

FIRST ENGROSSMENT

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2057

Introduced by

Legislative Council

(Workers' Compensation Review Committee)

1 A BILL for an Act to amend and reenact subsection 11 of section 65-05-12.2 of the North
2 Dakota Century Code, relating to workers' compensation permanent partial impairment awards
3 for loss of vision; to provide for application; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Subsection 11 of section 65-05-12.2 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 11. An amputation of a finger or toe at the level of the distal interphalangeal joint or
8 proximal to that joint, or the thumb or the great toe at the interphalangeal joint or
9 proximal to that joint, which is determined to result in a whole body impairment of
10 less than sixteen percent and which is not identified in the following schedule, is
11 payable as a sixteen percent impairment. If an evaluation for the loss of an eye or
12 for an amputation results in an award that is less than the permanent impairment
13 multiplier identified in the following schedule, the organization shall pay an award
14 equal to the permanent impairment multiplier set out in the following schedule:

15	For amputation of a thumb	permanent impairment
16		multiplier of 65
17	For amputation of the second or distal	permanent impairment
18	phalanx of the thumb	multiplier of 28
19	For amputation of the first finger	permanent impairment
20		multiplier of 40
21	For amputation of the middle or second	permanent impairment
22	phalanx of the first finger	multiplier of 28
23	For amputation of the third or distal	permanent impairment
24	phalanx of the first finger	multiplier of 22

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1	For amputation of the second finger	permanent impairment
2		multiplier of 30
3	For amputation of the middle or second	permanent impairment
4	phalanx of the second finger	multiplier of 22
5	For amputation of the third or distal	permanent impairment
6	phalanx of the second finger	multiplier of 14
7	For amputation of the third finger	permanent impairment
8		multiplier of 20
9	For amputation of the middle or second	permanent impairment
10	phalanx of the third finger	multiplier of 16
11	For amputation of the fourth finger	permanent impairment
12		multiplier of 16
13	For amputation of the middle or second	permanent impairment
14	phalanx of the fourth finger	multiplier of 12
15	For amputation of the leg at the hip	permanent impairment
16		multiplier of 234
17	For amputation of the leg at or above	permanent impairment
18	the knee	multiplier of 195
19	For amputation of the leg at or above	permanent impairment
20	the ankle	multiplier of 150
21	For amputation of a great toe	permanent impairment
22		multiplier of 30
23	For amputation of the second or	permanent impairment
24	distal phalanx of the great toe	multiplier of 18
25	For amputation of any other toe	permanent impairment
26		multiplier of 12
27	For loss of an eye	permanent impairment
28		multiplier of 150
29	<u>For the loss of vision of an eye which</u>	<u>permanent impairment</u>
30	<u>equals or exceeds 20/200 corrected</u>	<u>multiplier of 100</u>

1 The award for the amputation of more than one finger of one hand may not exceed
2 an award for the amputation of a hand. The award for the amputation of more than
3 one toe of one foot may not exceed an award for the amputation of a foot. If any of
4 the amputations or losses set out in this subsection combine with other
5 impairments for the same work-related injury or condition, the organization shall
6 issue an impairment award based on the greater of the permanent impairment
7 multiplier allowed for the combined rating established under the fifth edition of the
8 American medical association's "Guides to the Evaluation of Permanent
9 Impairment" or the permanent impairment multiplier set forth in this subsection.

10 **SECTION 2. APPLICATION.** This Act applies to injuries that occur on or after the
11 effective date of this Act.

12 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.