

**WISCONSIN**



**DWD**

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# Disability Ratings and Medical Reports

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Dispute Resolution Specialists

DWD Division of Worker's Compensation

# Program

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



# Dispute Resolution Specialists

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



# PTD versus PPD

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- Unscheduled (body as a whole = 1000 weeks)
  - Head (including smell)
  - Torso (including spine and kidneys)
  - Systemic
- Scheduled (compared to amputation, loss of use)
  - Extremities (including peripheral joints)
  - Hearing
  - Vision



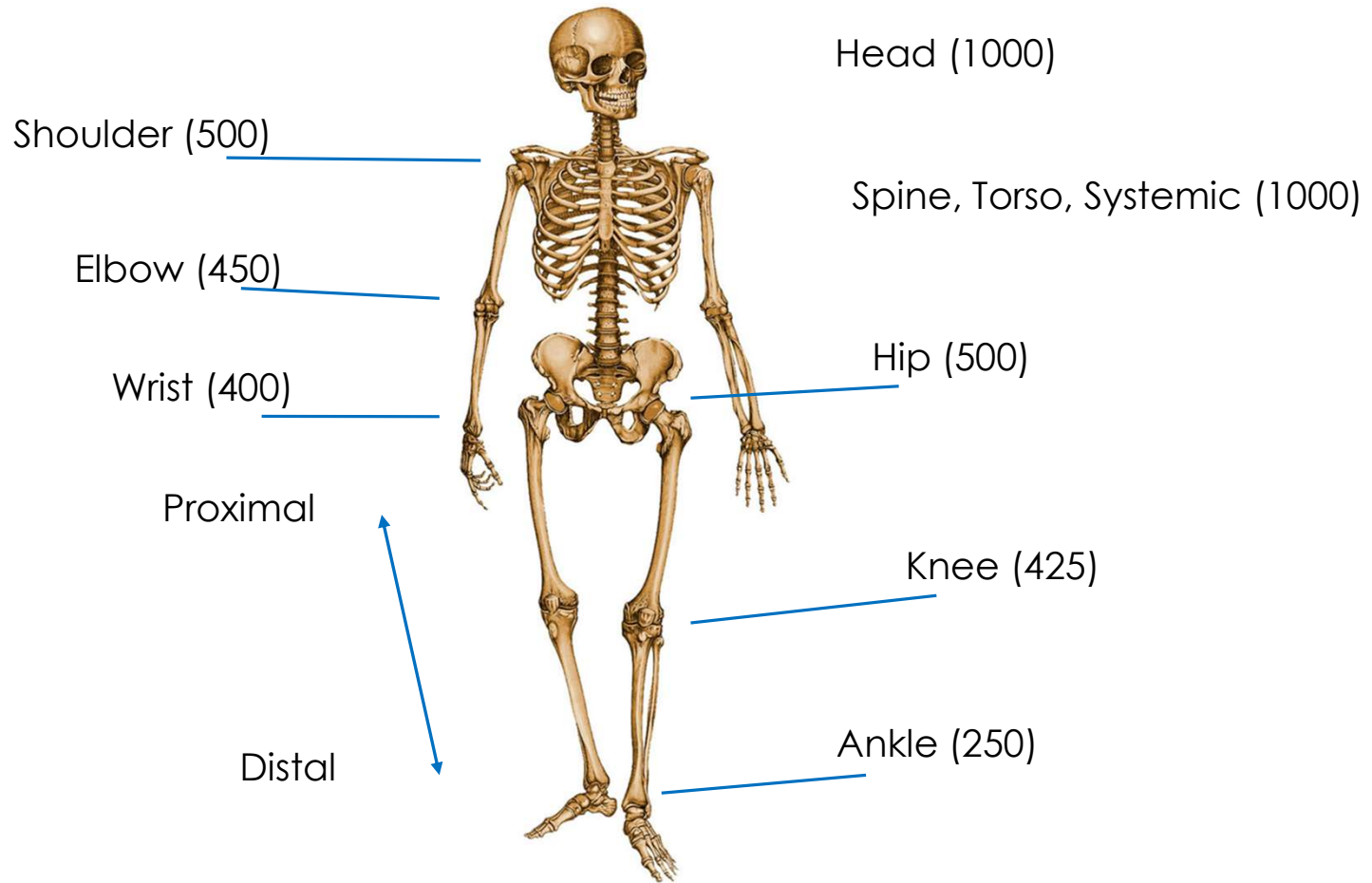
# Rating Disability

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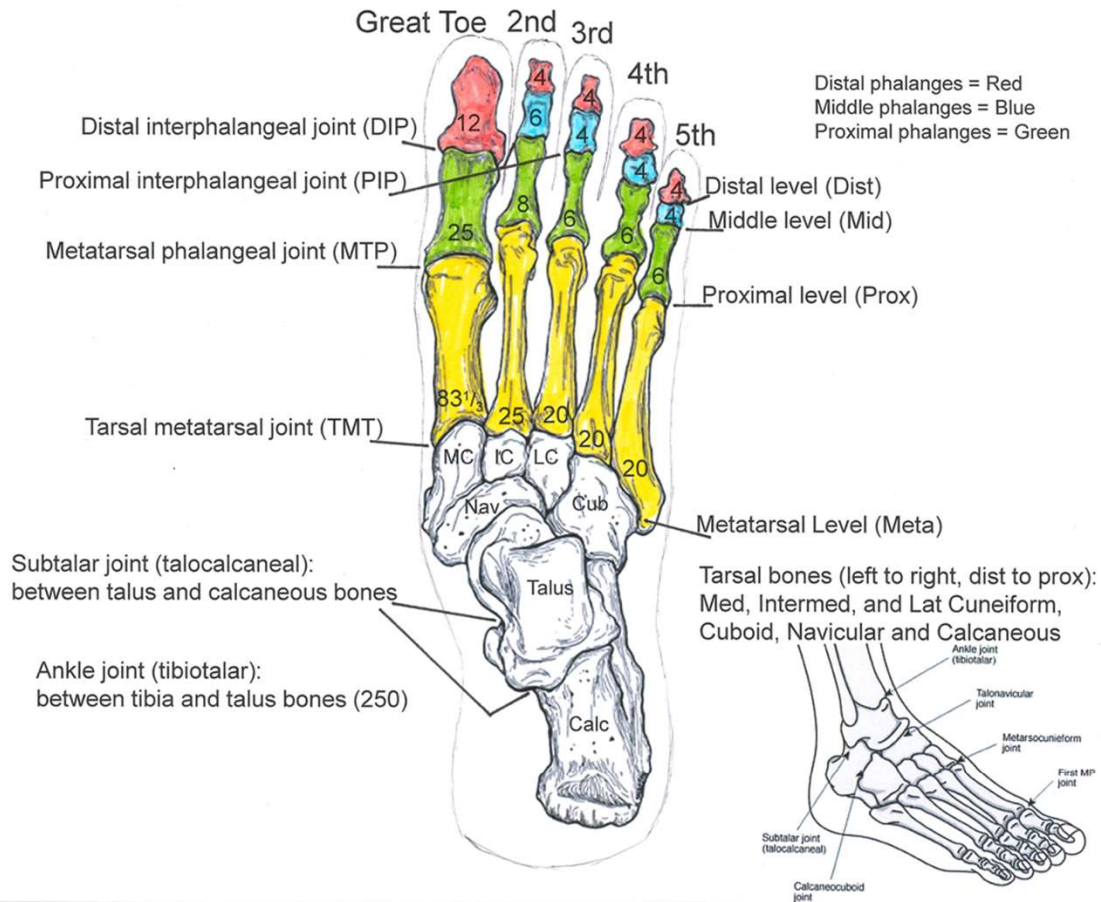
- Amputation
  - Anatomic level of bone loss
- Loss of use
  - Percentage of total loss
- Hearing (DWD 80.25)
  - Pre- and post-audiogram formula
- Vision (DWD 80.26)
  - Acuity, field of vision, other



# Body and Major Joints Weeks of Compensation



# Foot Injury Weeks of Compensation Due



# 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

Distal level (Dist)

Middle level (Mid)

Thumb (1<sup>st</sup>)

Prox

Distal level (Dist)

