calculate the benefit, which is determined by multiplying the AMA Guide whole-body impairment rating by 44 months, multiplied by 2/3 of the statewide average monthly wage for the quarter of injury.							
33	**British Columbia** - Figures shown assume the worker is age 50 at injury and would normally retire at age 65. Figures include retirement benefits. This case assumes no loss of earnings and excludes medical aid and medical costs, which are payable for life. Excludes additional allowances, such as clothing allowance and independence and home maintenance allowances, as well as prosthetics, orthotics, hearing aids, and batteries, which are also provided for life. Dominant side is not a factor considered in rating permanent disability. Hearing loss assumed to be traumatic loss.							
34	**New Brunswick** - Permanent physical impairment award is a lump-sum payment provided to injured workers in addition to any loss of earnings. It is provided once per claim and is based on the percentage of impairment, multiplied by the maximum annual earnings for the year in which the accident occurred. (For 2014, the maximum annual earnings is $60,100.)							
35	**New Brunswick** - If there is complete deafness in both ears, occurring as a sudden and complete traumatic loss of hearing, the impairment percentage would be 60% of the NBIAE.							
36	**Nova Scotia** - $1,000.00 is the maximum payable, regardless of the injury. Permanent benefits reflect both the permanent impairment and the earnings loss; an increase in the impairment will only offset the earnings loss as the combination of the two cannot exceed the maximum of $1,000.00.							

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