

WISCONSIN



DWD

Disability Ratings and Medical Reports

CHELSEA NEWBY and FRANK SALVI

Dispute Resolution Specialists

DWD Division of Worker's Compensation

Program

- Introduction
- Scheduled & Unscheduled Injuries
- Amputation & Loss of Use
- Statutory Minimum PPD Ratings
- Additional PPD Considerations
 - Multipliers
 - Deductions
 - Apportionment



Dispute Resolution Specialists

Lisa Halsey, Section Chief	
Jasmine Decorah	Advances, Delays, ADR
Cherie Goetz	Supplemental and Death Benefits, ADR
Faith Howe	Advances, Delays, ADR
Becca Marshall	In Training
Chelsea Newby	Delays, Voc Rehab, LOEC, Training
Jason Przybylo	In Training
Phil Roberts	Advances
Frank Salvi	Death Benefits, Voc Rehab, Tie Breakers, ADR
Gail Wickman	Advances, Delays
Karee Williams	Delays, ADR, LOEC
Kati Zieroth	Hearing Loss, Vision Loss



PTD versus PPD

- Unscheduled (body as a whole = 1000 weeks)
 - Head (including smell)
 - Spine
 - Torso (including kidneys)
 - Systemic
- Scheduled (compared to amputation, loss of use)
 - Peripheral joints
 - Eyes and ears