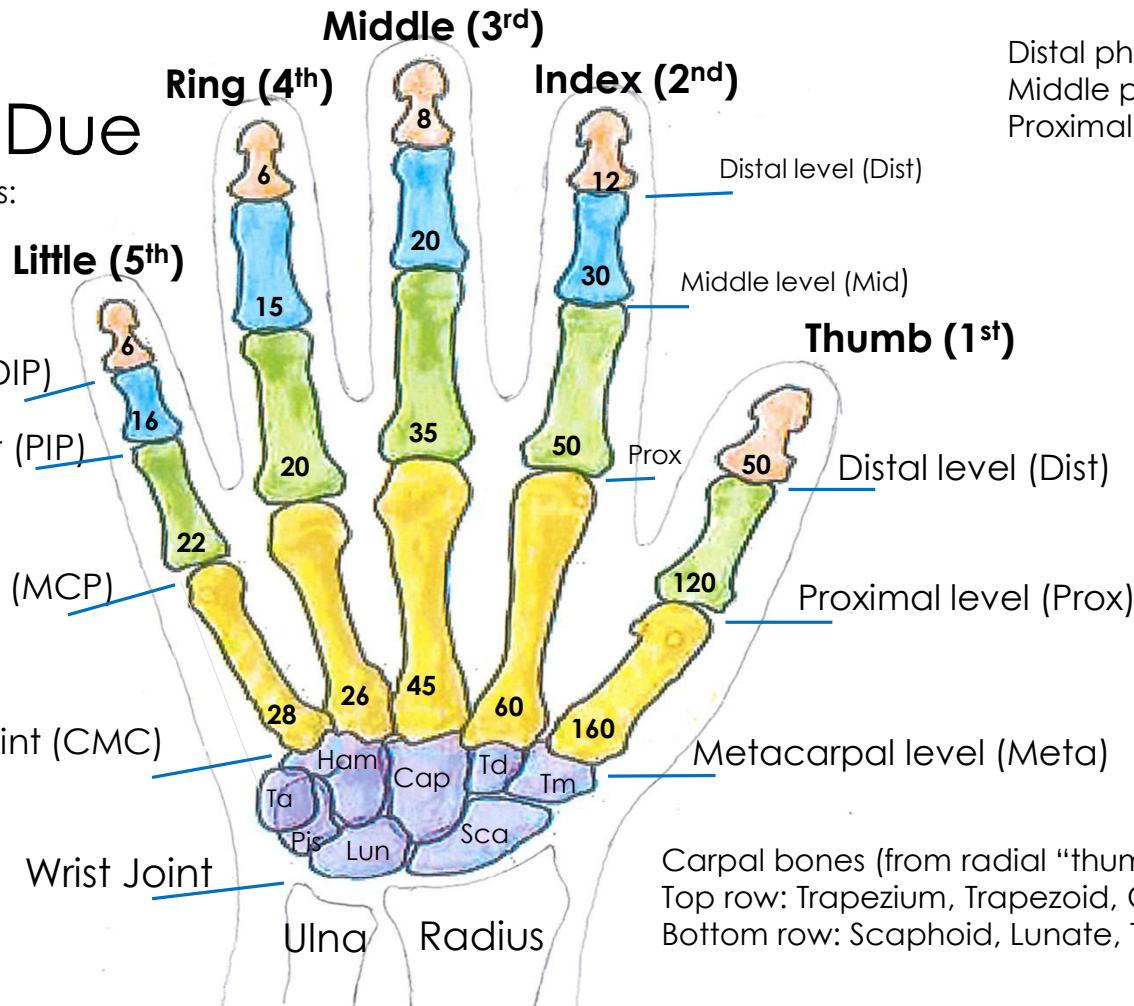
Proximal level (Prox)

Metacarpal level (Meta)

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

Amputation at:

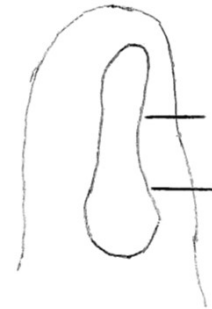
Palm where thumb remains = 325  
 All fingers at proximal level = 225  
 Wrist joint = 400





# 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

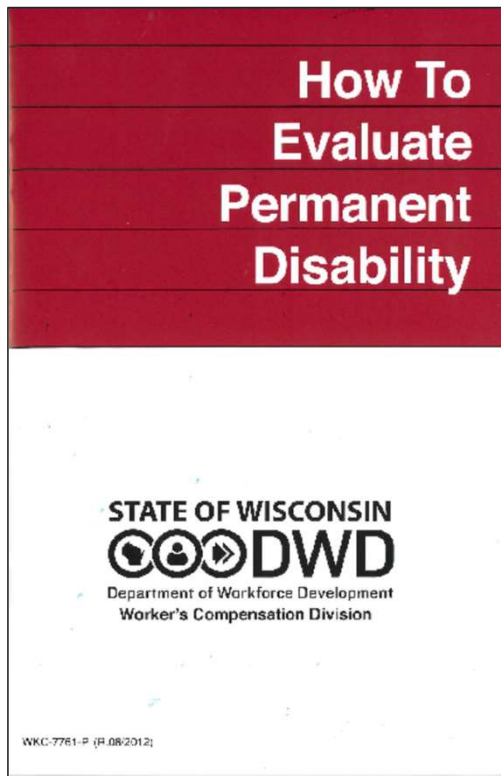
Less than or equal to 1/3 = 45%

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

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- 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 skin grafts



