



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:

February 23, 1972

CIRCULAR LETTER NO. 191

TO: ALL INSURANCE COMPANIES, ALL SELF-INSURERS, AND WORKMEN'S COMPENSATION AGENTS OF DEPARTMENTS OF THE COMMONWEALTH AND COUNTIES, CITIES, TOWNS, AND DISTRICTS SUBJECT TO THE WORKMEN'S COMPENSATION LAW (GENERAL LAWS, CHAPTER 152, AS AMENDED).

RE: CHARGES OF HOSPITALS FOR SERVICES UNDER THE WORKMEN'S COMPENSATION ACT.

The Division of Industrial Accidents has received the following amendments to the Industrial Accident Rates of Payment for hospitals:

Table with 4 columns: Hospital, Inpatient Per Diem Rate, Outpatient Percentage Of Charge Rate, Effective Date. Rows include Holyoke, New England Rehabilitation Center, Inc., St. Luke's, and Wesson Memorial.

Very truly yours,

Handwritten signature of John J. Maloney

John J. Maloney
Secretary

JJM:kms



Commonwealth of Massachusetts

Division of Industrial Accidents

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

WHEN REPLYING
PLEASE QUOTE I.A.B.
FILE NO.
ATTENTION OF:

January 10, 1972

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 29, 1966.

James J. Gaffney, Jr.
James J. Gaffney, Jr.
Chairman

"Publication No. 5868, approved by Alfred C. Holland,
State Purchasing Agent."

DIVISION OF INDUSTRIAL ACCIDENTS

SPECIFIC COMPENSATION

SECTION 36 PAYMENTS

For injuries effective as of November 29, 1966.

EYES --(Par. - a - b - c - d - e)

Total loss of vision or reduction to 20/70 of both eyes \$12,500.00

Total loss of vision or reduction to 20/70 of one eye 5,000.00

Loss of single binocular vision 5,000.00

For the permanent reduction of visual acuity in either eye below normal correctible by eyeglasses.

20/25	\$ 595
20/30	1,180
20/35	1,735
20/40	2,275
20/45	2,775
20/50	3,265
20/60	4,175
20/70	5,000

DISFIGUREMENT OF EYE

Enucleation - minimum payment 2,750.00

Loss of pupil or any prominent disruption of pupil - minimum payment 1,000.00

Obvious change in iris of eye, such as prominent scar across iris or change in color - minimum payment 1,500.00

Drooping eyelid, (Ptosis) - quite prominent - minimum payment 1,500.00

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 (f) 3,750.00

b - both ears section 36 (g) 10,000.00

VARIOUS LOSSES OF FUNCTION UNDER SECTION 36 (1)

SPINE - (dorsal, lumbar, sacrum) - 100% loss \$ 4,375.00

(Cervical) - 100% loss of function - payment would be 75% of maximum under Section 36 (1) i.e. - for a 10% loss of function of the cervical spine, the payment would be \$4,375 x 75% x 10% or \$328.13 which should be rounded out to \$330.00.

LUNG

100% loss of one lung 2,200.00

BRAIN INJURIES

Loss of function would be percentage of maximum payment of \$4,375.00

SPLEEN

Minimum payment for loss of function 650.00

TASTE & SMELL

100% Loss 3,200.00

KIDNEY

100% loss of one kidney 2,200.00

TEETH

Loss of each natural tooth 95.00

THE MAXIMUM PAYMENT FOR ALL LOSSES OF
FUNCTION COVERED BY SECTION 36 (1) 4,375.00

DISFIGUREMENT FOR VARIOUS INJURIES UNDER SECTION 36 (1)

Ruptured disc scar - 4 to 5 inches long, fine linear scar, not discolored, completely below waistline--minimum payment 200.00

If one inch or so shows above waistline - minimum payment 250.00

Scar on hip from fusion for disc - minimum payment 100.00

Ventral or umbilical hernia scar, 7 - 8", fine, light, linear operative scar 450.00

1/2" wide, discolored, stitch marks 750.00

Inguinal hernia scar - average payment 50.00

FACIAL DISFIGUREMENT

3" fine, linear scar, not discolored	\$ 500.00
3" fine linear scar with discoloration	850.00
3" wider scar - app. 1/2" - no discoloration	750.00
3" wider scar - app. 1/2" - with discoloration	1,200.00

On a fine linear scar, add about \$100.00 for each inch if not discolored, and about \$150.00 if discolored.

