

STATE OF TENNESSEE

Workers' Compensation Advisory Council



ANNUAL REPORT ~ CALENDAR YEAR 2001

including

Statistical Report: Tennessee Workers' Compensation Data - 2000 & 2001

**STEVE ADAMS, STATE TREASURER
CHAIR**

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STEVE ADAMS, STATE TREASURER
CHAIR

~
M. LINDA HUGHES
EXECUTIVE DIRECTOR

~
DAVID W. WILSTERMANN
STATISTICAL ANALYST

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STATE OF TENNESSEE

WORKERS' COMPENSATION ADVISORY COUNCIL

ANNUAL REPORT

CALENDAR YEAR 2001

Pursuant to *Tennessee Code Annotated* §50-6-121(c), the Workers' Compensation Advisory Council herewith submits its annual report for calendar year 2001:

HISTORICAL BACKGROUND

The Workers' Compensation Advisory Council was created initially by the legislature in the Workers' Compensation Reform Act of 1992. The Workers' Compensation Reform Act of 1996 terminated that existing Advisory Council and created a new advisory council on workers' compensation. The Advisory Council initially was to be comprised of seven (7) voting members [six (6) appointed members and a chair to be selected by the appointed voting members], four (4) nonvoting members, and four (4) ex officio members.

The Governor, the Speaker of the Senate and the Speaker of the House of Representatives each appointed one voting member to represent employers and one voting member to represent employees. The Governor appointed all nonvoting members: an attorney, a health care provider, an insurance company representative and a local government representative. The chair and vice chair of the Special Joint Committee on Workers' Compensation¹ and the commissioners of Labor

¹ *Tennessee Code Annotated* §50-6-130 created a "Special Joint Committee on Workers' Compensation"; however, it is often referred to as the "Joint Oversight Committee" or the "Joint Committee".

and Commerce & Insurance, or their designees, were designated as ex officio, nonvoting members. [*See, TCA §50-6-121.*]

In 1997, the statute was amended to add an additional nonvoting attorney member to be selected from a list of three names submitted by the Tennessee Trial Lawyers Association. As of January, 1998, a Chair had not been selected by the voting members. During the 1998 legislative session the General Assembly amended *TCA §50-6-121* to designate the State Treasurer, or the Treasurer's designee, as Chair of the Advisory Council. That amendment became effective July 1, 1998 and on that date, Mr. Steve Adams, State Treasurer, assumed the position of Chair of the Advisory Council. The Chair may vote only on matters related to the administration of the Advisory Council or the Advisory Council's research and the chair may not vote on any matter which constitutes the making of a policy recommendation to the Governor or to the General Assembly.

In calendar year 2000, Mr. Jim Neeley was reappointed by Governor Sundquist as a voting member representing employees and Mr. Steve Turner was reappointed by Speaker Naifeh as a voting member representing employers. Mr. Dave Goetz was appointed by Speaker Wilder as a voting member representing employers.

MEMBERSHIP CHANGES - 2001: During calendar year 2001, the legislature again amended the Advisory Council statute by adding an additional nonvoting attorney member to the Advisory Council. The Governor was directed to appoint the attorney from a list of three (3) names submitted by the Tennessee Defense Lawyers Association. On August 14, 2001, Governor Sundquist appointed Ms. Katherine D. (Kitty) Boyte, an attorney practicing in Nashville, to fill the position.

A list of the members of the Workers' Compensation Advisory Council as of December 31, 2001 is attached as "APPENDIX - A" to this report.



DUTIES AND RESPONSIBILITIES OF THE ADVISORY COUNCIL

The statutory language of the Reform Act of 1996, codified at *Tennessee Code Annotated §50-6-121*, outlines the authority given to the Advisory Council, its general duties and some of its

specific responsibilities. In general, the Advisory Council is authorized to: monitor the performance of the workers' compensation system in the implementation of legislative directives; make recommendations to the Commissioner of Labor and the Commissioner of Commerce and Insurance relating to the adoption of rules and legislation; and make recommendations regarding the method and form of statistical data collections.

Specific duties and responsibilities of the Advisory Council are contained in various sections of the workers' compensation law and in the insurance law, codified in *Tennessee Code Annotated*, Titles 50 and 56, respectively. Annually, the Advisory Council is required to review the workers' compensation system in Tennessee and report its findings to the Governor, the Speakers of the Senate and House of Representatives and other specified members of the legislature. That is the purpose of this Annual Report.

Another annual responsibility of the Advisory Council is to provide the Commissioner of Commerce and Insurance with a recommendation regarding any advisory prospective loss cost filing made by the National Council on Compensation Insurers (NCCI), the authorized Tennessee rating bureau. In calendar year 2001, the NCCI submitted two filings to the Commissioner of Commerce and Insurance that were sent to the Advisory Council for review. The Advisory Council's actions regarding these filings is outlined herein.

As indicated, the Advisory Council also has certain responsibilities associated with workers' compensation insurance rates and related issues. The Advisory Council was required to report on the market impact of the advisory prospective loss costs system of determining workers' compensation insurance rates by January 1, 2001.² The report given to the General Assembly is outlined later in this Annual Report.

In addition, the Advisory Council is directed to develop evaluations, statistical reports and other information from which the General Assembly may evaluate the impact of the 1992 Reform Act and subsequent changes to the workers' compensation system. The Department of Labor and Workforce Development has been in the process of developing and implementing an integrated

² This requirement was originally contained in a section of the 1996 Workers' Compensation Reform Act which was not codified and the report was due on January 5, 2000. Public Chapter 852, Section 3, Public Acts 2000, amended the statute to change the due date of the report to "on or before January 1, 2001".

workers' compensation data system. In 1998, the General Assembly passed a law that requires a statistical data form to be filed with the clerk of the court or with the Division of Workers' Compensation at the conclusion of a claim. That information is then integrated into the Department's data system. The Department of Labor and Workforce Development has provided Advisory Council staff with access to the data system. In an effort to meet its obligation concerning the development of information, evaluations and statistical reports concerning the impacts of workers' compensation reform in Tennessee, included in this Annual Report as "Exhibit B" is a study of workers' compensation data from those claims for which statistical data forms were submitted in calendar years 2000 and 2001. A statistical report will be included in each subsequent annual report.



ACTIVITIES OF THE ADVISORY COUNCIL

~CALENDAR YEAR 2001~

The Advisory Council is required by statute to meet at least two times per year. In calendar year 2001, the Advisory Council met on seven (7) occasions: February 23; March 2; March 9; July 26; September 13; October 16 and December 13. The minutes of the meetings of the Workers' Compensation Advisory Council in 2001 can be reviewed at the Advisory Council's website: www.state.tn.us/labor-wfd/wcac.

During calendar year 2001, the Advisory Council considered several issues impacting the Tennessee workers' compensation system. The following is a synopsis of the subjects which received the most attention of the Advisory Council in calendar year 2001. A review of the minutes of the meetings will provide details of all the issues discussed by the Advisory Council during 2001.

I. WORKERS' COMPENSATION INSURANCE MARKET

In 2000, the General Assembly amended two previously enacted laws regarding two reports the Advisory Council was required to file with the General Assembly by changing the due date of the reports from January 15, 2000 to January 1, 2001. The two reports were: (a) a study of the

market impact of the advisory prospective loss costs system and (b) a report on issues relating to the assigned risk pool and recommendations concerning direct assignment of insurance and a competitive state workers' compensation insurance fund.

In the Fall of 2000, the Advisory Council decided in order for it to make specific recommendations to the General Assembly concerning these issues it would be beneficial to have the assistance of an outside actuarial firm, experienced in the workers' compensation field, in the evaluation of the Tennessee insurance market. The Advisory Council contracted with Tillinghast-Towers Perrin (hereinafter Tillinghast) to conduct a study to determine the degree to which the objectives of the 1996 Reform Act concerning the advisory prospective loss costs system were achieved.³

Pursuant to the contract, Tillinghast was not required to submit its report to the Advisory Council until February, 2001. Therefore, the Advisory Council submitted an "Interim Report on Market Impact of Advisory Prospective Loss Costs and Issues Relating to the Assigned Risk Plan" to the General Assembly. The following historical data concerning the workers' compensation insurance market and the assigned risk plan was provided in the interim report.

A. Market Impact of the Advisory Prospective Loss Costs System

The enactment of the Workers' Compensation Reform Act of 1996 [Public Chapter 944 of the Acts of 1996] made substantial changes in the method by which workers' compensation insurance rates are determined in Tennessee. Prior to this enactment, Tennessee utilized an administered rating system. Stakeholders contended the administered rating system had resulted in a reluctance by insurance companies to write workers' compensation coverage in Tennessee, as evidenced by the fact the assigned risk plan exceeded 50% of the total Tennessee market for workers' compensation insurance by 1996. The 1996 Reform Act attempted to address this problem by replacing the administered rating system with the advisory prospective loss costs system. The goals of the General Assembly were to provide long-term stability in the workers'

³ A "Request for Proposals for Insurance Market Research Services" was issued by the Department of Labor and Workforce Development on behalf of the Workers' Compensation Advisory Council. After evaluation of the submitted proposals, the contract was awarded to Tillinghast-Towers Perrin, a market leader in actuarial services that has specific, comprehensive, long-term experience in the specialized area of workers' compensation.

compensation insurance market, to promote a more competitive market, and to depopulate the assigned risk plan by increasing employer access to the voluntary market.

As a result of the adoption of the loss costs system, the National Council on Compensation Insurance, Inc. [hereinafter, NCCI] files advisory prospective loss costs and rating values with the Commissioner of Commerce and Insurance. *Tennessee Code Annotated* §50-6-402 requires the Commissioner of Commerce and Insurance to consult the Advisory Council before approving any advisory prospective loss costs filing. The Advisory Council is then required to make written comment on the filing to the Commissioner of Commerce and Insurance within 60 days of the receipt of the advisory prospective loss cost filing.

Pursuant to the 1996 Reform Act, the Commissioner of Commerce & Insurance was limited in the action that could be taken concerning the filing. The Commissioner could either approve or disapprove the filing; the filing could not be modified by the Commissioner in any way. In 1998, the statute was amended to permit the Commissioner of Commerce & Insurance to modify the filing, provided the modification is within the range established by the recommendation of the rate service organization [NCCI] in its filing and the recommendation of the Advisory Council. The following is a list of the filings made by the NCCI, the recommendation of the Advisory Council and the final loss costs approved by the Commissioner from 1996 through 2000.

