

BODY PART	INJURIES/# of weeks	INJURIES/# of weeks
	Pre-7/20/05 & 11/16/05 – 1/31/06	- 7/20/05 – 11/15/05; or - On/after 2/1/06
Man as a whole	500	500
Disfigurement	150	162
Thumb	70	76
Index finger	40	43
Middle finger	35	38
Ring finger	25	27
Little finger	20	22
Great toe	35	38
Each other toe	12	13
Hand	190	205*
*After 6/28/2011, Cumulative/Repetive trauma equals 190 weeks		
Arm	235	253
*Amp. above elbow	250	270
*Amp. @ shoulder	300	323
Foot	155	167
Leg	200	215
*Amp. above knee	225	242
*Amp. @ hip joint	275	296
Eye	150	162
*Enucleation of eye	160	173
Hearing loss (1 ear)	50	54
(Both ears)	200	215
Testicle, one	50	54
Testicle, both	150	162
Kidney, lung, spleen	10	10
Vertebra	6	6
Skull, Facial, Nasal	2	2
Spine/Transverse	3	3
MINIMUM DEATH RATE AND TOTAL PERMANENT DISABILITY: 50% of SAWW		

Minimum Compensation Rates (TTD/PPD):				
STATUS	pre-2/1/06	2/1/06 – 7/14/07	7/15/07 – 7/14/08	7/15/08 – 7/14/09
Single	\$100.90/\$80.90	\$173.32	\$200.00	\$206.67
1 DEP	\$105.50/\$83.20	\$199.32	\$230.00	\$237.67
2 DEP	\$108.30/\$86.10	\$225.32	\$260.00	\$268.67
3 DEP	\$113.40/\$88.90	\$251.32	\$290.00	\$299.67
4+ DEP	\$117.40/\$91.80	\$260.00	\$300.00	\$310.00
STATUS	7/15/09 – 7/14/10	7/15/10 – 7/14/18		
Single	\$213.33	\$220.00		
1 DEP	\$245.33	\$253.00		
2 DEP	\$277.33	\$286.00		
3 DEP	\$309.33	\$319.00		
4 DEP	\$320.00	\$330.00		
<b>Before 2/1/06:</b>				
- Minimum PPD rate does not exceed employee's AWW				
- PPD rated calculate at 60% of AWW (AWW x .6 = PPD)				
- TTD rate calculated at 66 2/3% of AWW (AWW x 2/3 = TTD)				
<b>On/after 2/1/06:</b>				
- PPD/TTD rate (min. rate) is 66 2/3% of sum of highest min. wage multiplied by 40 hours				
- Highest min. wage = Federal min. wage or IL min. wage, whichever is more				
- Increase by 10% for each spouse and child. Min. TTD/PPD rate does not exceed 100% of total min. wage calculation nor exceeds employee's AWW, whichever is less				

Dates	Max. TTD/T&P, Death, Amputation	Min. PTD & Death	SAWW
7/15/05 – 1/14/06	\$1,078.31	\$404.37	\$808.73
1/15/06 – 7/14/06	\$1,096.27	\$411.10	\$822.20
7/15/06 – 1/14/07	\$1,120.87	\$420.33	\$840.65
1/15/07 – 7/14/07	\$1,148.51	\$430.69	\$861.38
7/15/07 – 1/14/08	\$1,164.37	\$436.64	\$873.28
1/15/08 – 7/14/08	\$1,178.48	\$441.93	\$883.86
7/15/08 – 1/14/09	\$1,216.75	\$456.28	\$912.56
1/15/09 – 7/14/09	\$1,231.41	\$461.78	\$923.56
7/15/09 – 1/14/10	\$1,243.00	\$466.13	\$932.25
1/15/10 – 7/14/10	\$1,243.00	\$466.13	\$922.45
7/15/10 – 1/14/11	\$1,243.00	\$466.13	\$925.08
1/15/11 – 7/14/11	\$1,243.00	\$466.13	\$930.39
7/15/11 – 1/14/12	\$1,261.41	\$473.03	\$946.06
1/15/12 – 7/14/12	\$1,288.96	\$483.36	\$966.72
7/15/12 – 1/14/13	\$1,295.47	\$485.80	\$971.60
1/15/13 – 7/14/13	\$1,320.03	\$495.01	\$990.02
7/15/13 – 1/14/14	\$1,331.20	\$499.20	\$998.40
1/15/14 – 7/14/14	\$1,336.91	\$501.34	\$1,002.68
7/14/14 – 1/14/15	\$1,341.07	\$502.90	\$1,005.80
1/15/15 – 7/14/15	\$1,361.79	\$510.67	\$1,021.34
7/15/15 – 1/14/16	\$1,379.73	\$517.40	\$1,034.80
1/15/16 – 7/14/16	\$1,398.23	\$524.34	\$1,048.67
7/15/16 – 1/14/17	\$1,428.74	\$535.79	\$1,071.58
1/15/17 – 7/14/17	\$1,435.17	\$538.19	\$1,076.38
7/15/17 – 1/14/18	\$1,440.60	\$540.23	\$1,080.45
1/15/18 – 7/14/18	\$1,463.80	\$548.93	\$1,097.85
7/15/18 – 1/14/19	\$1,480.12	\$555.05	\$1,110.09

