
HOUSE BILL 1280

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Heavey, Fuhrman, Cole, R. King, Prentice, O'Brien, Hargrove, Ludwig, Jones, Leonard, Riley, Winsley, Phillips, Jacobsen, Franklin and Dellwo.

Read first time January 25, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to industrial insurance permanent partial
2 disability awards; and amending RCW 51.32.080.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 51.32.080 and 1988 c 161 s 6 are each amended to read
5 as follows:

6 (1) For the permanent partial disabilities here specifically
7 described, the injured worker shall receive compensation as follows:

8 LOSS BY AMPUTATION

9 Of leg above the knee joint with short thigh stump

10 (3" or less below the tuberosity of ischium).....

11 \$((~~54,000.00~~)) 108,000.00

12 Of leg at or above knee joint with functional stump.....

13 ((~~48,600.00~~)) 97,200.00

1 Of leg below knee joint.....
2 ((~~43,200.00~~)) 86,400.00
3 Of leg at ankle (Syme).....
4 ((~~37,800.00~~)) 75,600.00
5 Of foot at mid-metatarsals.....
6 ((~~18,900.00~~)) 37,800.00
7 Of great toe with resection of metatarsal bone.....
8 ((~~11,340.00~~)) 22,680.00
9 Of great toe at metatarsophalangeal joint.....
10 ((~~6,804.00~~)) 13,608.00
11 Of great toe at interphalangeal joint.....
12 ((~~3,600.00~~)) 7,200.00
13 Of lesser toe (2nd to 5th) with resection of
14 metatarsal bone.....
15 ((~~4,140.00~~)) 8,280.00
16 Of lesser toe at metatarsophalangeal joint.....
17 ((~~2,016.00~~)) 4,032.00
18 Of lesser toe at proximal interphalangeal joint.....
19 ((~~1,494.00~~)) 2,988.00
20 Of lesser toe at distalarm interphalangeal joint.....
21 ((~~378.00~~)) 756.00
22 Of arm at or above the deltoid insertion or by
23 disarticulation at the shoulder.....
24 ((~~54,000.00~~)) 108,000.00
25 Of arm at any point from below the deltoid insertion to
26 below the elbow joint at the insertion of the biceps
27 tendon.....
28 ((~~51,300.00~~)) 102,600.00
29 Of arm at any point from below the elbow joint distal to
30 the insertion of the biceps tendon to and including

1 mid-metacarpal amputation of the hand.....
2 ((~~48,600.00~~)) 97,200.00
3 Of all fingers except the thumb at metacarpophalangeal
4 joints.....
5 ((~~29,160.00~~)) 58,320.00
6 Of thumb at metacarpophalangeal joint or with resection
7 of carpometacarpal bone.....
8 ((~~19,440.00~~)) 38,880.00
9 Of thumb at interphalangeal joint.....
10 ((~~9,720.00~~)) 19,440.00
11 Of index finger at metacarpophalangeal joint or with
12 resection of metacarpal bone.....
13 ((~~12,150.00~~)) 24,300.00
14 Of index finger at proximal interphalangeal joint.....
15 ((~~9,720.00~~)) 19,440.00
16 Of index finger at distal interphalangeal joint.....
17 ((~~5,346.00~~)) 10,692.00
18 Of middle finger at metacarpophalangeal joint or with
19 resection of metacarpal bone.....
20 ((~~9,720.00~~)) 19,440.00
21 Of middle finger at proximal interphalangeal joint.....
22 ((~~7,776.00~~)) 15,552.00
23 Of middle finger at distal interphalangeal joint.....
24 ((~~4,374.00~~)) 8,748.00
25 Of ring finger at metacarpophalangeal joint or with
26 resection of metacarpal bone.....
27 ((~~4,860.00~~)) 9,720.00
28 Of ring finger at proximal interphalangeal joint.....
29 ((~~3,888.00~~)) 7,776.00

1 Of ring finger at distal interphalangeal joint.....
2 ((~~2,430.00~~)) 4,860.00
3 Of little finger at metacarpophalangeal joint or with
4 resection of metacarpal bone.....
5 ((~~2,430.00~~)) 4,860.00
6 Of little finger at proximal interphalangeal joint.....
7 ((~~1,944.00~~)) 3,888.00
8 Of little finger at distal interphalangeal joint.....
9 ((~~972.00~~)) 1,944.00