Year Filing Made	NCCI Filed Rate	Advisory Council Recommendation	Commerce & Insurance Approved Rate	Effective Date
1996	-5.4%	-8.2%	-8.2%	1/1/1997
1997	-3.4%	-10.0%	-7.0%	1/1/1998
1998	-10.3%	-9.0%	-9.0%	3/1/1999
1999	+3.3%	+7.0%	+7.0%	3/1/2000
2000	No Filing Submitted			Rates Effective 3/1/2000 Continue

In addition to the reduction of workers' compensation insurance rates for the majority of employers in Tennessee, the adoption of the loss costs system also made other changes to the Tennessee workers' compensation insurance market and system. The following summarizes some of the other impacts of the loss costs system in Tennessee:

- The total number of insurance companies writing workers' compensation insurance increased from 243 in 1995 to 303 in 1999.
- The number of carriers/affiliated groups which accounted for 75% of the total annual workers' compensation premium written in Tennessee rose from 11 in 1995 to 24 in 1999.
- The highest market share for carrier/group in 1995 was 16.8% [\$119 Million written premium] in 1995; in 1999, the highest market share was 10.5% [\$57 Million written premium].
- Workers' compensation insurance premiums written in the voluntary market, assigned risk plan and by self-insured groups totaled \$615 million in 1990. Total premiums for these three markets had increased to \$758 Million in 1995 and to \$723 Million in 1996, prior to enactment of the advisory prospective loss costs system. In 1997, total premiums dropped to \$662 Million and to \$589 Million in 1999 despite a population growth of 17% in Tennessee during the 1990's⁴ and increased jobs and payrolls.⁵
- The number of self-insured employers rose from 180 in 1990 (with a total premium⁶ of \$90.0 Million) to a high of 266 in 1994 (\$220.6 Million). By the end of 1999, the number had declined to 197 (\$178.7 Million).
- The number of self insured groups grew from 2 in 1990 [county funds which were exempt from premium taxes] to a high of 15 in both 1995 (\$52.1 Million premium) and 1996 (\$62.3

⁴ Source: *The Tennessean* article, "State's population growth outpaces national average", January 1, 2001- citing U.S. Census data.

⁵ It would be expected with such an increase in population and the very good economy which Tennessee has enjoyed during the past decade that total payroll for employers has also increased. The manner by which any workers' compensation premium is calculated is basically the same. The premium, or price, is **initially** a function of three factors: (1) the employer's total payroll; (2) the insurer's manual rate by risk classification; and (3) the employer's experience modification factor. This amount then may be adjusted by premium credits. Thus, if total Tennessee payroll continued to increase subsequent to the implementation of the loss costs system, then the decrease in total workers' compensation premium is even more significant than the total premiums indicate.

⁶ This is a simulated premium used for tax calculation. Source: Department of Commerce and Insurance.

Million premium). In 1999, there were only 8 self insured groups, with premiums totaling \$28.7 Million.

- The Assigned Risk Plan (discussed in more detail below) has decreased from a high of 54.9% in 1993 to 3.6% in 1999.⁷

B. Tillinghast Study Results and Recommendations - Action by Advisory Council

As indicated previously, the Advisory Council contracted with Tillinghast-Towers Perrin in late 2000 to review the Tennessee workers' compensation insurance market and address specific issues. Specifically, Tillinghast was asked to:

(1) conduct research on the degree of competition in the Tennessee workers' compensation insurance market, the degree of variability of workers' compensation insurance rates available in Tennessee, the level of competition in Tennessee's workers' compensation insurance market compared to other states, and the operation of the assigned risk plan as compared to plans in other states

(2) develop conclusions regarding the Tennessee workers' compensation insurance market and options to consider to enhance the level of competition, to promote long-term pricing stability and to enhance access to insurance by employers; and

(3) to identify any trends that could affect the cost and/or the availability of workers' compensation insurance in Tennessee.

Tillinghast submitted its written report to the Advisory Council on February 16, 2001 and made an oral presentation to both the Advisory Council and the Joint Committee on Workers' Compensation. In the opinion of Tillinghast (as of February, 2001), the overall evidence indicated that there was a reasonable degree of competition in the Tennessee workers' compensation insurance market, that the current system of advisory prospective loss costs has worked better than the administered system, and workable competition existed in the Tennessee market.

⁷ This information is a summary of data presented by the Department of Commerce and Insurance to the Advisory Council at its December 14, 2000 meeting and utilized in the Interim Report in January, 2001.

The following is a compilation of the questions Tillinghast addressed and the data analysis that supported the conclusions reached in each of the areas of study undertaken by them:

Question 1: Is the advisory prospective loss cost system achieving the goals as borne out by actual results?

Answer: Using generally accepted economic tests, Tillinghast determined the current market structure is more conducive to workable competition than the previous administered price system. Support for this conclusion included the following:

- No single company or group of companies control the market. The number of insurer groups operating in Tennessee increased by over 40% since 1993 with more than 110 groups underwriting at least \$100,000 of premium annually.
- Concentration in the market has been declining since at least 1993 and is not at a level of concern.
- Market structure data show an insurance line that has low concentration.
- Insurers continually are entering and exiting the market creating a healthy turnover of competitors.
- Market conduct data show that there is significant rate variation within classifications suggesting that rates are not being fixed. Employers have been able to reduce their insurance costs by shopping around. Average rate levels have been declining significantly since 1996 due to competitive pressures.

Question 2: Has the advisory prospective loss cost system helped Tennessee employers obtain coverage in the voluntary market?

Answer: Yes. The study pointed out that the Tennessee assigned risk plan (residual market) represented 61% of the market for policies written in 1993, as compared to only 6% in 2000. Tillinghast's conclusion that the loss cost system has assisted employers obtain coverage was based on the following indicators that are in dramatic contrast to the time before and up to the 1996 Reform Act :

- Information from the National Council on Compensation Insurers and Aon indicated that 1999 was the sixth year in a row that the market share of the assigned risk plan declined.
- Policy year 2000 shows some increase in the residual market premium volume, which may be due in part to individual insurer financial problems driving some short-term market dislocation.
- A very high number of small policies moved into the voluntary insurance market from 1994 through 1998.
- By 1998, the assigned risk plan was dominated by classifications with dangerous occupations.
- Only nine employer classifications have over 20% of their total class premium volume in the residual market, and only twenty-two classes have over 10% of their total class premium volume in the residual market. Most of these classes present difficult underwriting risks. For example, the class with the largest percentage in the residual market is "asbestos removal operations."

Question 3: What are the current issues (trending) facing the system that might not have been evident in 1996?

Answer: Tillinghast reported market conditions data indicate that the workers' compensation insurance market continued its softening phase through the end of 1999. In addition, some workers' compensation insurance carriers have had severe financial problems and have caused them to substantially reduce their writings in Tennessee. As a result, market prices rose in 2000 and the ability to shop around for a lower price for workers' compensation insurance was reduced.

Question 4: Do the results over the past five years point to any areas that can be improved?

Answer: Tillinghast concluded Tennessee had three options: revert to the administered rate system; stay with the current advisory prospective loss cost system, or modify the advisory prospective loss cost system. Tillinghast recommended the current loss cost system be modified.

Their specific recommendations were:

- modify the regulatory system so all filings for multipliers below unity (1.0) are subject to prior approval;
- grant authority to the Department of Commerce and Insurance to require any filings for multipliers below 1.15 be actuarially justified, supported and certified;
- development by the Department of Commerce and Insurance, with cooperation and administration by the NCCI, of the use and magnitude of schedule credits.

The Advisory Council met on March 9, 2001 to consider the Tillinghast report and recommendations and recommendations made by the Department of Commerce and Insurance. After discussion of these issues and the issue related to the assigned risk plan trigger percentage, the Advisory Council voted unanimously to make the following recommendations to the Joint Committee for inclusion in the committee's "omnibus" workers' compensation bill (Senate Bill 1188/House Bill 619):

1. Continue the Advisory Prospective Loss Costs System, to include a sunset provision of July 1, 2007, as SB1188/HB619 provides, to assure periodic review of the system.
2. Require each insurance company writing workers' compensation to file annually its loss costs multiplier, and supporting information on or before a date to be set by the Department of Commerce and Insurance.
3. Allow an insurance company to file a loss costs multiplier and supporting information more often than once per year.
4. Allow an insurance company new to the Tennessee market to file its loss costs multiplier and supporting information subsequent to the annual filing date established by the Department of Commerce and Insurance.
5. Require each insurance company to include additional elements in its loss costs multiplier filing which incorporates into the multiplier the impact of scheduled ratings, experience rating and small deductible credits.
6. Require each loss costs multiplier filing to be actuarially justified, supported and certified.
7. Direct the Commissioner of Commerce and Insurance to establish, by rule, criteria which will trigger additional review of an insurance company's filing and its financial viability. Require the proposed regulations to be submitted to the Workers'

Compensation Advisory Council for review and comment prior to implementation and prior to any change to the regulations after initial implementation.

8. Extend for two years (from July 1, 2001 to July 1, 2003) the date for triggering operation of either the competitive state workers' compensation insurance fund (Title 50, Chapter 6, Part 6) or implementation of a plan of direct assignment of all assigned risk policies to insurers offering workers' compensation insurance if the Assigned Risk Plan does not continue to achieve population goals. Change the percentage population goal for the Assigned Risk Plan in *TCA* §56-5-314(c)(3) from 10% to 15%. [If the membership of the assigned risk pool, created pursuant to 56-5-314(c) exceeds 10% of the membership of the eligible employer market, as based on premium, excluding self-insured employers and self-insured groups, then the commissioner shall either activate the competitive state workers' compensation insurance fund (Title 50, Chapter 6, Part 6) or implement a plan of direct assignment on a randomized basis of all assigned risk policies to insurers offering workers' compensation insurance.]

