

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1260

Introduced by

Representative Berg

Senator Mutch

1 A BILL for an Act to amend and reenact subsection 26 of section 65-01-02 of the North Dakota
2 Century Code, relating to the definition of permanent impairment for workers' compensation
3 purposes.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 26 of section 65-01-02 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 26. "Permanent impairment" means the loss of or loss of use of a member of the body
8 existing after the date of maximum medical improvement or recovery, and includes
9 disfigurement resulting from an injury ~~if such disfigurement diminishes the ability of~~
10 ~~the employee to obtain employment.~~ The loss must be determined in accordance
11 with and based upon the most current edition of the American medical
12 association's "Guides to the Evaluation of Permanent Impairment". Any
13 impairment award, not expressly contemplated within the American medical
14 association's "Guides to the Evaluation of Permanent Impairment", must be
15 determined by clear and convincing medical evidence.