



The Commonwealth of Massachusetts

Division of Industrial Accidents

*State Office Building, Government Center
100 Cambridge Street, Boston 02202*

I.A.B. FILE NO.
ATTENTION OF:

CIRCULAR LETTER 197

November 1, 1973

TO: All Insurance Companies, All Self-Insurers, Workmen's Compensation Agents of Departments 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 November 1, 1972.



John J. Maloney
Secretary

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Approved by Alfred C. Holland, State Purchasing Agent.

EYES

(Paragraphs a-b-c)

a.	Total loss of vision, or reduction to 20/70 of one eye with glasses	6,000.00
	Loss of single binocular vision	6,000.00
b.	Total loss of vision, or reduction to 20/70 of both eyes with glasses	15,000.00
c.	For the permanent reduction of visual acuity in either eye below normal correctible by eyeglasses.	
	20/20	1,000.00
	20/25	1,700.00
	20/30	2,100.00
	20/35	2,600.00
	20/40	3,200.00
	20/45	3,800.00
	20/50	4,500.00
	20/60	5,200.00
	20/70	6,000.00

DISFIGUREMENT OF EYE (k)

Enucleation - minimum payment	3,300.00
Loss of pupil or any prominent disruption of pupil - minimum payment	1,200.00
Obvious change in iris of eye, such as prominent scar across iris or change in color - minimum payment	1,800.00
Drooping eyelid, (Ptosis) - quite prominent minimum payment	1,800.00
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)	4,500.00
b. - both ears - section 36 (d)	12,000.00

VARIOUS LOSSES OF FUNCTION UNDER SECTION 36 (j)

<u>SPINE</u>	(dorsal, lumbar, sacrum) - 100% loss	5,000.00
	(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 \$5,000.00 x 75% x 10% or \$375.00.	
<u>LUNG</u>		
	100% loss of one lung	2,500.00
<u>BRAIN INJURIES</u>		
	Loss of function would be percentage of maximum payment of	5,000.00
<u>SPLEEN</u>		
	Minimum payment for loss of function	800.00
<u>TASTE & SMELL</u>		
	100% loss	5,000.00
<u>KIDNEY</u>		
	100% loss of one kidney	2,500.00
<u>TEETH</u>		
	Loss of each natural tooth	115.00
	THE MAXIMUM PAYMENT FOR ALL LOSSES OF FUNCTION COVERED BY SECTION 36 (j)	12,500.00

DISFIGUREMENT FOR VARIOUS INJURIES UNDER SECTION 36 (j)

Ruptured Disc, linear scar, not discolored, \$80.00 per inch below waistline; \$100.00 per inch above waistline.

Ruptured Disc, DISCOLORED linear scar, \$100.00 per inch below waistline; \$125.00 per inch above waistline.

Ruptured Disc, wide and discolored scar, \$125.00 per inch below waistline; \$150.00 per inch above waistline.

Scar on hip, donor site for spinal fusion,
\$120.00 minimum.

VENTRAL or UMBILICAL hernia scar, \$80.00
per inch; $\frac{1}{2}$ " wide, discolored or having
stitch marks, \$150.00 per inch.

INGUINAL hernia scar, \$100.00.

FACIAL DISFIGUREMENT (k)

Fine, linear scar, not discolored	200.00 per inch
Fine, linear scar with discoloration	325.00 per inch
Wider scar - app. $\frac{1}{2}$ " - no discoloration	300.00 per inch
Wider scar - app. $\frac{1}{2}$ " - with discoloration	480.00 per inch
For a scar less than $\frac{1}{2}$ " 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)	6,750.00
For loss of or loss of use of left or minor arm - Section 36 (e)	6,000.00
For loss of or loss of use of both arms - Section 36 (e)	15,000.00

HANDS

For loss of or loss of use of right or major hand - at the wrist - Section 36 (f)	5,250.00
For loss of or loss of use of left or minor hand - at the wrist - Section 36 (f)	4,500.00
For loss of or loss of use of both hands - at the wrist - Section 36 (f)	12,000.00

DISFIGUREMENTS FOR ARMS AND HANDS (k)

AMPUTATION AT WRIST	4,800.00
Going up proportionately to just below elbow	
{i. e. 3" - above wrist}	5,040.00
{i. e. 6" - above wrist}	5,280.00
AMPUTATION AT ELBOW	5,400.00
Going up proportionately to just below shoulder	
{i. e. 3" - above elbow}	5,640.00
{i. e. 6" - above elbow}	5,800.00
AMPUTATION JUST BELOW SHOULDER	6,000.00
AMPUTATION AT OR ABOVE SHOULDER	6,600.00
SCARS ON ARM AND HANDS	
Fine, linear scar, \$150.00 per inch	
Wider scar, $\frac{1}{2}$ ", no discoloration, \$200.00 per inch.	
Wider scar, $\frac{1}{2}$ ", with discoloration or noticeable stitch marks, \$250.00 per inch.	