C. Issues Relating to the Tennessee Assigned Risk Plan

Tennessee Code Annotated §56-5-314(b)(3), enacted in 1983, requires any residual market mechanism, plan or agreement to implement such a mechanism to be submitted in writing to the Commissioner of Commerce and Insurance for approval. A "residual market mechanism", defined in *Tennessee Code Annotated* §56-5-302(9) [also enacted in 1983], is "an arrangement, either voluntary or mandated by law, involving participation by insurers in the equitable apportionment among them of insurance which may be afforded applicants who are unable to obtain insurance through ordinary methods".

In 1993, the General Assembly passed legislation, codified as *Tennessee Code Annotated* §56-5-314(c)(1), which directed the Commissioner of Commerce and Insurance to "implement a plan ... for the equitable apportionment among insurers of applicants for workers' compensation insurance who are in good faith entitled to, but unable to procure through ordinary methods, such insurance."⁸ The description of the required "plan" is almost identical to the definition of

⁸ Prior to the 1993 enactment, insurance carriers licensed to write workers' compensation insurance in Tennessee had voluntarily participated in a "reinsurance pool" to provide employers who could not obtain coverage in the voluntary market with the mandated workers' compensation coverage and to distribute the losses among the carriers according to voluntary market share. The National Council on Compensation Insurance, Inc. administered this "reinsurance pool" or "assigned risk pool" on behalf of the insurance industry. Documents provided by the NCCI indicate a voluntary plan for providing coverage to uninsured risks has existed in Tennessee since at least 1949 and perhaps much longer.

residual market mechanism contained in the 1983 statute. A “residual market mechanism” is often referred to as “the residual market”, “the involuntary market” or “the market of last resort” in the workers’ compensation arena. In Tennessee, this residual market mechanism is generally referred to as the “Assigned Risk Plan”.

Tennessee law requires all Tennessee employers subject to the workers’ compensation law to either: (1) purchase workers’ compensation insurance from an authorized insurance company, (2) be approved as a self-insured employer, or (3) be a member of and insured by an approved self-insured trade or professional association. The residual market mechanism is designed to assure a qualified employer has an avenue open by which it is able to meet this statutory requirement. This is not unique to Tennessee, however, as all states, (even Texas which does not have mandatory workers’ compensation), have a method to provide a residual market mechanism to its employers.

The Tennessee Assigned Risk Plan, implemented by the Commissioner of Commerce and Insurance pursuant to *Tennessee Code Annotated* §56-5-314(c)(1), is a hybrid plan. It consists of both a direct assignment component and a reinsurance pooling arrangement component.

An insurance carrier may elect to become a direct assignment carrier, subject to the approval of the Department of Commerce and Insurance. Each direct assignment carrier is randomly assigned an employer/insured based on the percentage of workers’ compensation business the carrier (and its affiliated group) wrote in the Tennessee voluntary market. Each direct assignment carrier receives the premium generated by the policies it is assigned and is solely and directly responsible to pay all claims made on each assigned policy. A direct assignment carrier (and all companies in the related carrier group) does not participate in the reinsurance pooling arrangement and the group has no obligation to pay losses incurred for any policies other than the policies assigned to and issued by it. For calendar year 2000, eight carriers were approved by the Department of Commerce and Insurance as direct assignment carriers.⁹

In a reinsurance pooling arrangement policies are assigned to, written by and serviced by a small number of carrier(s) chosen by state regulators. These servicing carrier(s) issue the policies,

⁹ The eight approved direct assignment carriers were: American Guarantee & Liability Insurance Company(Zurich); Cincinnati Insurance Company; Continental Casualty Company (CNA); Federal Insurance Company (Chubb);. General Accident Insurance Company of America (CGU); Granite State Insurance Company (AIG); St. Paul Fire & Marine Insurance Company; and Travelers Insurance Company.

collect the premiums and pay the claims. Premiums collected in excess of claims, losses and service fees (i.e., the “profit”) are distributed among the plan administrator, the servicing carrier(s) and the insured employers. If the premiums collected are not sufficient to pay the claims, losses and service fees (i.e., the “loss”), then the excess losses are paid by all workers’ compensation carriers (except direct assignment carriers) on a pro-rata basis based on each carrier/group’s voluntary market share. All Tennessee carriers that have not elected to be direct assignment carriers must participate in the reinsurance pool arrangement or “assigned risk pool”.¹⁰ As of December 31, 2001, Liberty Mutual Insurance Group was the only servicing carrier for the Tennessee assigned risk pool. It issued all of the policies written in the “assigned risk pool” portion of the Tennessee residual market mechanism and handled the claims for all policies written.

Information received by the Advisory Council reveals since the implementation of the loss costs system the number of employers insured through the Assigned Risk Plan has dramatically decreased. The following gives the Tennessee residual market share of the total workers’ compensation earned premiums from 1990 to 2001.¹¹

1990	26.7%	1995	42.4%	2000	5.6%
1991	32.4%	1996	30.1%	2001	10.5% ¹²
1992	41.2%	1997	15.9%		
1993	54.9%	1998	4.1%		
1994	52.0%	1999	3.6%		

The years 1997 through 1999 reflect the impact of the implementation of the advisory prospective loss costs system on the Tennessee Assigned Risk Plan. While it is evident this decrease

¹⁰ While the term “assigned risk pool” is sometimes used to refer to the Tennessee assigned risk plan, this is not accurate. The “pool” is the reinsurance mechanism component of the entire residual market mechanism or “plan” for Tennessee.

¹¹ TCA 56-5-314(c)(3) states when the Commissioner is calculating the percentage of the Assigned Risk Plan to the total market that self-insured employers and self-insured groups are not included. Therefore, these figures are calculated as a ratio of the Assigned Risk Plan premium to the total premiums in the Assigned Risk Plan plus the voluntary market.

¹² Sources: The percentages for the years 1990-1999 were provided by the Department of Commerce and Insurance in a report to the Advisory Council on December 14, 2000. The percentages for 2000 and 2001 were provided orally by Mr. Benn Daley, Department of Commerce and Insurance on April 8, 2002.

in the size of the Assigned Risk Plan is directly related to increased competition in the Tennessee workers' compensation insurance market spurred by the loss costs system, there are signs the workers' compensation market is beginning to harden and the Assigned Risk Plan is beginning to repopulate.

On July 26, 2001, Mr. Tom Redel, Assistant Vice-President for Aon Risk Services (Administrator of the Tennessee Assigned Risk Plan) presented a written and oral report to the Advisory Council concerning the Tennessee Assigned Risk Plan. He noted Aon, as both the Tennessee Assigned Risk Plan administrator and as a large insurance brokerage company, is seeing a number of changes in the workers' compensation market, not only in Tennessee, but also in all other states. According to the Aon report, most carriers are stepping back from an aggressive stance and are evaluating their recent loss experience as they determine their appetite for workers' compensation insurance in the future. As a result, carriers are not renewing accounts that have been clearly unprofitable or which demonstrate a higher potential for catastrophic loss.

Aon utilizes both assignment data and report data in its reports. Assignment data is an *estimate* of the annual premium for a policy as of the date it was written or renewed. Report data includes adjustments for policy cancellations, payroll audits or classification changes. Assignment data is used to project the growth of the assigned risk pool. The following is a summary of the information concerning the Tennessee assigned risk pool that Aon shared with the Advisory Council in July, 2001:

- Based on assignment data, in 2000 the assigned risk pool grew significantly to an *estimated* premium of \$32.5 million. During the first half of 2001, the premium levels continued to increase.
- As of June 30, 2001, the *estimated* premium was \$25.6 and Aon estimated by the end of 2001, the *estimated* premiums would reach approximately \$50 million.
- From 1999 to 2000, the premium volume increased 71.9% [\$19 million to \$32.6 million]; the number of policies written by the plan increased by 24%.
- Larger accounts that had previously purchased coverage in the voluntary market are migrating to the assigned risk pool. A comparison of premium ranges from 1999 to 2000 reveals significant growth in some of the larger premium ranges, specifically the accounts

that generate from \$50,000 to \$100,000 in premiums [238% increase]. This trend continued in 2001.

- The average premium size in the assigned risk pool in 1999 was \$3800; for 2000 it was \$5300.
- Based on report data [reported quarterly by carriers] as of March 30, 2001, the total premium in the assigned risk pool was:

	\$23,164,608	- 1998
	\$20,871,509	- 1999
	\$36,577,244	- 2000

As the data reveal, the depopulation of the assigned risk plan that occurred during 1998 and 1999 dramatically reversed in 2000. This reversal, according to Aon, came about as a result of a number of different factors that affected not only the Tennessee workers' compensation market, but the rest of the nation as well. During 1998 and 1999, workers' compensation insurers were able to pass along much of their risks to the reinsurance industry. There was a strong appetite for workers' compensation risk in the reinsurance industry and many reinsurers were offering programs with significant discounts. Two of the reinsurance carriers that had been very aggressive in the reinsurance market, Reliance and Fremont, both experienced significant financial problems and each was declared insolvent.

II. ADVISORY PROSPECTIVE LOSS COSTS FILINGS - CY 2001

In 2001, the National Council on Compensation Insurance (NCCI) submitted two (2) loss costs filings to the Commissioner of Commerce and Insurance for the State of Tennessee. The first, submitted on June 1, 2001, was designated as a "Law Only Filing" and the second, which was the annual advisory prospective loss costs filing, was submitted in August, 2001. The Commissioner of Commerce and Insurance sent both filings to the Advisory Council for review, comment and recommendation.

A. Law Only Filing

The "Law Only Filing" requested a +2% increase in the loss costs as a result of changes in the pain chapter of the AMA Guides to the Evaluation of Permanent Impairment, Fifth Edition,

(hereinafter “5th Edition”) that had been published in November, 2000.¹³ The NCCI made a presentation to the Advisory Council during the July 26, 2001 meeting in which it explained the reason it felt the increase was needed. The NCCI suggested the changes in the pain chapter would result in increased permanent impairment ratings and, therefore, higher permanent partial disability awards. After consideration of the NCCI’s position, the opinion of the consulting actuary for the Department of Commerce and Insurance and opinions of various members, the Advisory Council voted unanimously to recommend to Commissioner Anne Pope that she disapprove the increase requested by the NCCI. In August, 2001, Commissioner Pope did issue an official disapproval of the “Law Only Filing”.

