DWD 80.32 Permanent disabilities. Minimum percentages of loss of use for amputation levels, losses of motion, sensory losses and surgical procedures.

(1) (a) The disabilities set forth in this section are the minimums for the described conditions. ~~However, f~~ Findings of additional disabling elements shall result in an estimate higher than the minimum. The minimum also assumes that the member, the back, etc., was previously without disability. Appropriate reduction shall be made for any preexisting disability.

(b) For a surgical procedure, the minimum assumes an excellent or optimal outcome. A suboptimal outcome shall result in an estimate higher than the minimum.

Note: An example would be where in addition to a described loss of motion, pain and circulatory disturbance further limits the use of an arm or a leg. A meniscectomy in a knee with less than a good result would call for an estimate higher than 5% loss of use of the leg at the knee. The same principle would apply to surgical procedures on the back. The schedule of minimum disabilities contained in this section was adopted upon the advice of a worker's compensation advisory council subcommittee after a survey of doctors experienced in treating industrial injuries.

(2) Amputations, upper or lower extremities

At functional level	Equivalent to amputation at midpoint
Stump unsuitable to accommodate prosthesis	Equivalent to amputation at next most proximal joint
Stump not functional	Grade upward

All ranges of joint motion or degrees of ankylosis not listed below are to be interpolated from existing percent of disability listed.

(3) Hip

Ankylosis, optimum position, generally 15° to 30° flexion	50%
~~Mal position~~ Malposition	Grade upward

To compute disabilities for loss of motion relate % of motion lost to average range

Shortening of leg (no posterior or lateral angulation)

No disability for shortening less than 3/4 inch

3/4 inch	5%
1 inch	7%
1−1/2inches	14%
2 inches	22%

Greater than 2 inches of shortening results in greater proportionate rating than above

Labral repair	5%

Prosthesis Total	~~Minimum of~~ 40%
Partial	35%
Joint resurfacing	30%

(4) Knee

Ankylosis, optimum position, ~~170~~ 10°	~~40~~ 50%
Loss of flexion (normal flexion 135°)	
~~Remaining range , 180° – 135°~~ Severe limitation 90° loss	25%
~~Remaining range, 180° – 90°~~ Moderate limitation 45° loss	10%
Mild limitation 30° loss	5%
Loss of extension (normal extension 0°)	
Severe limitation 30° loss	30%
Moderate limitation 20° loss	15%
Mild limitation 10° loss	5%
Prosthesis Total	~~50~~ 40%
Prosthesis Partial	~~45~~ 35%
Joint resurfacing	30%
~~Removal of patella~~ Patellectomy or patellar excision ~~To be based on functional impairment~~	20%
Repair of recurrent patellar dislocation	10%
Total or partial meniscectomy (open or closed procedure), per meniscus ~~Excellent to good result~~	~~5%~~
Removal of 50% or more of meniscus	8%
Removal of up to 50% of meniscus or if percentage removed not specified	5%
Meniscus repair with incidental debridement	3%

Anterior cruciate ligament ~~repair~~ reconstruction ~~Minimum of~~	10%
Posterior cruciate ligament reconstruction	10%
Anterior or posterior cruciate ligament debridement including cyclops lesion removal	5%
Tibial osteotomy ~~good result~~	10%

(5) Ankle

Total ankylosis, optimum position, (total loss of motion)	~~40~~ 50%
Talocrural Ankylosis, ~~ankle joint~~ (~~L~~loss of dorsi and plantar flexion)	~~30~~ 35%
Subtalar ankylosis, (loss of inversion and eversion)	15%
Prosthesis total	40%
Prosthesis partial	35%
Ankle joint resurfacing	30%

(6) Toes

Ankylosis great toe at proximal joint	50%
All other toes at proximal	40%
Ankylosis all other toes middle joint	15%
Ankylosis great toe at distal joint	15%
~~All other toes at any interphalangeal joint~~	~~If no deformity, no disability~~
All other toes at distal joint	10%
~~Mal position~~ Malposition	On merits
~~Loss of motion~~	~~No disability~~

(7) Shoulder

Ankylosis, optimum position, scapula free	55%
In ~~mal position~~ malposition	Grade upward