For a wider scar, add about \$150.00 for each inch if not discolored and about \$200.00 if discolored.

In all cases of disfigurement on the face, the payment should be quite high.

ARMS

For loss of or loss of use of right, or major arm at or above elbow - section 36 (j)	5,625.00
For loss of or loss of use of left or minor arm section 36 (k)	5,000.00
For loss of or loss of use of both arms section 36 (t)	12,500.00

HANDS

For loss of or loss of use of right or major hand - below elbow section 36 (l)	4,375.00
For loss of or loss of use of left or minor hand - below elbow (m)	3,750.00
For loss of or loss of use of both hands-below elbows section 36 (s)	10,000.00

DISFIGUREMENTS FOR ARMS AND HANDS

<u>AMPUTATION AT WRIST</u>	4,000.00
going up proportionately to just below elbow	
(i. e. 3" - above wrist)	4,200.00
(i. e. 6" - above wrist)	4,400.00

AMPUTATION AT ELBOW

Going up proportionately to just below shoulder \$4,500.00
i.e. 3" above elbow 4,700.00
6" above elbow 4,900.00

AMPUTATION JUST BELOW SHOULDER 5,000.00

AMPUTATION AT OR ABOVE SHOULDER 5,500.00

SCARS ON ARM AND HANDS

4" - 5" fine, linear scar, no discoloration 400.00
with discoloration 600.00
wider scar, 1/2" no discoloration 600.00
wider scar, 1/2" with discoloration or with noticeable
stitch marks 900.00

FINGERS

See accompanying charts.

LEGS

For loss of or loss of use of one leg at or above knee-section 36 (n) 5,000.00

For loss of or loss of use of both legs at or
above knees - section 36 (n) 12,500.00

For loss of or loss of use of one leg below the knee section 36 (o) 3,750.00

For loss of or loss of use of both legs below the knees, section
36 (o) 8,750.00

DISFIGUREMENT

AMPUTATION OF FOOT AT ANKLE 3,500.00

Going up proportionately to knee
i. e. 3" above ankle 3,700.00
6" above ankle 3,900.00

AMPUTATION AT KNEE 4,000.00

going up proportionately to hip
i. e. 3" above knee 4,200.00
6" above knee 4,400.00

AMPUTATION AT HIP 4,500.00

SCARS ON LEGS

4 - 5" fine linear scar no discoloration	\$ 300.00
With discoloration	400.00
Wide scar - 1/2" no discoloration	450.00
With discoloration or with noticeable stitch marks	700.00
Scar as result of removal of semilunar cartilage from knee	
4-5" long - fine linear operative scar, not discolored.	300.00
If discolored or wide scar about 1/2"	450.00
With noticeable stitch marks, wide - 1/2" discolored	700.00

TOES (Functional Loss)

Large toe - 25% of foot	940.00
One joint of large toe - 2/3 of above amount	625.00
All other toes-10% of foot	375.00
one joint 5% of foot	190.00
two joints 9% of foot	350.00

DISFIGUREMENT FOR AMPUTATION OF TOES

Large toe amputated	500.00
First joint of large toe	350.00
All other toes	300.00
one joint	150.00
two joints	250.00

If the employee is very young or is a female, the foregoing figures for disfigurement in most cases should be increased.

