



*The Commonwealth of Massachusetts*

*Division of Industrial Accidents*

*Leverett Saltonstall Building, Government Center*

*100 Cambridge Street, Boston 02202*

I A B FILE NO  
ATTENTION OF

March 1, 1982

CIRCULAR LETTER 207

TO: ALL Insurance Companies, All Self-Insurers, Workmen's Compensation Agents of Department of the Commonwealth and Counties, Cities, Towns, and Districts subject to the Workmen's Compensation Law (G. L. Chapter 152, as amended), and All Others Concerned.

RE: Payment of Compensation for Certain Specified Injuries

Attached are GUIDE LINES to be used in payment of compensation for certain specified injuries under General Laws, Chapter 152, Section 36, and will apply to all injuries sustained on and after December 1, 1981.

  
Francis J. Joyce  
Secretary

PUBLICATION: #12715-9-2,000-3-82-CR  
Approved by John J. Manton, State Purchasing Agent

EYES

(Paragraphs a-b-c)

a. Total loss of vision, or reduction to 20/70 of one eye with glasses	9,900.00
Loss of single binocular vision	9,900.00
b. Total loss of vision, or reduction to 20/70 of both eyes with glasses	24,750.00
c. For the permanent reduction of visual acuity in either eye below normal correctible by eyeglasses.	
20/20	1,650.00
20/25	2,805.00
20/30	3,465.00
20/35	4,290.00
20/40	5,280.00
20/45	6,270.00
20/50	7,425.00
20/60	8,580.00
20/70	9,900.00

DISFIGUREMENT OF EYE (k)

Enucleation - minimum payment	5,445.00
Loss of pupil or any prominent disruption of pupil - minimum payment	1,980.00
Obvious change in iris of eye, such as prominent scar across iris or change in color - minimum payment	2,970.00
Drooping eyelid, (Ptosis) - quite prominent minimum payment	2,970.00

In any case where there is obvious disfigurement of the eye, payment should be quite high.

EARS

Total loss of hearing for all practical purposes.

a. - one ear - section 36 (d)	7,425.00
b. - both ears - section 36 (d)	19,800.00

VARIOUS LOSSES OF FUNCTION UNDER SECTION 36 (j)

<u>SPINE</u>	(dorsal, lumbar, sacrum) - 100% loss	8,250.00
	(Cervical) - 100% loss of function - payment would be 75% of maximum under Section 36 (j) i. e. - for a 10% loss of function of the cervical spine, the payment would be \$620.00.	
<u>LUNG</u>		
	100% loss of one lung	4,125.00
<u>BRAIN INJURIES</u>		
	Loss of function would be percentage of maximum payment of	8,250.00
<u>SPLEEN</u>		
	Minimum payment for loss of function	2,475.00
<u>TASTE &amp; SMELL</u>		
	100% loss	8,250.00
<u>KIDNEY</u>		
	100% loss of one kidney	4,125.00
<u>TEETH</u>		
	Loss of each natural tooth	190.00
	THE MAXIMUM PAYMENT FOR ALL LOSSES OF FUNCTION COVERED BY SECTION 36 (j)	20,625.00

DISFIGUREMENT FOR VARIOUS INJURIES UNDER SECTION 36 (k)

Ruptured Disc, linear scar, not discolored, \$130.00 per inch below waistline; \$165.00 per inch above waistline.

Ruptured Disc, DISCOLORED linear scar, \$165.00 per inch below waistline; \$205.00 per inch above waistline.

Ruptured Disc, wide and discolored scar, \$205.00 per inch below waistline; \$250.00 per inch above waistline.

Scar on hip, donor site for spinal fusion, \$200.00 minimum.

VENTRAL or UMBILICAL hernia scar, \$130.00 per inch; 1/2" wide, discolored or having stitch marks, \$250.00 per inch.

INGUINAL hernia scar, \$165.00

FACIAL DISFIGUREMENT (k)

Fine, linear scar, not discolored 330.00 per inch

Fine, linear scar with discoloration 535.00 per inch

Wider scar - app. 1/4" - no discoloration 500.00 per inch

Wider scar - app. 1/2" - with discoloration 500.00 per inch

For a scar less than 1/4" wide, but more than linear, adjust equitably.

In cases of facial disfigurement, the award should be commensurately high.