B. Advisory Prospective Loss Costs Filing

The NCCI filed its annual advisory prospective loss costs filing in August, 2001 requesting an increase of +0.5% to be effective on March 1, 2002. Commissioner Pope forwarded the filing to the Advisory Council and it was considered at the September 13, 2001 meeting. The NCCI’s filing was based on a +1.9% change in “Experience, Trend, and Benefits” and a -1.4% change in the “loss adjustment expenses, resulting in a net increase of +0.5. At the meeting, Mr. Greg Alff, consulting actuary for the Advisory Council, opined that an increase of between +0.3% to +1.4% would be appropriate for Tennessee. Mr. Ed Costner, consulting actuary for the Department of Commerce and Insurance, explained his opinion that because of higher than expected loss development in years prior to 1999, the increase should be in the range of +5% to +10%.

The Advisory Council requested additional information from the NCCI and Mr. Alff regarding the information presented by Mr. Costner and met again on October 16, 2001 to consider the loss costs filing. Everett Sinor, Assistant Commissioner of Commerce and Insurance, indicated the department had concerns about such a small increase as requested by the NCCI. Mr. Sinor indicated the reasons for the concern included: (1) the hardening workers’ compensation insurance market; (2) the growth of the Tennessee assigned risk market percentage [approaching 10% if not in excess of 10%]; (3) competition by the assigned risk market with the voluntary market carriers;

¹³ *Tennessee Code Annotated* §50-6-204(d)(3) requires any medical report prepared by a physician furnishing medical treatment to a claimant to use the most recent edition of the AMA Guides or the Manual for Orthopedic Surgeons.

and (4) the insolvency of Reliance Insurance Company; (5) the terrorist attacks on 9/11/2001; and (6) the dramatic reduction of availability in the capacity of the reinsurance market.

The Advisory Council voted unanimously to recommend an increase of +1.4% in the advisory prospective loss costs filing. In November, 2001 the Commissioner of Commerce and Insurance approved an increase of +1.4% in the advisory prospective loss costs to be effective March 1, 2002.

III. WORKERS' COMPENSATION LEGISLATION

A. Workers' Compensation Legislation - Filed in 2001

In January, 2001, the 102nd General Assembly of the State of Tennessee convened in Nashville and, as has been the case in recent years, it proved to be an active year for workers' compensation legislation. The Advisory Council was requested to review all proposed workers' compensation legislation and to make recommendations concerning the filed bills to the Joint Committee on Workers' Compensation.

The Advisory Council met on two different dates to review, discuss and make recommendations on the pending legislation: March 2 and March 9, 2001. The Advisory Council submitted a written report to the Joint Committee on March 8, 2001.¹⁴ The report included an analysis of each bill reviewed by the Advisory Council. The analysis included: a statement of the present law on the subject of the proposal; a summary of the proposed change; the practical effect of the proposed legislation; comments of various Advisory Council members; and the recommendation of the voting members of the Advisory Council.

On March 12, 2001, Linda Hughes, Executive Director of the Advisory Council, orally presented the Advisory Council's recommendations regarding the proposed workers' compensation legislation to the members of the Joint Oversight Committee on Workers' Compensation. The Advisory Council's specific recommendations regarding the pending workers' compensation

¹⁴ The Advisory Council deferred consideration of SB1188/HB0619 at the March 2, 2001 meeting and did not finalize its recommendations until the meeting on March 9, 2001. Therefore, the written report did not include the comments and recommendations of the Advisory Council members on this bill.

legislation are reported in the minutes of the March 2 and March 9 meetings that can be found on the Advisory Council website, www.state.tn.us/labor-wfd/wcac.

B. Anticipated 2002 Workers' Compensation Legislation

In anticipation of a very busy legislative session in 2002, the Advisory Council used its December meeting to discuss legislation that was still pending from the 2001 Session and to hear presentations concerning possible 2002 legislative initiatives. The Advisory Council invited all legislator and other interested parties to attend the meeting and discuss any issue about which legislation might be introduced or pursued during the remainder of the 102nd General Assembly.

Several persons made presentations to the Advisory Council at the December meeting. The new issues that were brought to the attention of the members were the following:

1. Delete the Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment as a permissible guide for rating impairments.
2. Revise the rating factors to be utilized in the calculation of the loss cost multiplier and defining "small deductible".
3. Evaluate the limitation on the number of chiropractic visits allowed when an employee chooses a chiropractor as the treating medical care provider.
4. Require disability benefit checks to be mailed to the employee or employee's designee.
5. Provide that temporary partial disability benefits are to be calculated on the difference between the average weekly wages rather than the "wages" earned at time of injury and the earnings of the employee in the disabled condition.
6. Change the period of disability benefits for injuries occurring after age 60 to be equal to 260 weeks or the number of weeks from the employee's 60th birthday until the full retirement age, whichever is greater.
7. Apply the "2½ maximum multiplier cap" to scheduled member injuries when the employee returns to the pre-injury job at the same or greater pay.
8. Limit employee attorneys' fees by calculating the fees on the amount awarded in excess of the last offer by the employer/insurer at a benefit review conference.
9. Exclude "stress and anxiety" from compensable psychological injuries.
10. Provide an independent medical examination procedure for determination of impairment ratings to be administered by the Department of Labor and Workforce Development.
11. Provide that only the "most recent edition of the AMA Guides is admissible in court in workers' compensation actions.
12. Clarify the entity or person who shall bear the responsibility to pay medical expenses incurred by an injured employee who tests positive for drugs.

13. Increase the numerical triggering mechanism for the Assigned Risk Plan to incorporate consideration of temporary swings in the insurance market.
14. Establish the proper venue for any suit for "reconsideration" of a settlement agreement approved by the Department of Labor and Workforce Development.
15. Allow the Second Injury Fund an offset against social security retirement benefits based on employer contributions to the social security retirement system.

As the focus of the meeting was to allow the Advisory Council to become familiar with the issues of interest to stakeholders for the upcoming legislative session, the members did not take any action on the various proposals.

IV. PROGRAMS ADMINISTERED BY THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

A. Uninsured Employers Program

In 2000, the General Assembly enacted legislation which established a new penalty structure for employers that fail to purchase workers' compensation insurance or qualify as self-insured. The legislation became effective on January 1, 2001. At the July 26, 2001 meeting of the Advisory Council, the Department of Labor and Workforce Development, the agency responsible for implementing the legislation, reported on the first six months of the program's operation. A detailed summary of the program is contained in the July 26, 2001 minutes of the Advisory Council on its website.

B. Second Injury Fund Settlement Authority

During the years of 1999 and 2000, the Advisory Council had expressed concern that the Second Injury Fund did not have authority to settle workers' compensation cases without prior approval from the Attorney General and Reporter, the Comptroller and the Governor. At the December 13, 2001 meeting of the Advisory Council, the Department of Labor and Workforce Development reported the Second Injury Fund attorneys had been given a dollar amount of settlement authority for the cases in which the Second Injury Fund was involved. It was reported to the Advisory Council the amount of authority would vary by case but had it been in effect in the past

year, it would have allowed the settlement of ninety-five percent (95%) of the claims filed against the Second Injury Fund.

C. Statistical Data Form

During 2001, the Department of Labor and Workforce Development reported to the Advisory Council that several changes needed to be made to the Statistical Data Form. As required by statute the Department submitted the suggested changes to the Advisory Council. The staff of the Advisory Council worked with the Department in reviewing the suggested changes. The Advisory Council unanimously approved the suggested changes at the December 13, 2001 meeting and the revised form became effective in December, 2001.

V. STUDIES AND WORKERS' COMPENSATION DATA

As indicated previously in this report, the Advisory Council is fulfilling its statutory responsibility to develop information, evaluations and statistical reports concerning the impacts of the workers' compensation reforms by including a study of the Tennessee workers' compensation system based on the data obtained from the Statistical Data Form filed at the conclusion of a workers' compensation claim. For ease in publishing these data separately from the Annual Report, the statistical analysis of data from calendar years 2000 and 2001 is contained in "Exhibit B", attached hereto.

It is the intent of the Advisory Council to continue reporting annual statistics in its Annual Report and also to publish smaller, more specific, statistical reports throughout the year. Therefore, the reader is urged to check the Advisory Council's website periodically for updated information concerning statistical studies or reports.

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**CONCLUSION**

The Workers' Compensation Advisory Council met on seven (7) occasions in calendar year 2001. While the majority of the Advisory Council activities during calendar year 2001 concerned the workers' compensation voluntary and assigned risk insurance markets and insurance rates, the Advisory Council also continued to monitor other aspects of the workers' compensation system in

Tennessee. In addition, it began a long awaited process of reporting and analyzing Tennessee specific workers' compensation data.

Although this Annual Report is for only calendar year 2001, it would be remiss of the Advisory Council if it did not point out that while the September 11<sup>th</sup> tragedy has already had an dramatic effect on the lives of the citizens of Tennessee in various ways, it is anticipated it will also have an significant effect on the workers' compensation insurance markets in Tennessee and the workers' compensation system during calendar year 2002. In addition, as a result of other factors, several workers' compensation carriers filed for bankruptcy during the latter part of 2001 and the first months of 2002. Therefore, the workers' compensation environment in Tennessee has begun to change. As 2001 closed the Advisory Council anticipated 2002 would be an even more active year as new issues will continue to arise and the familiar issues will continue to require monitoring and evaluation.

The Advisory Council looks forward to participating in the manner by which Tennessee will deal with these challenging issues and appreciates the opportunity to be of service to the Governor, the General Assembly and the citizens of the State of Tennessee.