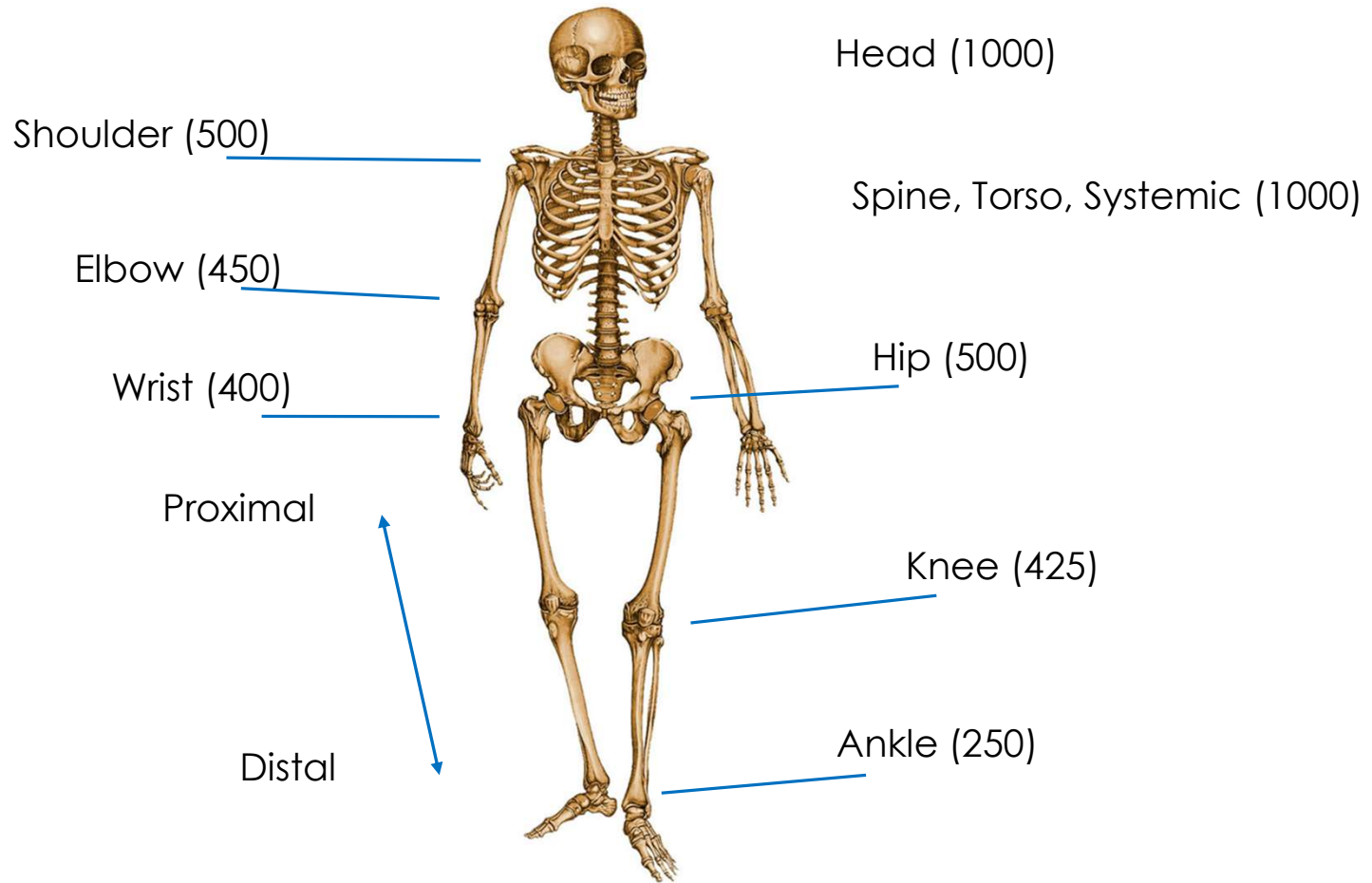


Rating Disability

- Amputation
 - Anatomic level of bone loss
- Loss of use
 - Percentage of total loss
- Hearing (DWD 80.25)
 - Pre- and post-audiogram formula
- Vision (DWD 80.26)
 - Acuity, field of vision, other



Body and Major Joints Weeks of Compensation



Hand Weeks of Compensation Due

Fingertip (distal phalanx) amputations:
 Less than or equal to 1/3 = 45%
 Between 1/3 and 2/3 = 80%
 Greater than 2/3 = 100%

Distal phalanges = Red
 Middle phalanges = Blue
 Proximal phalanges = Green

Distal interphalangeal joint (DIP)
 Proximal interphalangeal joint (PIP)
 Metacarpophalangeal joint (MCP)

Carpometacarpal joint (CMC)

Wrist Joint

Prox

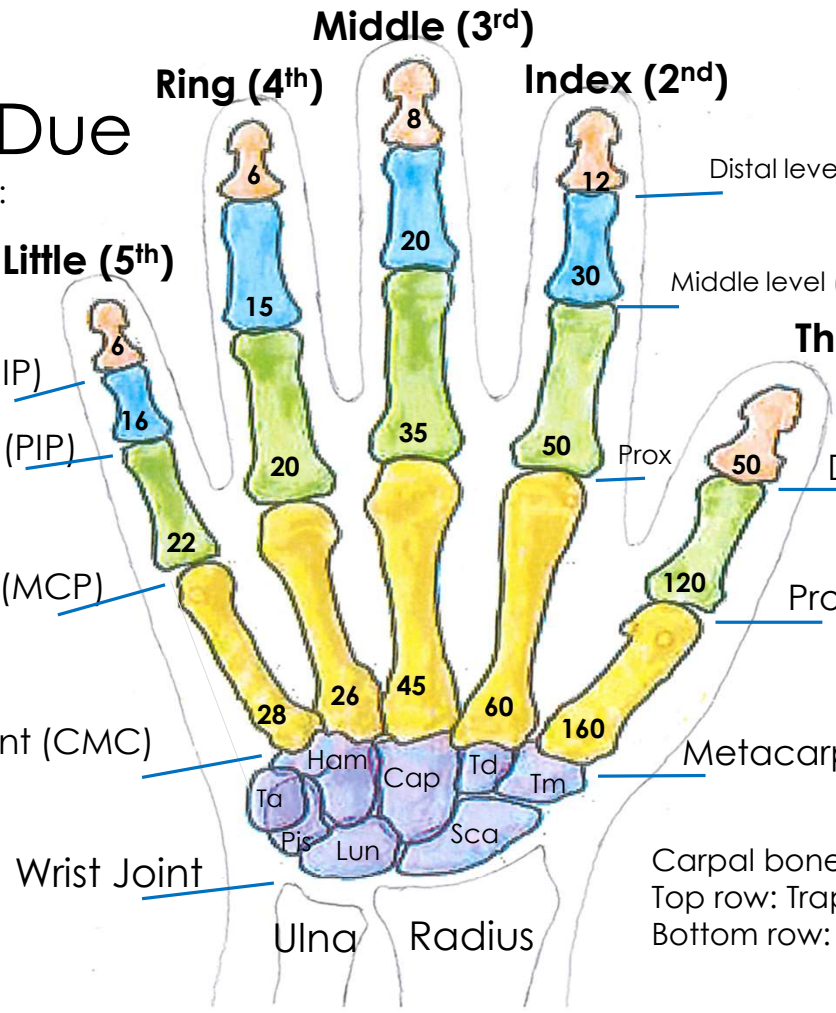
Distal level (Dist)
 Middle level (Mid)

Thumb (1st)

Distal level (Dist)
 Proximal level (Prox)

Metacarpal level (Meta)

Carpal bones (from radial "thumb" to ulnar "little" side)
 Top row: Trapezium, Trapezoid, Capitate, Hamate
 Bottom row: Scaphoid, Lunate, Triquetral, Pisiform