ARMS

For loss of or loss of use of right, major arm - Section 36 (e) 11,140.00

For loss of or loss of use of left or minor arm - Section 36 (e) 9,900.00

For loss of or loss of use of both arms - Section 36 (e) 24,750.00

HANDS

For loss of or loss of use of right or major hand - at the wrist - Section 36 (f) 8,665.00 ✓

For loss of or loss of use of left or minor hand - at the wrist - Section 36 (f) 7,425.00

For loss of or loss of use of both hands - at the wrist - Section 36 (f) 19,800.00

*Shoulder = 10% of arm*

DISFIGUREMENTS FOR ARMS AND HANDS (k)

AMPUTATION AT WRIST	9,240.00
Going up proportionately to just below elbow	
(i. e. 3" - above wrist)	9,480.00
(i. e. 6" - above wrist)	9,720.00
AMPUTATION AT ELBOW	9,840.00
Going up proportionately to just below shoulder	
(i.e. 3" - above elbow)	10,080.00
(i.e. 6" - above elbow)	10,240.00
AMPUTATION JUST BELOW SHOULDER	10,440.00
AMPUTATION AT OR ABOVE SHOULDER	10,890.00
SCARS ON ARM AND HANDS	
Fine, linear scar, \$250.00 per inch	
Wider scar, 1/2", no discoloration, \$330.00 per inch.	
Wider scar, 1/2", with discoloration or noticeable stitch marks, \$415.00 per inch.	

FINGERS

See Accompanying Charts.

LEGS

For loss of or loss of use of one leg - Section 36 (g)	9,900.00
For loss of or loss of use of both legs - Section 36 (g)	24,750.00
For loss of or loss of use of either foot at any point above ankle joint - Section 36 (h)	7,425.00
For loss of or loss of use of both feet at any point above ankle joints - Section 36 (h)	17,325.00

DISFIGUREMENT (k)

AMPUTATION OF FOOT AT ANKLE	6,930.00
Going up proportionately to knee	
(i. e. 3" above ankle)	7,260.00
(i. e. 6" above ankle)	7,720.00
AMPUTATION AT KNEE	8,000.-
Going up proportionately to hip	
(i. e. 3" above knee)	8,315.00
(i. e. 6" above knee)	8,710.00
AMPUTATION AT HIP	8,910.00
SCARS ON LEGS	
Fine, linear scar, \$165.00 per inch.	
Wide scar, 1/8", no discoloration, \$250.00 per inch.	
Wide scar, 1/8", with discoloration or noticeable stitch marks, \$330.00 per inch.	

A MORE LIBERAL INTERPRETATION IN EVALUATING DISFIGUREMENT  
BASED ON THE FOREGOING SUMS SHOULD BE GIVEN IN THE CASE  
OF A YOUNG INDIVIDUAL.

TOES

(functional loss)

Large toe - 25% of foot	1,855.00
One joint of large toe - 2/3 of above amount	1,235.00
All other toes - 10% of foot	745.00
One joint - 5% of foot	370.00
Two joints - 9% of foot	670.00

DISFIGUREMENT FOR AMPUTATION OF TOES (k)

Large toe amputated	990.00
First joint of large toe	695.00
All other toes	595.00
One joint	300.00
Two joints	500.00

DISFIGUREMENT CLASSIFICATION (k) (TOTAL: \$10,890.00)

1 - 10% slight  
11 - 30% moderate  
31 - 75% severe  
75 - 100% very severe

All payments under Section 36 should be rounded cut to nearest \$5.00.

(i.e. - \$211.40 - \$210.00)  
(i.e. - \$213.25 - \$215.00)

THESE RECOMMENDATIONS IN REGARD TO  
DISFIGUREMENT ARE MERELY ADVISORY  
AND NOT PREJUDICIAL TO THE RIGHTS  
OF ANY OF THE PARTIES, AND ARE  
SUBJECT TO DETERMINATION BY THE  
BOARD MEMBER.

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SCHEDULE OF PAYMENTS FOR DISFIGUREMENT 2

36(14)

FOR THE AMPUTATION OF A HAND, OR ITS FINGERS

OR PARTS THEREOF

The numerals 1, 2, 3, 4, 5, shall designate respectively the following:

- |                   |  |
|-------------------|--|
| 1-Thumb           | One phalanx of second, third, fourth and fifth finger -- 50%   |
| 2-Second or Index |  |
| 3-Third or Middle |  |
| 4-Fourth or Ring  | Two phalanges of second, third, fourth and fifth finger -- 90% |
| 5-Fifth or Little |  |
| 1. Hand           |  |

Fingers and Combinations						TOTAL HAND \$9240
2	1	2	3	4	5	5750
3	1	2	3	4		7160
4	1	2	3		5	6930
5	1	2		4	5	6930
6	1		3	4	5	6930
7	1	2	3			5510
8	1	2		4		5510
9	1	2			5	5315
10	1		3	4		5510
11	1		3		5	5315
12	1			4	5	5315
13	1	2				3925
14	1		3			3925
15	1			4		3925
16	1				5	3695
17	1					2045
18	1	(Distal)				1330
19		2	3	4	5	6585
20		2	3	4		5315
21		2	3		5	4850
22		2		4	5	4350
23		2	3			3695
24		2		4		3695
25		2			5	3200
26		2				1615
27			3	4	5	5080
28			3	4		3695
29			3		5	3200
30			3			1615
31				4	5	3200
32				4		1615
33					5	1270