Statutory Maximum Permanent Partial Disability Rates	
Date of Accident	Rate
7/1/03 – 6/30/04	\$550.47
7/1/04 – 6/30/05	\$567.87
7/1/05 – 6/30/06	\$591.77
7/1/06 – 6/30/07	\$619.97
7/1/07 – 6/30/08	\$636.15
7/1/08 – 6/30/09	\$664.72
7/1/09 – 6/30/10	\$664.72
7/1/10 – 6/30/11	\$669.64
7/1/11 – 6/30/12	\$695.78
7/1/12 – 6/30/13	\$712.55
7/1/13 – 6/30/14	\$721.66
7/1/14 – 6/30/15	\$735.37
7/1/15 – 6/30/16	\$755.22
7/1/16 – 6/30/17	\$775.18
7/1/17 – 6/30/18	\$790.64

**Burial Expense** - \$4,200.00 from 7/1/92 to 2/1/06; \$8,000.00 on/after 2/1/06

\*Maximum Wage Differential for Accidents on/after 2/1/06 will be no more than the SAWW.

# QUICK LIST OF 2011 CHANGES TO ILLINOIS WORKERS' COMPENSATION ACT

## Wage Differential Claims:

- Capped at age of 67 or 5 years from the date the award becomes final, whichever is later.
- For claims occurring after September 1, 2011

## Carpal Tunnel Claims:

- For repetitive or cumulative trauma only
- Reduced back to pre 2005 amendments rates of 190 weeks
- PPD shall not exceed 15%
- With "clear and convincing evidence" can increase to no more than 30%
- For claims on or after June 28, 2011

## Temporary Partial Disability:

- 2/3rds of the difference between AWW and gross wages of modified job

## Fee Schedule:

- Maximum allowable payment shall be 70% of the Fee Schedule amount for all treatment on or after September 1, 2011
- For non-Fee Schedule treatment, reimbursement reduced to 53.2% (previously 76%)
- Implants reimbursed at 25% above net manufacturer's invoice less rebates plus reasonable and customary shipping
- Out of state treatment reimbursed at the lesser of the State Fee Schedule where treatment performed or Illinois Fee Schedule
- Applies to any treatment that occurs on or after September 1, 2011.

**Time to Pay Medical Bills:** Employers or their carriers now have 30 days to pay bills. If additional information is necessary to review for payment, it must be requested in writing to the provider within 30 days of receipt of bills

## Utilization Review:

- Petitioner has the burden of proof to show that U.R. finding is unreasonable and unnecessary.

## Choice of Physician:

- Unless an employer adopts a preferred choice of physician program, the "two doctor rule" still applies.
- Otherwise, the employer shall furnish a written list of physicians in the preferred provider program to employee upon notice of injury.
- The employee may in writing, decline the program and choose his own physician.
- When employee opts out of program the employee is then limited to one choice of physician.
- Employee's choice of physician is reinstated if a determination is made upon a written Petition to the Commission by the employee that the "in-network medical care" has been inadequate or improper.
- Commission's decision on inadequate or improper care must be made within 5 days of the hearing.

## Guidelines for Permanent Partial Disability (PPD):

- There are five facts to consider:
  1. Level of impairment as found by a physician in accordance with the "AMA guidelines";
  2. The petitioner's occupation;
  3. The petitioner's age at time of injury;
  4. The petitioner's future earning capacity; and
  5. Evidence of the petitioner's disability corroborated by treating medical records.
- No single factor alone shall determine disability.
- Any fact used in addition to impairment rating must be explained in written order.
- This applies to claims that occur on or after September 1, 2011.

## Intoxication:

- Rebuttable presumption that intoxication is proximate cause of accident if at the time of the accident there was 0.80% or more by weight of alcohol in the employee's blood, breath or urine or if there is any evidence of impairment due to the unlawful use of cannabis, controlled substance or intoxicating compound.
- Refusal to submit to drug/alcohol test is rebuttable presumption of intoxication
- Applies to claims on or after September 1, 2011

## Accident occurring during commission of a forcible felony

- Accidents occurring while employee commits one of the following:
  1. Forcible felony
  2. Aggravated DUI (including alcohol, other drugs, intoxicating compound or combination)
  3. Reckless homicide
- AND the crime caused an accident resulting in the death or severe injury of another person.
- IF **CONVICTED**, then the accident/injury did not arise out of and in the course of employment.-->not compensable
- If acquitted or charges dismissed, no automatic presumption of compensability and/or eligibility for benefits.
- No 19(k) or (l) benefits or 16 attorney fees if employee was charged with one of above-mentioned crimes during pendency of criminal proceedings.