Respectfully submitted on behalf of the  
Workers' Compensation Advisory Council  
on the 12<sup>th</sup> day of August, 2002:



Steve Adams, State Treasurer  
Chair

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**APPENDIX "A"**
**WORKERS' COMPENSATION ADVISORY COUNCIL  
Members and Ex-Officio Members**
**MEMBERS**

| <b>Name</b> | <b>Affiliation</b> | <b>Address</b> | <b>Status</b> |
|-------------|--------------------|----------------|---------------|
|-------------|--------------------|----------------|---------------|

**Chair**

|             |                               |                                                        |       |
|-------------|-------------------------------|--------------------------------------------------------|-------|
| Steve Adams | Treasurer, State of Tennessee | First Floor, State Capitol<br>Nashville, TN 37243-0225 | Chair |
|-------------|-------------------------------|--------------------------------------------------------|-------|

**Employer Representatives**

|               |                                     |                                                          |               |
|---------------|-------------------------------------|----------------------------------------------------------|---------------|
| Dave Goetz    | Tennessee Association of Business   | 611 Commerce Street<br>Suite 3030<br>Nashville, TN 37203 | Voting Member |
| Bob Pitts     | Associated Builders and Contractors | 1604 Elm Hill Pike<br>Nashville, TN 37210                | Voting Member |
| Steven Turner | Turner Dairies, Inc.                | 2040 Madison Avenue<br>Memphis, TN 38104                 | Voting Member |

**Employee Representatives**

|                  |                                                 |                                                        |               |
|------------------|-------------------------------------------------|--------------------------------------------------------|---------------|
| Jack A. Gatlin   | International Brotherhood of Electrical Workers | Local 474<br>1870 Madison Avenue<br>Memphis, TN 38104  | Voting Member |
| James G. Neeley  | Tennessee AFL-CIO Labor Council                 | 1901 Lindell Avenue<br>Nashville, TN 37203             | Voting Member |
| Othal Smith, Jr. | International Brotherhood of Boilermakers       | 357 Riverside Drive<br>Suite 150<br>Franklin, TN 37064 | Voting Member |

**Local Government Representative**

|                  |                                           |                                                                   |                   |
|------------------|-------------------------------------------|-------------------------------------------------------------------|-------------------|
| Abbie S. Hudgens | City of Knoxville - Risk/Benefits Manager | P.O. Box 1631<br>City County Building<br>Knoxville, TN 37901-1631 | Non-voting Member |
|------------------|-------------------------------------------|-------------------------------------------------------------------|-------------------|

**Insurance Representative**

|            |                                   |                                                |                   |
|------------|-----------------------------------|------------------------------------------------|-------------------|
| Jerry Mayo | Insurance Corporation of Hannover | 9005 Overlook Boulevard<br>Brentwood, TN 37027 | Non-voting Member |
|------------|-----------------------------------|------------------------------------------------|-------------------|

## Health Care Representative

|                         |                                           |                   |
|-------------------------|-------------------------------------------|-------------------|
| Ronald C. Bingham, M.D. | 36A Sandstone Circle<br>Jackson, TN 37305 | Non-voting Member |
|-------------------------|-------------------------------------------|-------------------|

## Attorney Representatives

|                                 |                                          |                                                                                                 |                   |
|---------------------------------|------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------|
| Katherine D. (Kitty) Boyte      | Tennessee Defense<br>Lawyers Association | Ruth, Howard, Tate &<br>Sowell<br>150 Second Avenue<br>Suite 201<br>Nashville, TN 37201         | Non-voting Member |
| Jacqueline B. Dixon,<br>Esquire | Tennessee Bar Association                | Hollins, Wagster &<br>Yarbrough, P.C.<br>424 Church Street<br>22nd Floor<br>Nashville, TN 37219 | Non-voting Member |
| J. Anthony Farmer, Esquire      | Tennessee Trial Lawyers<br>Association   | Farmer & Ferraris<br>6130 Lonas Drive<br>Knoxville, TN 37909-3233                               | Non-voting Member |

## Ex-Officio Members

|                   |                                                    |                                                                                           |                   |
|-------------------|----------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------|
| Joe Haynes        | State Senator                                      | Room 5, Legislative Plaza<br>Nashville, TN 37243-0220                                     | Ex-Officio Member |
| Matthew Kisber    | State Representative                               | Room 33, Legislative Plaza<br>Nashville, TN 37243-4156                                    | Ex-Officio Member |
| Michael E. Magill | Commissioner of Labor and<br>Workforce Development | 710 James Robertson Pkwy<br>Andrew Johnson Tower<br>8th Floor<br>Nashville, TN 37243-0655 | Ex-Officio Member |
| Anne Pope         | Commissioner of<br>Commerce and Insurance          | 500 James Robertson Pkwy<br>Davy Crocket Tower<br>Suite 500<br>Nashville, TN 37243-0565   | Ex-Officio Member |

**EXHIBIT "B"**

**TENNESSEE WORKERS' COMPENSATION DATA  
CALENDAR YEARS 2000 & 2001**

[Full Report Follows]

STATISTICAL REPORT:  
TENNESSEE WORKERS' COMPENSATION DATA - 2000 & 2001



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## STATISTICAL REPORT: TENNESSEE WORKERS' COMPENSATION DATA CALENDAR YEARS 2000 & 2001

### INTRODUCTION

Since the enactment of the Reform Act of 1996, it has been clear that the Tennessee General Assembly wants Tennessee specific workers' compensation data to assess how the various reforms have affected the system. Indeed, one of the specific statutory mandates given to the Workers' Compensation Advisory Council is to "develop evaluations, statistical reports and other information...".<sup>1</sup> To assist the gathering of Tennessee specific data, the General Assembly, in 1998, enacted *Tennessee Code Annotated* § 50-6-244 which established a method by which workers' compensation data specific to each Tennessee claim is to be reported to the Department of Labor and Workforce Development (hereinafter, "Department"). The statute requires the parties to complete and file a statistical data form at the conclusion of a case, contemporaneously with the final order or if the settlement is approved by the Department at the time the settlement is submitted for approval.

After the statistical data forms are received by the Department, the data from the individual forms are entered into the integrated workers' compensation computer system. The Department provided staff of the Advisory Council with access to the database. It is from this database that the following statistics were developed.<sup>2</sup>

A working knowledge of the Tennessee workers' compensation system is necessary to the understanding of the statistics contained herein. Therefore, for those who are unfamiliar with the Tennessee system, a summary is provided in "Appendix 1". The summary is not intended to be a

---

<sup>1</sup> See, *Tennessee Code Annotated* §50-6-121(e)(1).

<sup>2</sup> Without access to the Department's database, this project could not have been completed. The Advisory Council staff thanks the Department for its cooperation..

complete description of the Tennessee workers' compensation system, but is designed to give an explanation of those portions of the workers' compensation law that are necessary to an understanding of the reported statistics and their relevance. The summary provided is applicable only to those cases in which there is no dispute as to whether the employee was injured in the course and scope of employment. For a more detailed explanation of the Tennessee workers' compensation law, the reader is urged to review *Tennessee Code Annotated* §50-6-101 *et seq.*

The following is the compilation of statistics for statistical data forms received by the Department for claims/cases concluded in calendar years 2000 and 2001. Please note that throughout this statistical report you will find a category included on the majority of the tables identified as "Not Given". This designation indicates the name of the county in which the claim was concluded was not listed on the Statistical Data Form. Therefore, the specific Judicial District for that claim could not be identified. The claims included in the "Not Given" category are included in the Statewide numbers. This report does not purport to analyze the data., however simple calculations were performed to test for statistically significant differences between judicial districts. To state there is a statistically significant difference between judicial districts for a given variable means the probability of getting the results are so rare that their occurrence is due to non-chance factors. The statement that differences between districts are significant can also mean that the variance within individual judicial districts is less than the variance between the judicial districts. Any analysis or specific study of the data will be provided in separate reports as requested by the Workers' Compensation Advisory Council members or the General Assembly.

## METHODS

Pursuant to various Tennessee statutes, participants in the Tennessee workers' compensation system are required to send certain reports to the Tennessee Department of Labor and Workforce Development (hereinafter Department). One report, the "Employer's First Report of Work Injury or Illness" (hereinafter First Report or C-20), is the document that initiates a claim file within the

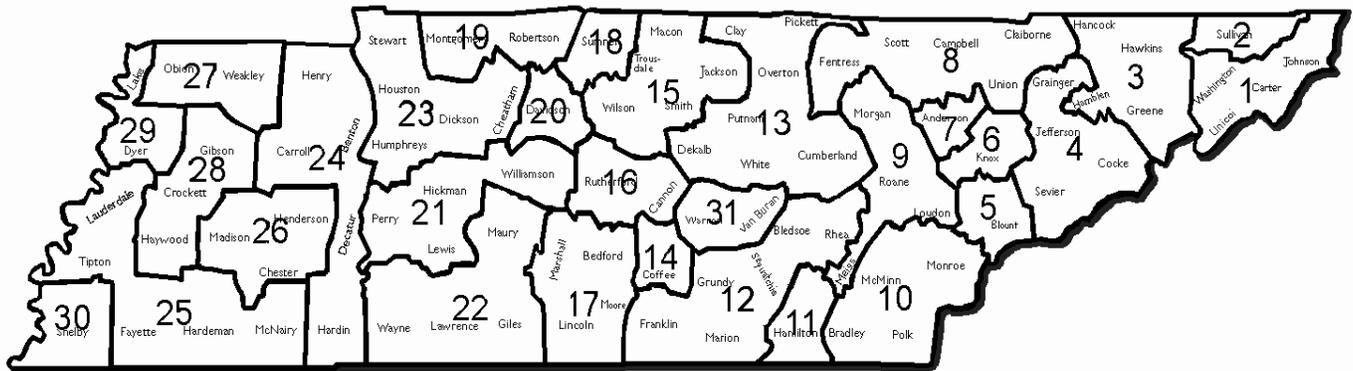
Department for a reportable workers' compensation claim. This form is required to be completed by the employer for every work-related injury that results in medical care or lost time from work. One of the final reports received by the Department is the "Statistical Data Form" (hereinafter SD-1). It is the closing document for a claim. The SD-1 form is filed by the attorney representing the employer/insurance carrier with the clerk of the court in which a claim is filed or is settled and the clerk then transmits the completed SD-1 form to the Department. For settlement agreements approved by the Department, the SD-1 form is submitted at the time of the approval to the Department.

The Department operates an integrated computer system which is referred to as the "Workers' Compensation Computer System" (hereinafter WCS). It is into this database that the information from the First Report and the SD-1 forms are entered. The Department has given the staff for the Workers' Compensation Advisory Council access to the WCS.

On or before the tenth day of each calendar month the court clerks are required to send all filed SD-1 forms received in the preceding calendar month to the administrator of the Workers' Compensation Division. Therefore, to assure sufficient time had elapsed from December 31, 2001 to allow the December SD-1 forms to be received by the Department from the court clerks and the data entered into the WCS, Advisory Council staff determined to wait until the middle of February to begin the query of the WCS.

