JOEL M PRESSMAN
Commissioner

The Commonwealth of Massachusetts

Department of Industrial Accidents
600 Washington Street
Boston, Mass. 02111

September 25, 1987

CIRCULAR LETTER NO. 233

TO: ALL INSURERS, SELF-INSURERS, WORKERS' COMPENSATION AGENTS OF DEPARTMENTS OF THE COMMONWEALTH AND OF COUNTIES, CITIES, TOWNS, AND DISTRICTS SUBJECT TO M.G.L. c. 152

RE: GUIDELINES FOR DISFIGUREMENTS UNDER §36

I have attached new Departmental Guidelines for calculating scar-based disfigurements and disfigurement benefits for loss of fingers under M.G.L. Chapter 152, §36. These apply only to injuries occurring on or after January 1, 1986. They do not supersede the previous guidelines, but are intended to complement them by providing for a more uniform evaluation of permanent disfigurements based solely (or largely) on scarring or amputation - leaving less discretion to the evaluator.

There has been no change in the method for determining loss-of-function benefits.

If you have any questions or comments, please contact my office.

Joel M. Pressman

GUIDES FOR CALCULATING SCAR-BASED DISFIGUREMENTS OCCURRING ON AND AFTER JANUARY 1, 1986 INJURIES

FACE (32 X SAWW for max. disf.)

Linear scar, no disc.	- 2 X SAWW per inch
Linear scar, with disc.	- 3.25 X SAWW "
Wide scar, no disc.	- 3.5 X SAWW "
Wide scar, with disc.	- 6.5 X SAWW "

ARM OTHER THAN HAND OR WRIST (32 X SAWW for max. disf.)

Linear scar, no disc.	- 1.25 X SAWW per inch
Linear scar, with disc.	- 1.75 X SAWW "
Wide scar, no disc.	- 2 X SAWW "
Wide scar, with disc.	- 3.25 X SAWW "

HAND AND WRIST (22 X SAWW for max. disf)

Linear scar, no disc.	- 1.5 X SAWW per inch
Linear scar, with disc.	- 2 X SAWW "
Wide scar, no disc.	- 2.25 X SAWW "
Wide scar, with disc.	- 2.75 X SAWW "

HEAD OTHER THAN FACE (must be visible) (32 X SAWW for max. disf.)

Linear scar, no disc.	- 1.25 X SAWW per inch
Linear scar, with disc.	- 1.75 X SAWW "
Wide scar, no disc.	- 2 X SAWW "
Wide scar, with disc.	- 3.25 X SAWW "

NECK (13 X SAWW for max. disf.)

Linear scar, no disc.	- 1 X SAWW
Linear scar, with disc.	- 1.5 X SAWW
Wide scar, no disc.	- 1.75 X SAWW
Wide scar, with disc.	- 2.5 X SAWW

CHEST, GROIN & STOMACH (18 X SAWW for max. disf.)

Linear scar, no disc.	- 1 X SAWW per inch
Linear scar, with disc.	- 1.5 X SAWW "
Wide scar, no disc.	- 1.75 X SAWW "
Wide scar, with disc.	- 2 X SAWW "

BACK (15 X SAWW for max. disf.)

Linear scar, no disc.	- 1 X SAWW per inch
Linear scar, with disc.	- 1.5 X SAWW "
Wide scar, no disc.	- 1.75 X SAWW "
Wide scar, with disc.	- 2 X SAWW "

over

LEG (13 X SAWW for max. disf.)

Linear scar, no disc.	- 1 X SAWW per inch
Linear scar, with disc.	- 1.5 X SAWW "
Wide scar, no disc.	- 1.75 X SAWW "
Wide scar, with disc.	- 2.5 X SAWW "

FOOT (18 X SAWW for max. disf.)

Linear scar, no disc.	- .75 X SAWW per inch
Linear scar, with disc.	- 1 X SAWW "
Wide scar, no disc.	- 1.25 X SAWW "
Wide scar, with disc.	- 1.5 X SAWW "

SCHEDULE OF PAYMENTS FOR DISFIGUREMENT 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
2. Second or Index
3. Third or Middle
4. Fourth or Ring
5. Fifth or Little

Fingers and Combinations						TOTAL HAND 22 X SAWW
2	1	2	3	4	5	22 X SAWW
3	1	2	3	4		22 X SAWW
4	1	2	3		5	22 X SAWW
5	1	2		4	5	22 X SAWW
6	1		3	4	5	22 X SAWW
7	1	2	3			22 X SAWW
8	1	2		4		22 X SAWW
9	1	2			5	22 X SAWW
10	1		3		5	22 X SAWW
11	1		3		5	22 X SAWW
12	1			4	5	22 X SAWW
13	1	2				22 X SAWW
14	1		3			22 X SAWW
15	1			4		22 X SAWW
16	1				5	22 X SAWW
17	1					16.5 X SAWW
18		2	3	4	5	22 X SAWW
19		2	3	4		22 X SAWW
20		2	3		5	22 X SAWW
21		2		4	5	22 X SAWW
22		2	3			16.5 X SAWW
23		2		4		16.5 X SAWW
24		2			5	16.5 X SAWW
25		2				7.5 X SAWW
26			3	4	5	22 X SAWW
27			3	4		16.5 X SAWW
28			3		5	16.5 X SAWW
29			3			7.5 X SAWW
30				4	5	16.5 X SAWW
31				4		7.5 X SAWW
32					5	7.5 X SAWW

APPLICABLE TO INJURIES OCCURRING ON AND AFTER JANUARY 1, 1986

Disfigurement Awards For Partial Loss of Fingers

One phalanx of 2nd, 3rd, 4th or 5th finger = 50% of finger.
Two phalanges of 2nd, 3rd, 4th or 5th finger = 90% of finger.
One phalanx of thumb = 90% of thumb.

Three Examples

EX. 1. If someone loses half a thumb and all of 2nd and 3rd fingers, then 90% + 100% + 100% divided by 3 = 96.7% of 22 X SAWW (from line 4).

EX. 2. If someone loses one phalanx of 2nd finger, 2 phalanges of 3rd finger and all of 4th finger, then 50% + 90% + 100% = 240% divided by 3 = 80% of 22 X SAWW (from line 19).

EX. 3. If someone loses one phalanx of each of 2nd and 3rd fingers, then 50% + 50% = 100% divided by 2 = 50% of 16.5 X SAWW (from line 22).