Limitation of active elevation in flexion and abduction to 45° but otherwise normal	~~30~~ 40%
Limitation of active elevation in flexion and abduction to 90° but otherwise normal	20%
Limitation of active elevation in flexion and abduction to 135° but otherwise normal	~~5~~ 10%
Loss of external rotation limited to 10º (severe)	9%
Loss of external rotation limited to 20º (moderate)	6%
Loss of external rotation limited to 45º (mild)	3%
Loss of internal rotation limited to 10º (severe)	6%
Loss of internal rotation limited to 20º (moderate)	4%
Loss of internal rotation limited to 45º (mild)	2%
Distal clavicle excision, complete	3%
Labral repair, superior, anterior, or posterior	5%
Proximal biceps tendon repair	3%
Rotator cuff reconstruction	10%
Rotator cuff debridement	5%
Prosthesis total	50%
Prosthesis partial	45%
Joint resurfacing	40%

(8) Elbow

Ankylosis, optimum position, 45° angle	
With ~~radio-ulnar~~ rotational motion destroyed	60%
With ~~radio-ulnar~~ rotational motion ~~in tact~~ intact	45%

Rotational ankylosis in neutral position ~~20~~ 25%

Any ~~mal position~~ malposition Grade upward

~~Limitation of motion elbow joint, radio-ulnar motion unaffected~~

~~Remaining range 180° – 135° 35%~~

~~Remaining range 135° – 90° 20%~~

~~Remaining range 180° – 90° 10%~~

Limitation of elbow joint motion with 0º as full extension and 140º as full flexion

Loss of flexion, limited to 30º (severe) 30%

Loss of flexion, limited to 70º (moderate) 20%

Loss of flexion, limited to 110º (mild) 5%

Loss of extension, limited to 30º (severe) 30%

Loss of extension, limited to 70º (moderate) 20%

Loss of extension, limited to 110º (mild) 5%

Rotation at elbow joint

~~Neutral to full~~ Loss of pronation, limited to 10º (severe) ~~10~~ 15%

Loss of pronation, limited to 30º (moderate) 10%

Loss of pronation, limited to 60º (mild) 3%

~~Neutral to full~~ Loss of supination, limited to 10º (severe) ~~15~~ 10%

Loss of supination, limited to 30º (moderate) 7%

Loss of supination, limited to 60º (mild) 2%

Distal biceps tendon repair 5%

Prosthesis Total 40%

Prosthesis Partial 20%

Repair of tendinosis or tear of common

flexor tendon or extensor tendon tear	5%

(9) Wrist

Ankylosis, optimum position 30° dorsiflexion	30%
~~Mal position~~ Malposition	Grade upward
Total loss ~~dorsiflexion~~ extension	~~12~~ 1/2 15%
Total loss ~~palmar~~flexion	~~7~~ 1/2 12%
Total loss inversion	5%
Total loss eversion	5%
Prosthesis total	40%
Prosthesis partial	35%

(10) ~~Complete Sensory Loss~~ Peripheral Nerve Disorders
[See Tables 80.32—1 through 80.32—4]

Table 80.32—1

Complete Loss of Function of Referenced Nerves

Digital sensory loss for hand	
Any digit complete	55% at joint proximal to level of involvement
Any digit palmar surface	40% at joint proximal to level of involvement
Any digit dorsal surface	15% at joint proximal to level of involvement
Digital nerve	20% at joint proximal to level of involvement
Ulnar nerve complete loss	
Motor and sensory involvement above mid forearm	50% at elbow
Motor involvement only above mid forearm	45% at elbow
Sensory involvement only above mid forearm	15% at elbow
Motor and sensory involvement below mid forearm	40% at wrist
Motor involvement only below mid forearm	35% at wrist
Sensory involvement only below mid forearm	15% at wrist
Median nerve complete loss	
Motor and sensory involvement above mid forearm	65% at elbow
Motor involvement only above mid forearm	45% at elbow
Sensory involvement only above mid forearm	40% at elbow
Motor and sensory involvement below mid forearm	50% at wrist
Motor involvement only below mid forearm	25% at wrist
Sensory involvement only below mid forearm	45% at wrist
Radial nerve complete loss	
Motor and sensory involvement including triceps	45% at shoulder
Motor involvement only including triceps	40% at shoulder
Sensory involvement only including upper arm	5% at shoulder
Motor and sensory involvement below elbow	40% at elbow
Motor involvement only below elbow	35% at elbow
Sensory involvement only below elbow	5% at elbow
Axillary nerve complete loss	
Motor and sensory involvement	35% at shoulder
Motor involvement only	33% at shoulder
Sensory involvement only	2% at shoulder
Musculocutaneous nerve complete loss	
Motor and sensory involvement	30% at shoulder
Motor involvement only	25% at shoulder
Sensory involvement only	5% at shoulder
Peroneal nerve complete loss	
Motor and sensory involvement causing foot drop	40% at ankle
Motor involvement only causing foot drop	35% at ankle
Sensory involvement only (dorsal foot)	10% at ankle
Tibial nerve complete loss	
Motor and sensory involvement	45% at ankle
Motor involvement only	30% at ankle
Sensory involvement only	15% at ankle
Plantar nerve complete loss	
Sensory involvement (plantar foot)	12% at ankle