Advisory Council staff queried the WCS on February 19, 2002 for closed case data from calendar years 2000 and 2001 with injury dates on or after August 1, 1992, the date on which the 1992 Workers' Compensation Reform Act began to apply to work-related injuries. Data were retrieved from the First Report forms and, to a larger extent, from the SD-1 forms. A total of 11,425 cases concluding in calendar year 2000 and 10,605 cases concluding in calendar year 2001 were collected. The data set should not be considered a sample. Rather, it is the entire population of cases that concluded in the time frames specified and in which a SD-1 form was filed with the Department.

To be able to discern the importance of the various tables and figures that follow, the reader must understand Tennessee is made up of 31 Judicial Districts. The judges and chancellors of each District hear workers' compensation cases in all the counties that comprise the individual District. There are eight Judicial Districts that have only one county. The other twenty-three vary in the number of counties that comprise the District. To assist the reader in determining the counties in each Judicial District the following is a map of Tennessee displaying the 31 Judicial Districts and the counties in each.



## NUMBER OF CASES

Table 1 lists the number of cases per judicial district and county that were closed in calendar year 2000. The number of SD-1 forms, the number of closed cases as reported by the Administrative Office of the Courts (AOC) and a percentage comparison between the number of AOC closed cases and the number of SD-1 forms received by the Department. Occasionally this number is greater than 100%. This is possible because a case may be approved by the Department of Labor and Workforce Development without a complaint being filed in a court. Those cases would not be reported in the AOC data. For 2000, the county in which the case was concluded was not reported for almost 15% (listed as Not Given) of the cases. Table 2 lists the same information, but for calendar year 2001. The county of conclusion was not given in 17% of the cases for 2001.

**Table 1: Calendar Year - 2000: Workers' Compensation Cases Reported as Closed in Calendar Year 2000**

| Judicial District | County |            | Frequency | AOC   | Percent | Judicial District | County    |            | Frequency | AOC   | Percent |        |
|-------------------|--------|------------|-----------|-------|---------|-------------------|-----------|------------|-----------|-------|---------|--------|
| 1                 | 10     | Carter     | 34        | 46    | 73.9%   | 16                | 8         | Cannon     | 7         | 14    | 50.0%   |        |
|                   | 46     | Johnson    | 8         | 10    | 80.0%   |                   | 75        | Rutherford | 574       | 672   | 85.4%   |        |
|                   | 86     | Unicoi     | 8         | 12    | 66.7%   |                   | Total     |            | 581       | 686   | 84.7%   |        |
|                   | 90     | Washington | 113       | 133   | 85.0%   | 17                | 2         | Bedford    | 51        | 92    | 55.4%   |        |
|                   | Total  |            | 163       | 201   | 81.1%   |                   | 52        | Lincoln    | 43        | 63    | 68.3%   |        |
|                   |        |            |           |       | 57      |                   | Marshall  | 39         | 78        | 50.0% |         |        |
| 2                 | 82     | Sullivan   | 171       | 224   | 76.3%   |                   | 62        | Moore      | 5         | 7     | 71.4%   |        |
|                   | Total  |            | 171       | 224   | 76.3%   |                   | Total     |            | 138       | 240   | 57.5%   |        |
| 3                 | 30     | Greene     | 90        | 115   | 78.3%   | 18                | 83        | Sumner     | 101       | 172   | 58.7%   |        |
|                   | 32     | Hancock    | 106       | 125   | 84.8%   |                   |           | Total      |           | 101   | 172     | 58.7%  |
|                   | 34     | Hamblen    | 3         | 0     | 0.0%    | 19                | 61        | Montgomery | 104       | 185   | 56.2%   |        |
|                   | 37     | Hawkins    | 38        | 50    | 76.0%   |                   | 74        | Robertson  | 36        | 81    | 44.4%   |        |
|                   | Total  |            | 237       | 290   | 81.7%   |                   |           | Total      |           | 140   | 266     | 52.6%  |
| 4                 | 15     | Cocke      | 55        | 78    | 70.5%   | 20                | 19        | Davidson   | 2148      | 2972  | 72.3%   |        |
|                   | 29     | Grainger   | 11        | 22    | 50.0%   |                   |           | Total      |           | 2148  | 2972    | 72.3%  |
|                   | 45     | Jefferson  | 32        | 87    | 36.8%   | 21                | 41        | Hickman    | 5         | 13    | 38.5%   |        |
|                   | 78     | Sevier     | 91        | 107   | 85.0%   |                   | 51        | Lewis      | 9         | 20    | 45.0%   |        |
|                   | Total  |            | 189       | 294   | 64.3%   |                   | 68        | Perry      | 4         | 12    | 33.3%   |        |
| 5                 | 5      | Blount     | 75        | 129   | 58.1%   |                   | 94        | Williamson | 37        | 76    | 48.7%   |        |
|                   | Total  |            | 75        | 129   | 58.1%   |                   |           | Total      |           | 55    | 121     | 45.5%  |
| 6                 | 47     | Knox       | 932       | 1183  | 78.8%   | 22                | 28        | Giles      | 41        | 59    | 69.5%   |        |
|                   | Total  |            | 932       | 1183  | 78.8%   |                   | 50        | Lawrence   | 44        | 62    | 71.0%   |        |
| 7                 | 1      | Anderson   | 208       | 249   | 83.5%   |                   | 58        | Mauzy      | 133       | 203   | 65.5%   |        |
|                   | Total  |            | 208       | 249   | 83.5%   |                   | 91        | Wayne      | 12        | 24    | 50.0%   |        |
| 8                 | 7      | Campbell   | 50        | 87    | 57.5%   |                   |           | Total      |           | 230   | 348     | 66.1%  |
|                   | 13     | Claiborne  | 23        | 38    | 60.5%   | 23                | 11        | Cheatham   | 17        | 29    | 58.6%   |        |
|                   | 25     | Fentress   | 7         | 25    | 28.0%   |                   | 22        | Dickson    | 22        | 48    | 45.8%   |        |
|                   | 76     | Scott      | 47        | 58    | 81.0%   |                   | 42        | Houston    | 5         | 5     | 100.0%  |        |
|                   | 87     | Union      | 4         | 14    | 28.6%   |                   | 43        | Humphreys  | 12        | 23    | 52.2%   |        |
| Total             |        | 131        | 222       | 59.0% | 81      |                   | Stewart   | 3          | 14        | 21.4% |         |        |
| 9                 | 53     | Loudon     | 32        | 44    | 72.7%   |                   | Total     |            | 59        | 119   | 49.6%   |        |
|                   | 59     | Meigs      | 7         | 12    | 58.3%   | 24                | 3         | Benton     | 37        | 70    | 52.9%   |        |
|                   | 63     | Morgan     | 16        | 41    | 39.0%   |                   | 9         | Carroll    | 75        | 116   | 64.7%   |        |
|                   | 73     | Roane      | 72        | 103   | 69.9%   |                   | 20        | Decatur    | 13        | 21    | 61.9%   |        |
|                   | Total  |            | 127       | 200   | 63.5%   |                   | 36        | Hardin     | 24        | 64    | 37.5%   |        |
| 10                | 6      | Bradley    | 140       | 200   | 70.0%   |                   | 40        | Henry      | 60        | 86    | 69.8%   |        |
|                   | 64     | McMinn     | 95        | 106   | 89.6%   |                   | Total     |            | 209       | 357   | 58.5%   |        |
|                   | 60     | Monroe     | 43        | 55    | 78.2%   | 25                | 24        | Fayette    | 10        | 16    | 62.5%   |        |
|                   | 70     | Polk       | 10        | 234   | 4.3%    |                   | 35        | Hardeman   | 26        | 45    | 57.8%   |        |
|                   | Total  |            | 288       | 595   | 48.4%   |                   | 49        | Lauderdale | 20        | 61    | 32.8%   |        |
| 11                | 33     | Hamilton   | 811       | 1210  | 67.0%   |                   | 65        | McNairy    | 17        | 34    | 50.0%   |        |
|                   | Total  |            | 811       | 1210  | 67.0%   |                   | 84        | Tipton     | 28        | 64    | 43.8%   |        |
| 12                | 4      | Bledsoe    | 7         | 14    | 50.0%   |                   | Total     |            | 101       | 220   | 45.9%   |        |
|                   | 26     | Franklin   | 87        | 131   | 66.4%   | 26                | 12        | Chester    | 19        | 37    | 51.4%   |        |
|                   | 31     | Grundy     | 15        | 27    | 55.6%   |                   | 39        | Henderson  | 50        | 88    | 56.8%   |        |
|                   | 56     | Marion     | 38        | 52    | 73.1%   |                   | 55        | Madison    | 324       | 534   | 60.7%   |        |
|                   | 72     | Rhea       | 48        | 80    | 60.0%   |                   |           | Total      |           | 393   | 659     | 59.6%  |
|                   | 77     | Sequatchie | 14        | 18    | 77.8%   |                   | 27        | 66         | Obion     | 170   | 281     | 60.5%  |
| Total             |        | 209        | 322       | 64.9% | 92      |                   |           | Weakley    | 48        | 68    | 70.6%   |        |
| 13                | 14     | Clay       | 3         | 9     | 33.3%   |                   | Total     |            | 218       | 349   | 62.5%   |        |
|                   | 18     | Cumberland | 28        | 74    | 37.8%   | 28                | 17        | Crockett   | 10        | 14    | 71.4%   |        |
|                   | 21     | DeKalb     | 28        | 37    | 75.7%   |                   | 27        | Gibson     | 69        | 102   | 67.6%   |        |
|                   | 67     | Overton    | 14        | 31    | 45.2%   |                   | 38        | Haywood    | 8         | 20    | 40.0%   |        |
|                   | 69     | Pickett    | 2         | 7     | 28.6%   |                   |           | Total      |           | 87    | 136     | 64.0%  |
|                   | 71     | Putnam     | 108       | 192   | 56.3%   |                   | 29        | 23         | Dyer      | 80    | 147     | 54.4%  |
|                   | 93     | White      | 17        | 35    | 48.6%   |                   |           | 48         | Lake      | 5     | 7       | 71.4%  |
| Total             |        | 200        | 385       | 51.9% |         |                   |           | Total      |           | 85    | 154     | 55.2%  |
| 14                | 16     | Coffee     | 73        | 124   | 58.9%   | 30                | 79        | Shelby     | 1113      | 751   | 148.2%  |        |
|                   | Total  |            | 73        | 124   | 58.9%   |                   |           | Total      |           | 1113  | 751     | 148.2% |
| 15                | 44     | Jackson    | 3         | 8     | 37.5%   | 31                | 88        | Van Buren  | 3         | 3     | 100.0%  |        |
|                   | 54     | Macon      | 42        | 54    | 77.8%   |                   | 89        | Warren     | 101       | 93    | 108.6%  |        |
|                   | 80     | Smith      | 31        | 60    | 51.7%   |                   |           | Total      |           | 104   | 96      | 108.3% |
|                   | 85     | Trousdale  | 10        | 9     | 111.1%  |                   | Not Given |            |           | 1684  |         |        |
|                   | 95     | Wilson     | 79        | 143   | 55.2%   | Statewide         |           |            |           | 11425 | 13548   | 84.3%  |
| Total             |        | 165        | 274       | 60.2% |         |                   |           |            |           |       |         |        |

