

**WISCONSIN**  
DWD

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**Disability Ratings and Medical Reports**

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Dispute Resolution Specialists  
DWD Division of Worker's Compensation

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**Program**

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

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2

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**Dispute Resolution Specialists**

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Jasmine Decorah	PPD, Advances, ADR
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Faith Howe	PPD, Advances, Delays, ADR
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Kati Zieroth	PPD, Hearing Loss, Vision Loss

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3

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### PTD versus PPD

- **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



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4

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### 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



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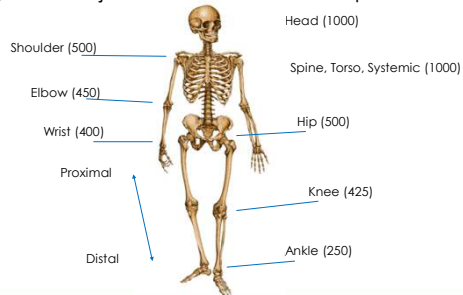
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### Body and Major Joints Weeks of Compensation



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### Foot Injury Weeks of Compensation Due

Great Toe 2nd 3rd 4th 5th

Distal interphalangeal joint (DIPJ)  
Proximal interphalangeal joint (PIPJ)  
Metatarsal phalangeal joint (MTPJ)  
Tarsal metatarsal joint (TMTJ)

Subtalar joint (talocalcaneal):  
between talus and calcaneus bones  
Ankle joint (tibiotalar):  
between tibia and talus bones (250)

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

Distal level (Dist)  
Middle level (Mid)  
Proximal level (Prox)

Metatarsal Level (Meta)

Tarsal bones (left to right, dist to prox):  
Med, Intermed, and Lat Cuneiform,  
Cuboid, Navicular and Calcaneous

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7

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### Hand Weeks of Compensation Due

Little (5<sup>th</sup>) Ring (4<sup>th</sup>) Middle (3<sup>rd</sup>) Index (2<sup>nd</sup>) Thumb (1<sup>st</sup>)

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 interphalangeal joint (DIPJ)  
Proximal interphalangeal joint (PIPJ)  
Metacarpophalangeal joint (MCPJ)  
Carpometacarpal joint (CMCJ)  
Wrist Joint

Distal level (Dist)  
Middle level (Mid)  
Proximal level (Prox)

Metacarpal level (Meta)

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

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

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8

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### 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%

Distal inter-phalangeal joint  
Proximal inter-phalangeal joint  
Distal phalanx  
Middle phalanx  
Proximal phalanx

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9

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### 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>


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10

### Statutory Minimum Ratings

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


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11

### 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 rated at elbow
- Foot drop = peroneal nerve damage or paralysis at knee


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12

### Statutory Minimum Ratings - Back

- 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%



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13

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### Statutory Minimum Ratings - Fingers

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



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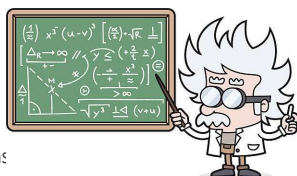
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### Additional PPD Considerations

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



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### Multipliers

- 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%



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16

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### Stacking

- 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)



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17

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### 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)



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18

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## 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)



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## Questions

- Why not call!



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## WI DWD Worker's Compensation Division (608) 266-1340

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

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