10 MISCELLANEOUS

11 Loss of one eye by enucleation.....
12 ((~~21,600.00~~)) 43,200.00
13 Loss of central visual acuity in one eye.....
14 ((~~18,000.00~~)) 36,000.00
15 Complete loss of hearing in both ears.....
16 ((~~43,200.00~~)) 86,400.00
17 Complete loss of hearing in one ear.....
18 ((~~7,200.00~~)) 14,400.00

19 (2) Compensation for amputation of a member or part thereof at a
20 site other than those above specified, and for loss of central visual
21 acuity and loss of hearing other than complete, shall be in proportion
22 to that which such other amputation or partial loss of visual acuity or
23 hearing most closely resembles and approximates. Compensation for any
24 other permanent partial disability not involving amputation shall be in
25 the proportion which the extent of such other disability, called
26 unspecified disability, shall bear to that above specified, which most
27 closely resembles and approximates in degree of disability such other

1 disability, compensation for any other unspecified permanent partial
2 disability shall be in an amount as measured and compared to total
3 bodily impairment: PROVIDED, That in order to reduce litigation and
4 establish more certainty and uniformity in the rating of unspecified
5 permanent partial disabilities, the department shall enact rules having
6 the force of law classifying such disabilities in the proportion which
7 the department shall determine such disabilities reasonably bear to
8 total bodily impairment. In enacting such rules, the department shall
9 give consideration to, but need not necessarily adopt, any nationally
10 recognized medical standards or guides for determining various bodily
11 impairments. For purposes of calculating monetary benefits, the amount
12 payable for total bodily impairment shall be deemed to be ((~~ninety~~))
13 one hundred eighty thousand dollars: PROVIDED, That the total
14 compensation for all unspecified permanent partial disabilities
15 resulting from the same injury shall not exceed the sum of ((~~ninety~~))
16 one hundred eighty thousand dollars: PROVIDED FURTHER, That in case
17 permanent partial disability compensation is followed by permanent
18 total disability compensation, any portion of the permanent partial
19 disability compensation which exceeds the amount that would have been
20 paid the injured worker if permanent total disability compensation had
21 been paid in the first instance, shall be deducted from the pension
22 reserve of such injured worker and his or her monthly compensation
23 payments shall be reduced accordingly.

24 (3) Should a worker receive an injury to a member or part of his or
25 her body already, from whatever cause, permanently partially disabled,
26 resulting in the amputation thereof or in an aggravation or increase in
27 such permanent partial disability but not resulting in the permanent
28 total disability of such worker, his or her compensation for such
29 partial disability shall be adjudged with regard to the previous

1 disability of the injured member or part and the degree or extent of
2 the aggravation or increase of disability thereof.

3 (4) When the compensation provided for in subsections (1) and (2)
4 exceeds three times the average monthly wage in the state as computed
5 under the provisions of RCW 51.08.018, payment shall be made in monthly
6 payments in accordance with the schedule of temporary total disability
7 payments set forth in RCW 51.32.090 until such compensation is paid to
8 the injured worker in full, except that the first monthly payment shall
9 be in an amount equal to three times the average monthly wage in the
10 state as computed under the provisions of RCW 51.08.018, and interest
11 shall be paid at the rate of eight percent on the unpaid balance of
12 such compensation commencing with the second monthly payment:
13 PROVIDED, That upon application of the injured worker or survivor the
14 monthly payment may be converted, in whole or in part, into a lump sum
15 payment, in which event the monthly payment shall cease in whole or in
16 part. Such conversion may be made only upon written application of the
17 injured worker or survivor to the department and shall rest in the
18 discretion of the department depending upon the merits of each
19 individual application: PROVIDED FURTHER, That upon death of a worker
20 all unpaid installments accrued shall be paid according to the payment
21 schedule established prior to the death of the worker to the widow or
22 widower, or if there is no widow or widower surviving, to the dependent
23 children of such claimant, and if there are no such dependent children,
24 then to such other dependents as defined by this title.