Table 80.32—2

Characterization of Sensory Deficit or Pain Due to Specific Upper or Lower Extremity Peripheral Nerve Injury*	% of Total Loss
Normal sensation and no pain	0%
Altered (decreased) sensation +/- minimal pain forgotten during activity - Diminished light touch	1-25%
Altered (decreased) sensation +/- mild pain that interferes with some activity - Diminished light touch, 2-Point discrimination	26-60%
Altered (decreased) sensation +/- moderate pain that prevents many activities - Diminished protective sensation (pain, temperature or pressure can cause damage before being perceived)	61-80%
Absent superficial sensation +/- abnormal sensation or severe pain that prevents most activity - Absent protective sensation	81-99%
Absence of all sensation or severe pain that prevents all activity	100%

*For combined sensory and motor deficits (See Table 80.32-3), average the percentages rated for each component alone then multiply that percentage by the value for the specified nerve.

Table 80.32—3

Characterization of Motor Deficit Due to Specific Upper or Lower Extremity Peripheral Nerve Injury*	% of Total Loss
Full strength (5/5) and full active range of motion for muscles innervated by specified nerve - No activity limitations	0%
Mildly decreased strength against resistance (5- or 4+/5), but full active range of motion - Mildly diminished endurance or ability to perform activities	1-25%
Moderately decreased strength against resistance (4 or 4-/5), but full active range of motion - Moderately diminished endurance and ability to perform activities	26-60%
Decreased strength (3/5) full active range of motion against gravity, but not against resistance - Substantial activity deficits	61-80%
Decreased strength (2/5) full active range of motion with gravity eliminated - Inability to perform most activities for muscles innervated by specified nerve	81-95%
Severely decreased strength (1/5) slight contractility but no range even with gravity eliminated - No functional movement of muscles innervated by specified nerve	96-99%
Absent strength (0/5) no contractility - No movement of muscles innervated by specified nerve	100%

*For combined sensory (See Table 80.32-2) and motor deficits, average the percentages rated for each component alone then multiply that percentage by the value for the specified nerve.

Table 80.32—4

Common Nerve-Related Surgical Procedures	Minimum Disability
Carpal Tunnel Release	2% at wrist
Cubital Tunnel Release	2% at elbow
Ulnar Nerve Transposition	5% at elbow

~~Any digit — 50% Lesser involvement to be graded appropriately—35% for palmar, 15% for dorsal surface~~

~~Total median sensory loss to hand — 65–75%~~
~~Total ulnar sensory loss to hand — 25%~~
~~Ulnar nerve paralysis~~
~~Above elbow, sensory involvement — 50% at wrist~~
~~Below elbow, motor and sensory involvement — 45–50% at wrist~~
~~Below elbow, motor involvement only — 35–45% at wrist~~
~~Below elbow, sensory involvement only — 5–10% at wrist~~
~~Median nerve paralysis~~
~~Above elbow, motor and sensory involvement — 55–65% at wrist~~
~~Thenar paralysis with sensory loss — 40–50% at wrist~~
~~Radial nerve paralysis~~
~~Complete loss of extension, wrist and fingers — 45–55% at wrist~~
~~Paroneal nerve paralysis~~
~~At level below knee — 25–30% at knee~~