**Table 2: Calendar Year - 2001: Workers' Compensation Cases Reported as Closed in Calendar Year 2001**

| Judicial District | County     |            | Frequency | AOC   | Percent | Judicial District | County     |            | Frequency | AOC    | Percent |       |
|-------------------|------------|------------|-----------|-------|---------|-------------------|------------|------------|-----------|--------|---------|-------|
| 1                 | 10         | Carter     | 20        | 48    | 41.7%   | 16                | 8          | Cannon     | 8         | 15     | 53.3%   |       |
|                   | 46         | Johnson    | 9         | 7     | 128.6%  |                   | 75         | Rutherford | 552       | 752    | 73.4%   |       |
|                   | 86         | Unicoi     | 13        | 12    | 108.3%  |                   | Total      | 560        | 767       | 73.0%  |         |       |
|                   | 90         | Washington | 74        | 134   | 55.2%   | 17                | 2          | Bedford    | 50        | 107    | 46.7%   |       |
|                   | Total      |            | 116       | 201   | 57.7%   |                   | 52         | Lincoln    | 22        | 44     | 50.0%   |       |
|                   |            |            |           |       | 57      |                   | Marshall   | 32         | 67        | 47.8%  |         |       |
| 2                 | 82         | Sullivan   | 128       | 162   | 79.0%   |                   | 62         | Moore      | 4         | 4      | 100.0%  |       |
|                   | Total      |            | 128       | 162   | 79.0%   | Total             |            | 108        | 222       | 48.6%  |         |       |
| 3                 | 30         | Greene     | 75        | 120   | 62.5%   | 18                | 83         | Sumner     | 100       | 175    | 57.1%   |       |
|                   | 32         | Hancock    | 107       | 184   | 58.2%   |                   | Total      |            | 100       | 175    | 57.1%   |       |
|                   | 34         | Hamblen    | 2         | 1     | 200.0%  | 19                | 61         | Montgomery | 102       | 194    | 52.6%   |       |
|                   | 37         | Hawkins    | 36        | 62    | 58.1%   |                   | 74         | Robertson  | 40        | 107    | 37.4%   |       |
| Total             |            | 220        | 367       | 59.9% | Total   |                   | 142        | 301        | 47.2%     |        |         |       |
| 4                 | 15         | Cocke      | 47        | 79    | 59.5%   | 20                | 19         | Davidson   | 2050      | 3233   | 63.4%   |       |
|                   | 29         | Grainger   | 9         | 17    | 52.9%   |                   | Total      |            | 2050      | 3233   | 63.4%   |       |
|                   | 45         | Jefferson  | 33        | 67    | 49.3%   | 21                | 41         | Hickman    | 6         | 16     | 37.5%   |       |
|                   | 78         | Sevier     | 61        | 112   | 54.5%   |                   | 51         | Lewis      | 4         | 12     | 33.3%   |       |
| Total             |            | 150        | 275       | 54.5% | 68      |                   | Perry      | 11         | 13        | 84.6%  |         |       |
| 5                 | 5          | Blount     | 71        | 131   | 54.2%   |                   | 94         | Williamson | 39        | 74     | 52.7%   |       |
|                   | Total      |            | 71        | 131   | 54.2%   | Total             |            | 60         | 115       | 52.2%  |         |       |
| 6                 | 47         | Knox       | 681       | 1018  | 66.9%   | 22                | 28         | Giles      | 35        | 58     | 60.3%   |       |
|                   | Total      |            | 681       | 1018  | 66.9%   |                   | 50         | Lawrence   | 64        | 100    | 64.0%   |       |
| 7                 | 1          | Anderson   | 163       | 244   | 66.8%   |                   |            | 58         | Maury     | 87     | 197     | 44.2% |
|                   | Total      |            | 163       | 244   | 66.8%   |                   | 91         | Wayne      | 17        | 23     | 73.9%   |       |
|                   | 8          | 7          | Campbell  | 46    | 69      | 66.7%             | Total      |            | 203       | 378    | 53.7%   |       |
|                   |            | 13         | Claiborne | 35    | 46      | 76.1%             | 23         | 11         | Cheatham  | 9      | 24      | 37.5% |
|                   |            | 25         | Fentress  | 27    | 57      | 47.4%             |            | 22         | Dickson   | 12     | 53      | 22.6% |
| 76                |            | Scott      | 48        | 80    | 60.0%   | 42                |            | Houston    | 6         | 11     | 54.5%   |       |
| 87                | Union      | 3          | 21        | 14.3% | 43      | Humphreys         |            | 16         | 33        | 48.5%  |         |       |
| Total             |            | 159        | 273       | 58.2% | 81      | Stewart           |            | 1          | 11        | 9.1%   |         |       |
| 9                 | 53         | Loudon     | 26        | 52    | 50.0%   | Total             |            | 44         | 132       | 33.3%  |         |       |
|                   | 59         | Meigs      | 3         | 5     | 60.0%   | 24                | 3          | Benton     | 34        | 55     | 61.8%   |       |
|                   | 63         | Morgan     | 19        | 38    | 50.0%   |                   | 9          | Carroll    | 80        | 117    | 68.4%   |       |
|                   | 73         | Roane      | 65        | 115   | 56.5%   |                   | 20         | Decatur    | 4         | 15     | 26.7%   |       |
| Total             |            | 113        | 210       | 53.8% | 36      |                   | Hardin     | 19         | 51        | 37.3%  |         |       |
| 10                | 6          | Bradley    | 161       | 246   | 65.4%   |                   | 40         | Henry      | 67        | 108    | 62.0%   |       |
|                   | 64         | McMinn     | 72        | 101   | 71.3%   | Total             |            | 204        | 346       | 59.0%  |         |       |
|                   | 60         | Monroe     | 40        | 59    | 67.8%   | 25                | 24         | Fayette    | 6         | 19     | 31.6%   |       |
|                   | 70         | Polk       | 5         | 9     | 55.6%   |                   | 35         | Hardeman   | 27        | 50     | 54.0%   |       |
| Total             |            | 278        | 415       | 67.0% | 49      |                   | Lauderdale | 28         | 67        | 41.8%  |         |       |
| 11                | 33         | Hamilton   | 893       | 1332  | 67.0%   |                   |            | 65         | McNairy   | 10     | 34      | 29.4% |
|                   | Total      |            | 893       | 1332  | 67.0%   |                   |            | 84         | Tipton    | 26     | 60      | 43.3% |
|                   | 12         | 4          | Bledsoe   | 10    | 14      | 71.4%             | Total      |            | 97        | 230    | 42.2%   |       |
|                   |            | 26         | Franklin  | 90    | 144     | 62.5%             | 26         | 12         | Chester   | 13     | 35      | 37.1% |
|                   |            | 31         | Grundy    | 20    | 31      | 64.5%             |            | 39         | Henderson | 33     | 95      | 34.7% |
| 56                |            | Marion     | 41        | 72    | 56.9%   |                   |            | 55         | Madison   | 296    | 529     | 56.0% |
| 72                | Rhea       | 37         | 58        | 63.8% | Total   |                   |            | 342        | 659       | 51.9%  |         |       |
| 77                | Sequatchie | 4          | 12        | 33.3% | 27      | 66                | Obion      | 111        | 262       | 42.4%  |         |       |
| Total             |            | 202        | 331       | 61.0% |         |                   | 92         | Weakley    | 59        | 109    | 54.1%   |       |
|                   |            |            |           |       |         | Total             |            | 170        | 371       | 45.8%  |         |       |
| 13                | 14         | Clay       | 7         | 14    | 50.0%   | 28                | 17         | Crockett   | 9         | 17     | 52.9%   |       |
|                   | 18         | Cumberland | 27        | 78    | 34.6%   |                   |            | 27         | Gibson    | 78     | 127     | 61.4% |
|                   | 21         | DeKalb     | 32        | 45    | 71.1%   |                   |            | 38         | Haywood   | 17     | 26      | 65.4% |
|                   | 67         | Overton    | 19        | 39    | 48.7%   |                   | Total      |            | 104       | 170    | 61.2%   |       |
|                   | 69         | Pickett    | 4         | 5     | 80.0%   | 29                | 23         | Dyer       | 83        | 170    | 48.8%   |       |
|                   | 71         | Putnam     | 115       | 211   | 54.5%   |                   |            | 48         | Lake      | 2      | 10      | 20.0% |
|                   | 93         | White      | 17        | 35    | 48.6%   |                   | Total      |            | 85        | 180    | 47.2%   |       |
| Total             |            | 221        | 427       | 51.8% | 30      | 79                | Shelby     | 807        | 685       | 117.8% |         |       |
|                   |            |            |           |       |         | Total             |            | 807        | 685       | 117.8% |         |       |
| 14                | 16         | Coffee     | 64        | 125   | 51.2%   | 31                | 88         | Van Buren  | 3         | 8      | 37.5%   |       |
|                   | Total      |            | 64        | 125   | 51.2%   |                   |            | 89         | Warren    | 82     | 128     | 64.1% |
|                   | 15         | 44         | Jackson   | 2     | 3       |                   | 66.7%      |            | 85        | Total  | 85      | 163   |
|                   |            | 56         | Macon     | 38    | 94      | 40.4%             |            |            |           |        |         |       |
|                   | 80         | Smith      | 24        | 33    | 72.7%   |                   | Not Given  |            | 1804      |        |         |       |
| 85                | Trousdale  | 7          | 22        | 31.8% |         | Statewide         |            | 10605      | 13949     | 76.0%  |         |       |
| 95                | Wilson     | 110        | 186       | 59.1% |         |                   |            |            |           |        |         |       |
| Total             |            | 181        | 338       | 53.6% |         |                   |            |            |           |        |         |       |

## CASE LENGTH

Figure 1 displays the frequencies of cases closed in 2000 by the year of injury. 90% of the cases are closed within three years, 74% within two years and 34% within one year of the date of injury. Figure 2 displays the frequencies of cases closed in 2001 by the year of injury. As in 2000, 90% of the cases are closed within three years; 73% within two years and 32% within one year of the date of injury.