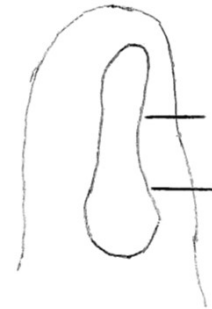


Amputation at:
 Palm where thumb remains = 325
 All fingers at proximal level = 225
 Wrist joint = 400



Amputations

- Fingers (DWD 80.33)
 - Distal phalanx
 - Rule of 1/3's
 - Mid or prox phalanx
 - Comparative X-rays
- Other
 - Joint proximal to amp



DISTAL PHALANX

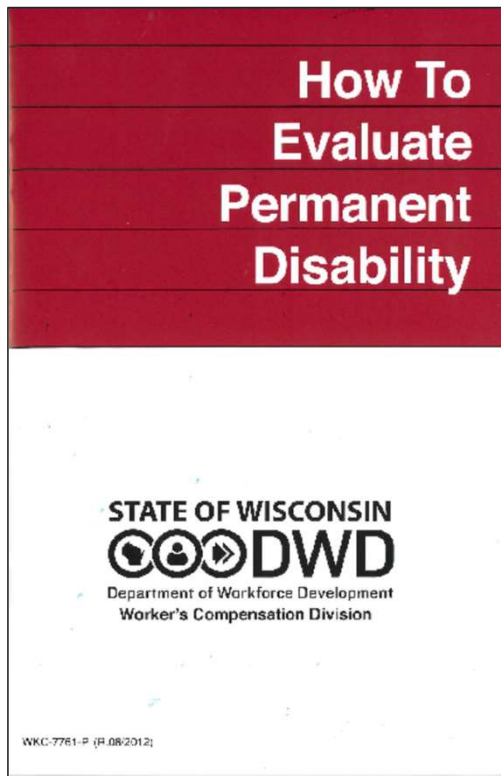
Less than or equal to 1/3 = 45%

Between 1/3 and 2/3 = 80%

Greater than 2/3 = 100%



Loss of Use



Statutory minimum ratings (DWD 80.32)

- Several procedures
- Lost range of motion
- Nerve injuries
- Other
- <https://dwd.wisconsin.gov/dwd/publications/wc/wkc-7761-p.htm>



Statutory Minimum Ratings

- Assumptions
 - Excellent surgical outcome
 - No prior disability
- Other elements of disability: **If present, shall result in a higher estimate!**
 - Pain
 - Weakness
 - Activity limitations
 - Altered sensation
 - Unstable grafts



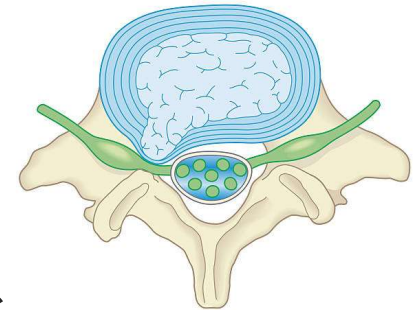
Statutory Minimum Ratings (cont.)

- Prosthesis and resurfacing
 - Total vs. partial joint replacement
 - Hip resurfacing = at least 35%
 - Shoulder resurfacing = 50%
- Ankle inversion and eversion = 7.5% each
- Pronation and supination at elbow
- Foot drop = peroneal nerve damage or paralysis at knee



Statutory Minimum Ratings - Back

- Surgery
 - Relieve from the effects of a disc lesion or spinal cord pressure
 - Laminectomy
 - Facetectomy
 - Other
 - Fusion
 - Instrumentation
 - Cages
- Compression fractures = 5% if symptomatic
- Artificial disc = 7.5%



Statutory Minimum Ratings - Fingers

Employee Name _____ Employee Social Security Number _____

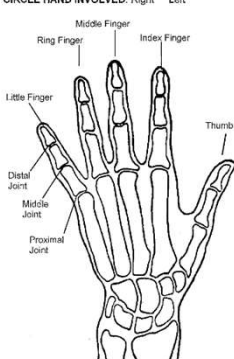
Instructions for finger injuries
Please use statutory terms in referring to fingers, such as thumbs, index, middle, ring and little fingers, and distal, middle, and proximal joints. Where there is limitation of motion, list separately the normal range of motion in degrees, the "degrees" loss of flexion, and the "degrees" loss of extension for each joint of each finger. The Worker's Compensation Division will evaluate the loss of use due to loss of motion of the fingers.

Where there are other elements of disability of the fingers, such as deformity, weakness, pain, or lack of endurance, give your opinion on the percentage loss of use as compared to amputation for such elements of disability and specify the joint at which such loss is estimated.