(11) ~~Back~~ Spine

Removal of disc material, no undue symptomatic complaints or any objective findings — 5%

Chymopapain injection — To be rated by doctor

Spinal fusion~~, good results~~ — ~~5~~ 7% ~~minimum~~ per level

Implantation of an artificial spinal disc — ~~7.5~~ 10% per level

Removal of disc material and fusion — ~~10~~ 12% per level

~~Cervical fusion, successful — 5%~~

Sacroiliac joint fusion — 7%

Compression fractures of vertebrae of such degree to cause permanent disability may be rated 5% and graded upward

Coccyx fracture of such degree to cause permanent disability — 5%
Pelvic fracture and symphysis pubis separation of such degree to cause permanent disability — 10%

Disc herniation directly related to mechanism of trauma and treated conservatively	2%
Implantation of permanent spinal cord stimulator	2%
Implantation of intrathecal pain pump	2%

Note: It is the subcommittee's intention that a separate minimum 5% allowance be given for every surgical procedure (open or closed, radical or partial) that is done to relieve from the effects of a disc lesion or spinal cord pressure. Each disc treated or surgical procedure performed will qualify for a 5% rating. Due to the fact a fusion involves 2 procedures a 1) laminectomy (dis~~s~~cectomy) and a 2) fusion procedure, 10% permanent total disability will apply when the 2 surgical procedures are done at the same time or separately.

Examples:

Patient A	Surgery #1	Laminectomy	5% PTD
	Surgery #2	Fusion	increases to 12% PTD
Patient B	Surgery #1	Laminectomy & Fusion	12% PTD
	Surgery #2	Re−fusion	increases to 19% PTD
	Surgery #3	Laminectomy at New Level	increases to 24% PTD
	Surgery #4	Fusion at Level of Surgery #3	increases to 31% PTD
	Surgery #5	Re−fusion at Level of Surgery #4	increases to 38% PTD

These examples apply to procedures attributed to the original date of injury.

(12) Fingers

(a) Complete ankylosis

Thumb	Mid−Position	Complete Extension
Distal joint only	25%	35%
Proximal joint only	15%	~~20~~ 25%
Distal and proximal joints .	35%	65%
Carpometacarpal joint only	20%	20%
Distal, proximal and carpometacarpal joints	85%	100%
Fingers		
Distal joint only	25%	35%
Middle joint only	~~75~~ 70%	85%
Proximal joint only	40%	50%
Distal and middle joints . . .	85%	100%
Distal, middle and proximal joints	100%	100%

(b) Loss of Motion Fingers	Loss of Flexion	Loss of Use	Loss of Extension	Loss of Use
Distal joint only . . .	10% −	1%	10% −	2%
	20% −	2%	20% −	4%

	~~40~~ 30% −	3%	30% −	6%
	40% −	5%	40% −	8%
	50% −	10%	50% −	15%
	60% −	15%	60% −	20%
	70% −	20%	70% −	30%
	80% −	25%	80% −	40%
			100% −	60%
Middle joint only . .	10% −	5%	10% −	2½%
	20% −	10%	20% −	5%
	30% −	15%	30% −	10%
	40% −	25%	40% −	15%
	50% −	40%	50% −	30%
	60% −	50%	60% −	50%
	70% −	60%	70% −	70%
	80% −	70%	80% −	90%
			100% −	100%
Proximal joint only .	10% −	5%	10% −	2½%
	20% −	10%	20% −	5%
	30% −	15%	30% −	15%
	40% −	20%	40% −	20%
	50% −	25%	50% −	25%
	60% −	30%	60% −	40%
	70% −	35%	70% −	75%
	80% −	40%	80% −	85%
			90% −	100%

Thumb
Distal joint same as fingers
Proximal joint 40% of the loss of use indicated for fingers

(c) Prosthesis for thumb or finger joints 40%

(13) Kidney
(a) Loss of a single ~~one~~ kidney ~~5~~ 10% permanent total disability.

(b) Loss of only remaining kidney 20% permanent total disability.

(14) Loss of Smell
Total loss of sense of smell ~~2 1/2~~ 5% permanent total disability.

(15) Splenectomy
Loss of the spleen 5% permanent total disability.