# Statutory Minimum Ratings (cont.)

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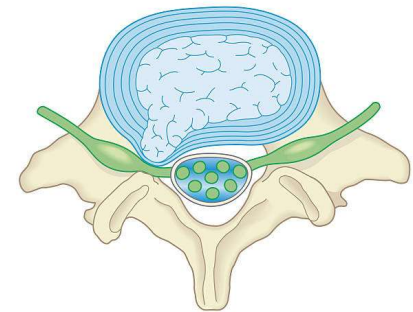
- Prosthesis and resurfacing
  - Total vs. partial joint replacement
  - Hip resurfacing = at least 35%
  - Shoulder resurfacing = 50%
- Ankle inversion and eversion = 7.5% each
- Pronation and supination rated at elbow
- Foot drop = peroneal nerve damage or paralysis at knee



# Statutory Minimum Ratings - Back

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



# Statutory Minimum Ratings - Fingers

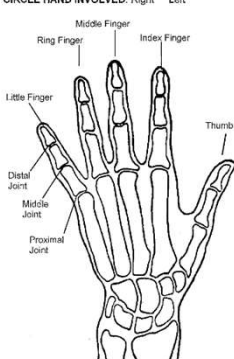
Employee Name \_\_\_\_\_ Employee Social Security Number \_\_\_\_\_

**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.

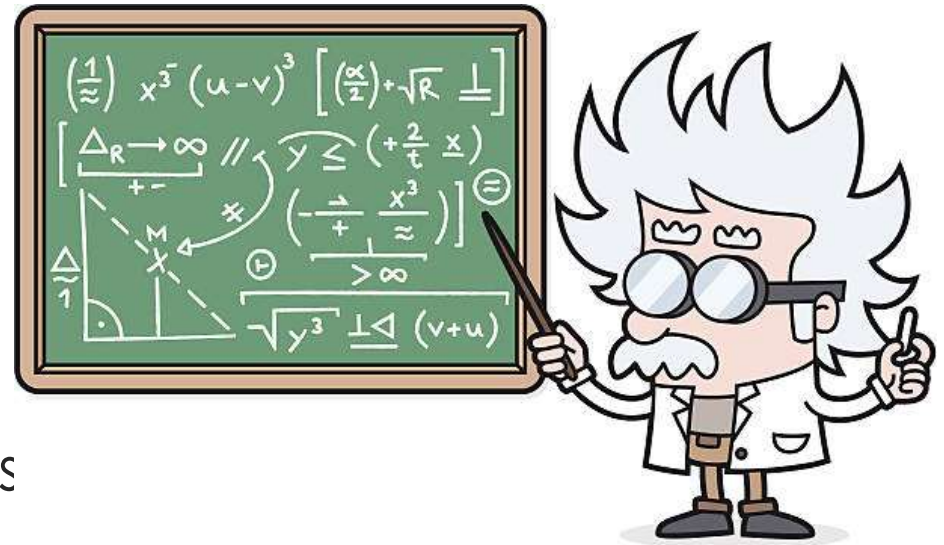
If amputation is below the distal joint, submit comparative x-rays.

- 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

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





# Stacking

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- 2 or more stat min surgeries related to same injury date
  - Knee: meniscectomy and ACL repair
  - Shoulder, knee, and hip joint replacement or component of artificial joint replaced
  - Spinal decompression and fusion
- Does not apply to stat min for lost range of motion
- Rating cannot exceed 100%
  - Madison Gas & Electric v. LIRC (2011)

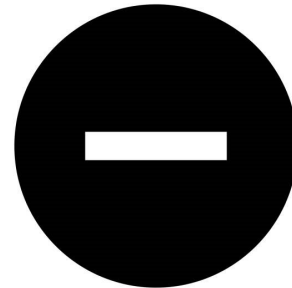


# Deductions

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- 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

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- 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

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- **Why not call!**



# WI DWD Worker's Compensation Division

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

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