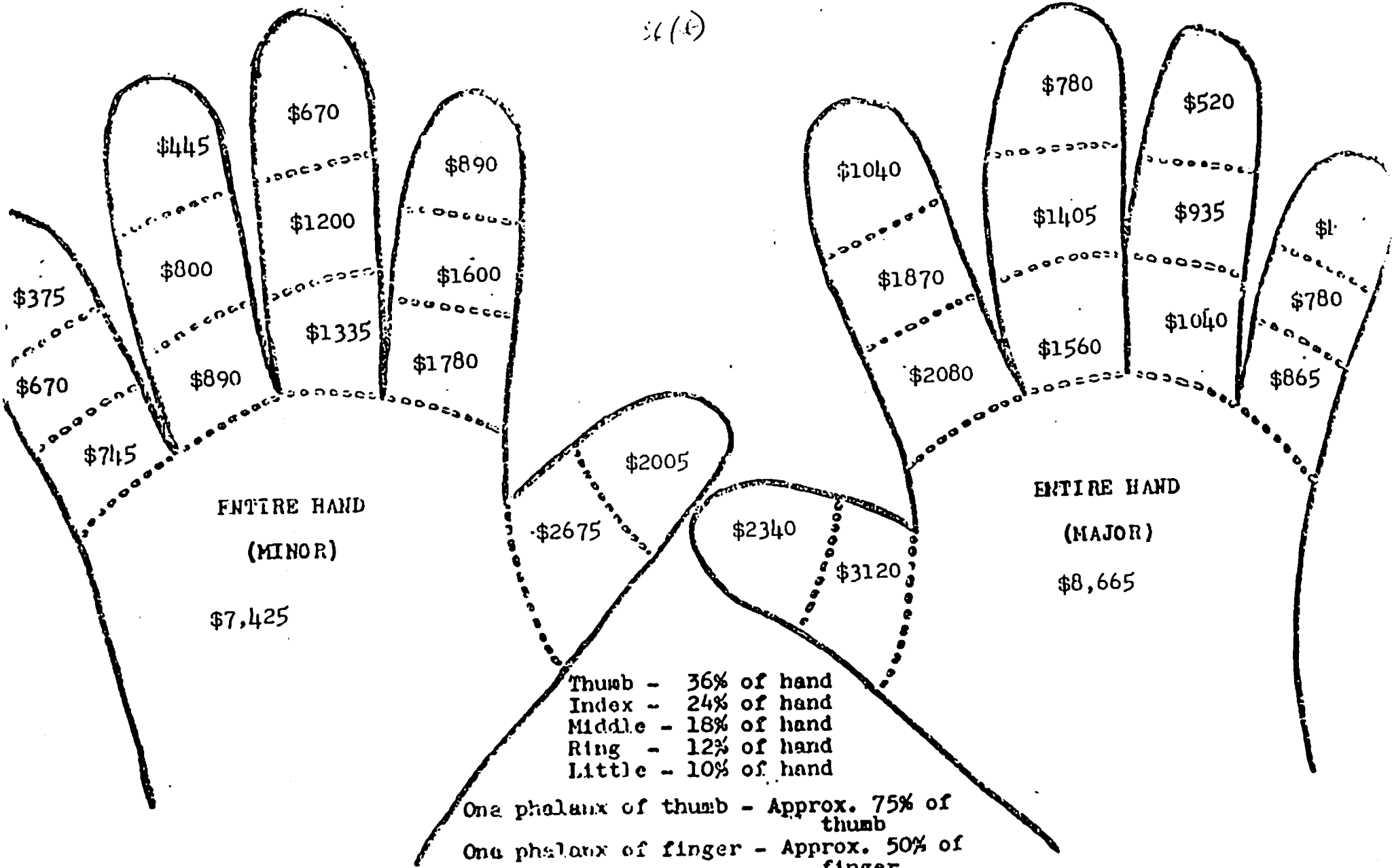
APPLICABLE TO INJURIES OCCURRING  
ON AND AFTER DECEMBER 1, 1981..



Chapter 741 - EFFECTIVE AND APPLICABLE  
 TO INJURIES OCCURRING ON AND AFTER  
 DECEMBER 1, 1981

LESSER FINGER WITH

26(A)



ENTIRE HAND  
 (MINOR)  
 \$7,425

ENTIRE HAND  
 (MAJOR)  
 \$8,665

- Thumb - 36% of hand
- Index - 24% of hand
- Middle - 18% of hand
- Ring - 12% of hand
- Little - 10% of hand

One phalanx of thumb - Approx. 75% of thumb  
 One phalanx of finger - Approx. 50% of finger  
 Two phalanges of finger - Approx. 90% of finger