Digit	Joint	Angle Ext./Flex	Normal Range of Motion	Degrees Loss Extension	Degrees Loss Flexion	Estimate % loss of use for additional factors at joint involved and reason for additional allowance
Thumb	Dist					
	Prox					
Index	Dist					
	Mid					
	Prox					
Middle	Dist					
	Mid					
	Prox					
Ring	Dist					
	Mid					
	Prox					
Little	Dist					
	Mid					
	Prox					

CIRCLE HAND INVOLVED: Right _____ Left _____

DOMINANT HAND: Right _____ Left _____



See DWD 80.32 & 80.33 for guides to evaluation for amputations, restrictions of motion, ankylosis, sensory loss, and surgical results for disability to the hip, knee, ankle, toes, shoulder, elbow, wrist, fingers and back.

If fingertip amputation is present, submit comparative x-rays or a statement indicating whether the bone loss was less than one-third, between one-third and two-thirds, or more than two-thirds of the distal phalanx.

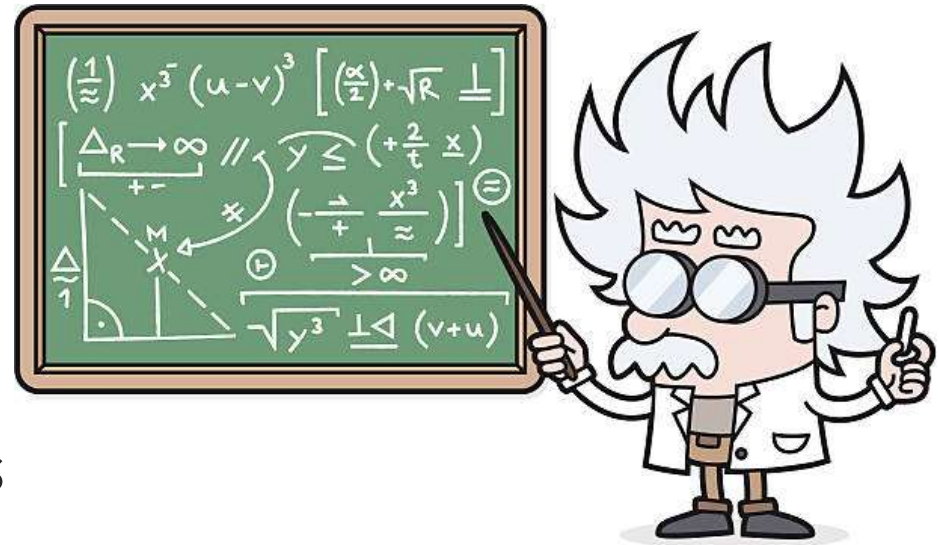
If amputation is below the distal joint, submit comparative x-rays.

- Range of Motion
- Lost Sensation
- Amputations
- Other Elements



Additional PPD Considerations

- Multipliers
- Stacking
- Deductions
- Apportionment
- Medical Report Submissions
 - Avoiding letters from the state
 - Final medical report checklist



Multipliers

- Multiple Injuries (stat. 102.53)
 - Equal or lesser disabled parts = 20%
 - Multiple injuries to hand
 - First equal or lesser disability = 100%
 - Second + third equal or lesser disability = 150%
 - Both eyes = 200%
- Dominant Hand (stat. 102.54) when rating at least 100% of distal joint = 25%



Stacking

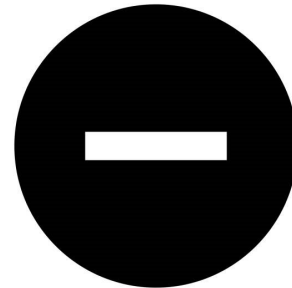
- Statutory minimum surgeries related to same injury date
 - Sequential meniscectomies and ACL repairs
 - Statutory minimum knee surgery with subsequent partial or total knee replacement
 - Redo joint replacements
 - Spinal decompression and fusion surgeries
- Rating cannot exceed 100%
 - Madison Gas & Electric v. LIRC (2011)



Deductions

- Distal disabilities deducted from proximal disabilities before applying % rating for proximal disability
- Scheduled disabilities deducted from unscheduled disabilities
 - Pre-existing conditions do not apply
 - Multipliers are not deducted

(DWD 80.50)



Apportionment

- For two (2) or more distinct injuries, liability apportioned according to proof of relative contribution to disability from each injury
- Disability caused by other factors, before or after disabling work injury, can be deducted
- Traumatic injuries only
 - Does not apply to occupational exposures

(Wis. Stat. 102.175)



Questions

- **Why not call!**



WI DWD Worker's Compensation Division

(608) 266-1340



<https://dwd.wisconsin.gov/wc/>

Frank Salvi, DRS
(608) 267-4327

Frank.Salvi@dwd.wisconsin.gov

Chelsea Newby, DRS
(608) 266-5303

ChelseaL.Newby@dwd.wisconsin.gov



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