DISFIGUREMENT CLASSIFICATION

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

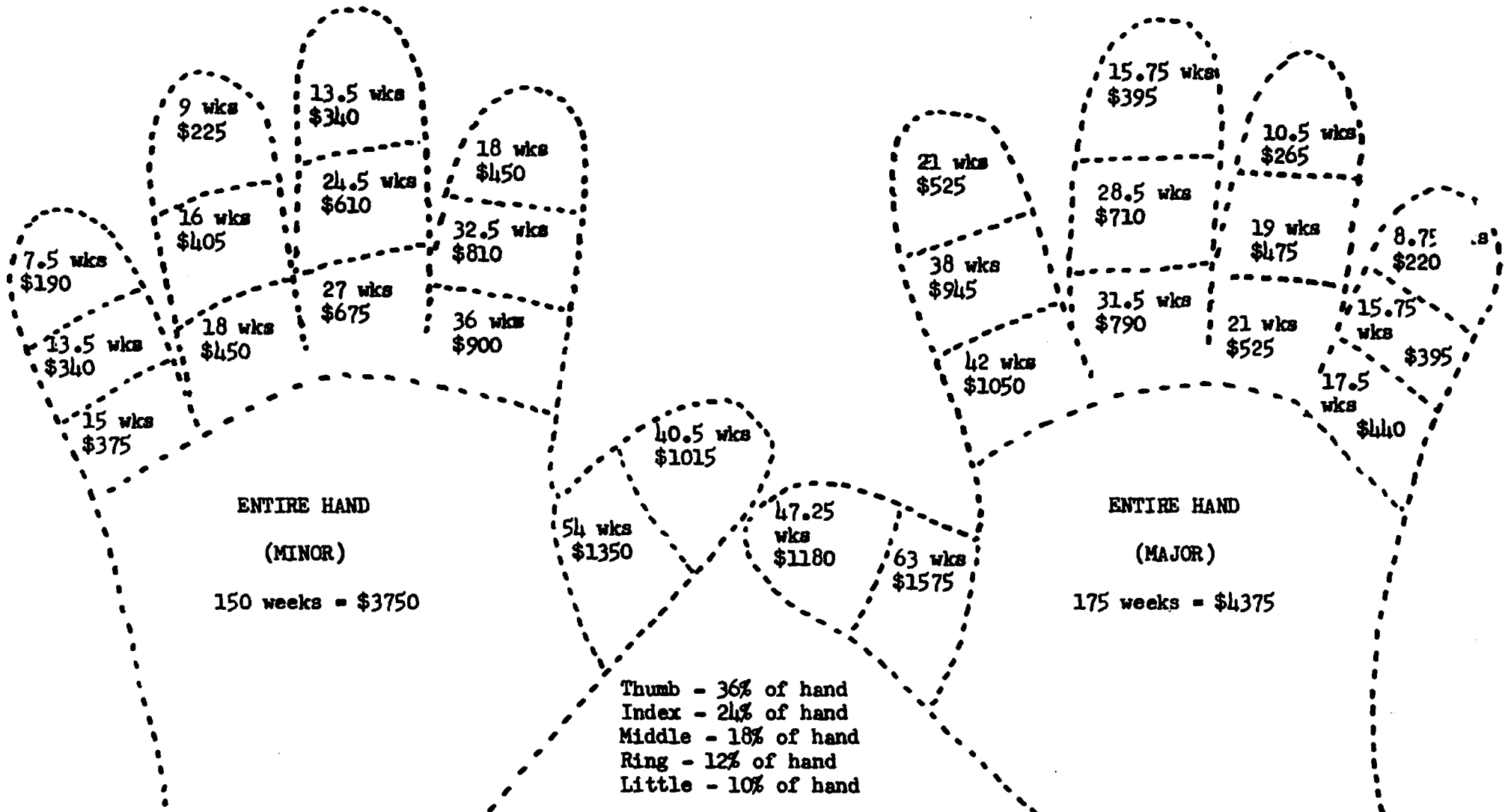
All payments under section 36 should be rounded out to nearest \$5.00

i. e. 211.40	-	\$210.00
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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Chapter 471 - EFFECTIVE AND APPLICABLE
 TO INJURIES OCCURRING ON AND AFTER
 NOVEMBER 29, 1966



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

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

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

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

	HAND				NO. OF WEEKS	TOTAL AMOUNT \$4,000.		
1					160			
		Fingers and Combinations						
2		1	2	3	4	5	152	3800
3		1	2	3	4		124	3100
4		1	2	3		5	120	3000
5		1	2		4	5	120	3000
6		1		3	4	5	120	3000
7		1	2	3			96	2400
8		1	2		4		96	2400
9		1	2			5	92	2300
10		1		3	4		96	2400
11		1		3		5	92	2300
12		1			4	5	92	2300
13		1	2				68	1700
14		1		3			68	1700
15		1			4		68	1700
16		1				5	64	1600
17		1					36	900
18		1	(Distal)				23	575
19			2	3	4	5	114	2850
20			2	3	4		92	2300
21			2	3		5	84	2100
22			2		4	5	84	2100
23			2	3			64	1600
24			2		4		64	1600
25			2			5	56	1400
26			2				28	700
27				3	4	5	28	2200
28				3	4		64	1600
29				3		5	56	1400
30				3			28	700
31					4	5	56	1400
32					4		28	700
33						5	22	550

Applicable to Injuries Occurring
on and after November 29, 1966