FINGERS

See Accompanying Charts.

LEGS

For loss of or loss of use of one leg - Section 36 (g)	6,000.00
For loss of or loss of use of both legs - Section 36 (g)	15,000.00
For loss of or loss of use of either foot at any point above ankle joint - Section 36 (h)	4,500.00
For loss of or loss of use of both feet at any point above ankle joints - Section 36 (h)	10,500.00

DISFIGUREMENT (k)

AMPUTATION OF FOOT AT ANKLE	4,200.00
Going up proportionately to knee	
(i. e. 3" above ankle)	4,400.00
(i. e. 6" above ankle)	4,680.00
AMPUTATION AT KNEE	
Going up proportionately to hip	
(i. e. 3" above knee)	5,040.00
(i. e. 6" above knee)	5,280.00
AMPUTATION AT HIP	5,400.00
SCARS ON LEGS	
Fine, linear scar, \$100.00 per inch.	
Wide scar, $\frac{1}{2}$ ", no discoloration, \$150.00 per inch.	
Wide scar, $\frac{1}{2}$ ", with discoloration or noticeable stitch marks, \$200.00 per inch.	

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

TOES

(functional loss)

Large toe - 25% of foot	1,125.00
One joint of large toe - 2/3 of above amount	750.00
All other toes - 10% of foot	450.00
One joint - 5% of foot	225.00
Two joints - 9% of foot	405.00

DISFIGUREMENT FOR AMPUTATION OF TOES (k)

Large toe amputated	600.00
First joint of large toe	420.00
All other toes	360.00
One joint	180.00
Two joints	300.00

DISFIGUREMENT CLASSIFICATION (k) (TOTAL: \$6,600.00)

1 - 10%	slight
11 - 30%	moderate
31 - 75%	severe
76 - 100%	very severe

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

{1. e. - \$211.40 - \$210.00}
{1. 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.

SCHEDULE OF PAYMENTS FOR DISFIGUREMENT
FOR THE AMPUTATION OF A HAND, OR OF 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

One phalanx of second, third, fourth and fifth finger -- 50%

Two phalanges of second, third fourth and fifth finger -- 90%

1 Hand						TOTAL Major \$5600.	TOTAL Minor \$4800.
Fingers and Combinations							
2	1	2	3	4	5	5320.	4560.
3	1	2	3	4		4340.	3720.
4	1	2	3		5	4200.	3600.
5	1	2		4	5	4200.	3600.
6	1		3	4	5	4200.	3600.
7	1	2	3			3340.	2880.
8	1	2		4		3340.	2880.
9	1	2			5	3220.	2760.
10	1		3	4		3340.	2880.
11	1		3		5	3220.	2760.
12	1			4	5	3220.	2760.
13	1	2				2380.	2040.
14	1		3			2380.	2040.
15	1			4		2380.	2040.
16	1				5	2240.	1920.
17	1					1240.	1080.
18	1	(Distal)				805.	690.
19		2	3	4	5	3990.	3420.
20		2	3	4		3220.	2760.
21		2	3		5	2940.	2520.
22		2		4	5	2940.	2520.
23		2	3			2240.	1920.
24		2		4		2240.	1920.
25		2			5	1940.	1680.
26		2				980.	840.
27			3	4	5	3080.	2640.
28			3	4		2240.	1920.
29			3		5	1940.	1680.
30			3			980.	840.
31				4	5	1940.	1680.
32				4		980.	840.
33					5	770.	660.

APPLICABLE TO INJURIES OCCURRING
ON AND AFTER NOVEMBER 1, 1972

Chapter 741 - EFFECTIVE AND APPLICABLE
TO INJURIES OCCURRING ON AND AFTER
NOVEMBER 1, 1972

