



POLICY

NUMBER: 3.3.4R

Effective Date: September 10th, 2004

Topic: Determining Permanent Medical Impairment Ratings using the *Guides to the Evaluation of Permanent Impairment (AMA Guides – 4th Edition)* – Injuries on or after January 1, 2000

Date Issued: September 13th, 2004

Section: Short-Term and Long-Term Benefits

Date Approved by Board of Directors:
September 9th, 2004

Subsection: Permanent Impairment Benefit (PIB)

Preamble

Under the Workers' Compensation Act (the "Act") a worker who has a permanent impairment as the result of a compensable injury is entitled to the payment of a permanent-impairment benefit based on the degree of that permanent impairment. In order to calculate the amount of the permanent-impairment benefit the worker is entitled to receive, the Board is required by the Act to establish a permanent impairment rating schedule and to use that schedule to determine the existence and degree of the worker's permanent impairment.

Definitions

For the purposes of this Policy, the following definitions shall apply:

"compensable injury" means a personal injury by accident arising out of and in the course of employment;

"disability" means the decreased capacity or loss of ability of an individual to meet personal, social or occupational demands;

"impairment" means the loss of, loss of use of, or derangement of any body part, system or function;

"permanent impairment" means impairment associated with a permanent medical impairment and/or a pain-related impairment.

"permanent medical impairment" means any impairment that has become static or stabilized and that is unlikely to improve despite further medical treatment. A permanent medical impairment also accounts for the usual pain that accompanies the type of injury and resulting impairment.

"Usual pain" means all pain except for chronic pain as defined by the *Act*, *Chronic Pain Regulations* and Policy 3.3.5.

"pain-related impairment" means impairment associated with chronic pain.

Policy Statement

1. Subject to the limitations set out in this Policy and in other Board policies, for injuries on or after January 1, 2000, the Board shall use the American Medical Associations "Guides to the Evaluation of Permanent Impairment –

Fourth Edition” (the “AMA Guides – 4th Edition”) to determine the existence and degree of a worker’s permanent medical impairment. The permanent medical impairment rating determined in accordance with the AMA Guides –4th Edition will be used to calculate the amount of the permanent-impairment benefit payable to the worker as a result of a compensable injury.

2. In determining the existence and degree of a pain-related impairment the Board shall use a modified approach to Chapter 18 of the American Medical Association “Guides to the Evaluation of Permanent Impairment - Fifth Edition as outlined in Policy 3.3.5 – *Eligibility Criteria and Compensation related to Chronic Pain*.
3. A worker’s entitlement to be assessed with respect to any permanent medical impairment as the result of a compensable injury will be determined by the Board in accordance with the provisions of the *Act*, the Regulations made pursuant to the *Act* and other Board policies. The AMA Guides – 4th Edition will be used to determine the *degree* of the worker’s permanent medical impairment once *entitlement* to the assessment has been established.
4. The Board will use the method outlined in the AMA Guides – 4th Edition, “Chapter 14, Mental and Behavioural Disorder”, to assess the existence and level of a worker’s permanent medical impairment due to a compensable mental or behavioural (psychiatric) disorder. The impairment classifications in Chapter 14 range from Class 1-No Impairment to Class 5-Extreme Impairment; a rating or percentage scale is not included. The Board will use the following rating scale, in conjunction with the AMA Guides – 4th Edition, to determine the worker’s permanent medical impairment rating:

Classification	Impairment Rating
Class 1 – No Impairment	None
Class 2 – Mild Impairment; impairment levels compatible with most useful functioning	10-20%
Class 3 – Moderate Impairment; impairment levels compatible with some, but not all, useful functioning	25-50%
Class 4 – Marked Impairment; impairment levels significantly impede useful functioning	55-75%
Class 5 – Extreme Impairment; impairment levels preclude useful functioning	>75%

5. Permanent impairment ratings established under section 35 of the *Act* (automatic assumption) are to be determined in accordance with the criteria and ratings specified under Policy 3.3.2R2, “Respiratory System - Automatic Assumption.”
6. The existence and degree of a permanent impairment will be assessed by the Board. In general, the assessment will not be performed until the worker’s condition has stabilized and no further major medical interventions are planned (i.e., the worker has reached maximum medical recovery). The appropriate time for the permanent impairment assessment will be determined by the Case Manager in consultation with a Board Medical Adviser.

7. A worker's permanent medical impairment rating will be determined by a Board Medical Adviser, taking into consideration the following factors:
 - (a) a review of all pertinent information contained in the worker's WCB claim file(s);
 - (b) the results of a physical examination of the worker conducted by a Board Medical Adviser or, where the Board considers it appropriate, by an external medical specialist appropriate to the type of impairment; and
 - (c) the criteria set out in the AMA Guides – 4th Edition, as applicable.

If an impairment description does not match the AMA Guides – 4th Edition, the Board Medical Adviser will make a judgement rating following discussion with other Board Medical Advisers if necessary. A judgement rating may be determined by the Medical Adviser at any time if the scheduled rating is inappropriate to the worker's condition.

8. Permanent impairment ratings are expressed as a percentage of total body impairment with one hundred percent (100%) being the maximum possible rating.
9. Where multiple injuries result in more than one impairment, the impairments are evaluated on the basis of the whole person, rather than by adding the individual values. This is done with the use of the Combined Values Chart contained in the AMA Guides – 4th Edition.
10. When there is a permanent medical impairment of a dominant upper limb or hand, up to twenty percent (20%) of the assessed rating may be added, as it is recognized that a greater impairment exists in such cases.
11. The AMA Guides – 4th Edition are used to assess impairment, not disability. The existence and degree of permanent medical impairment are determined by medical means and are based solely on a demonstrable loss of bodily function.
12. The permanent-impairment benefit calculated based on the permanent impairment rating is not intended to compensate the worker for any loss of earnings as the result of a compensable injury. Therefore, the ability or inability of the worker to engage in gainful employment, the loss of employment or the loss of earnings as a result of a compensable injury are not considerations in the determination of the level of permanent impairment.

Application

This Policy is effective September 10, 2004. It replaces Policy 3.3.4 issued December 1, 1999 and effective January 1, 2000. Permanent medical impairment ratings for injuries prior to January 1, 2000 will be determined in accordance with Policy 3.3.2R2. Pain-related impairment ratings will be determined in accordance with Policy 3.3.5.

References

Workers' Compensation Act (Chapter 10, Acts of 1994 - 95), (as amended), Sections 34, 37(2), 37(3), 35. Policy 3.3.2R2.

Executive Corporate Secretary