Figure 1: Calendar Year - 2000: Frequencies of Cases Closed by Injury Year

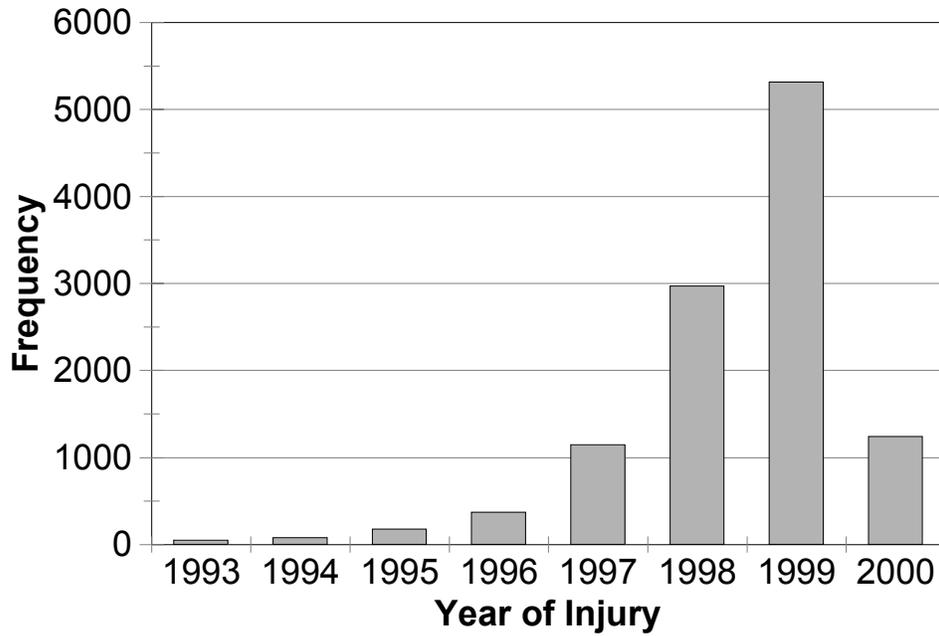
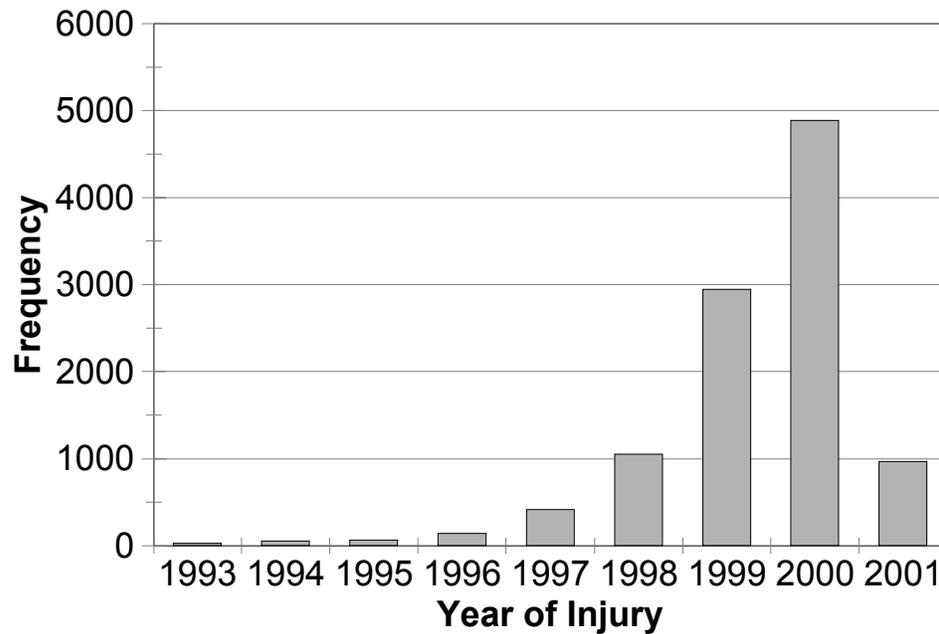


Figure 2: Calendar Year - 2001: Frequencies of Cases Closed by Injury Year



## DATE OF INJURY TO MAXIMUM MEDICAL IMPROVEMENT

Tables 3 and 4 display the average number of weeks from the date of injury to the date of maximum medical improvement (MMI) for 2000 and 2001 cases. The mean number of weeks from the date of injury to the date of MMI for calendar year 2000 cases is 41.6 weeks. The data ranges from 33.4 weeks in Judicial District 26 to 69.8 weeks in Judicial District 2. For calendar year 2001 cases, the data ranges from 34.0 weeks in Judicial District 23 to 57.3 weeks in Judicial District 9. The 2001 statewide mean is 42.5 weeks. Differences between districts are statistically significant for both years.<sup>3</sup>

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<sup>3</sup> $p < .01$  Kruskal Wallis Test

**Table 3: Calendar Year - 2000: Number of Weeks From Date of Injury to Maximum Medical Improvement**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 124       | 48.9 | 33.1   | 46.5           |
| 2                 | 133       | 69.8 | 47.0   | 71.2           |
| 3                 | 171       | 41.9 | 29.9   | 43.4           |
| 4                 | 145       | 50.7 | 37.4   | 47.2           |
| 5                 | 51        | 54.8 | 42.4   | 44.5           |
| 6                 | 760       | 40.6 | 31.6   | 32.2           |
| 7                 | 172       | 49.6 | 41.6   | 37.6           |
| 8                 | 98        | 49.4 | 36.6   | 36.6           |
| 9                 | 89        | 51.4 | 39.3   | 45.6           |
| 10                | 184       | 50.2 | 41.1   | 34.9           |
| 11                | 629       | 48.2 | 39.0   | 37.1           |
| 12                | 153       | 50.7 | 42.6   | 44.6           |
| 13                | 148       | 48.5 | 38.9   | 36.4           |
| 14                | 49        | 36.1 | 30.0   | 28.7           |
| 15                | 120       | 46.4 | 33.9   | 39.4           |
| 16                | 467       | 43.7 | 34.0   | 35.7           |
| 17                | 103       | 41.9 | 32.6   | 33.0           |
| 18                | 72        | 44.5 | 36.0   | 32.9           |
| 19                | 104       | 45.9 | 33.8   | 40.6           |
| 20                | 1586      | 38.7 | 29.1   | 34.4           |
| 21                | 44        | 47.3 | 38.3   | 35.9           |
| 22                | 162       | 48.4 | 38.2   | 36.4           |
| 23                | 45        | 41.4 | 32.9   | 37.6           |
| 24                | 173       | 37.4 | 27.7   | 30.5           |
| 25                | 81        | 40.8 | 31.7   | 34.6           |
| 26                | 304       | 33.4 | 26.4   | 27.7           |
| 27                | 158       | 48.1 | 34.1   | 47.4           |
| 28                | 64        | 35.6 | 28.4   | 26.0           |
| 29                | 70        | 38.9 | 31.1   | 38.3           |
| 30                | 853       | 36.4 | 26.1   | 31.8           |
| 31                | 62        | 41.0 | 30.8   | 39.5           |
| Not Given         | 1462      | 35.6 | 28.6   | 26.6           |
| Statewide         | 8836      | 41.6 | 31.4   | 35.8           |

**Table 4: Calendar Year - 2001: Number of Weeks From Date of Injury to Maximum Medical Improvement**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 82        | 54.8 | 35.9   | 57.2           |
| 2                 | 104       | 51.0 | 38.1   | 44.1           |
| 3                 | 152       | 46.4 | 37.4   | 35.3           |
| 4                 | 107       | 45.4 | 35.4   | 35.2           |
| 5                 | 52        | 56.2 | 37.9   | 59.5           |
| 6                 | 538       | 46.3 | 35.9   | 36.4           |
| 7                 | 126       | 56.6 | 45.1   | 40.4           |
| 8                 | 108       | 49.8 | 40.4   | 44.3           |
| 9                 | 78        | 57.3 | 47.1   | 48.8           |
| 10                | 194       | 56.9 | 43.6   | 49.8           |
| 11                | 691       | 49.2 | 38.1   | 42.3           |
| 12                | 147       | 43.3 | 35.7   | 29.4           |
| 13                | 152       | 44.7 | 34.4   | 35.0           |
| 14                | 41        | 50.4 | 45.4   | 38.3           |
| 15                | 125       | 45.3 | 37.0   | 33.6           |
| 16                | 465       | 47.2 | 36.1   | 40.7           |
| 17                | 79        | 41.5 | 31.6   | 31.8           |
| 18                | 67        | 41.3 | 34.9   | 26.9           |
| 19                | 100       | 42.7 | 33.4   | 33.1           |
| 20                | 1530      | 37.2 | 29.3   | 29.8           |
| 21                | 43        | 43.2 | 37.1   | 26.5           |
| 22                | 144       | 55.2 | 39.9   | 47.0           |
| 23                | 31        | 34.0 | 31.1   | 25.0           |
| 24                | 170       | 42.2 | 35.9   | 28.0           |
| 25                | 73        | 35.0 | 25.1   | 33.1           |
| 26                | 266       | 37.5 | 31.0   | 30.8           |
| 27                | 121       | 37.9 | 32.9   | 26.9           |
| 28                | 80        | 44.4 | 34.9   | 30.3           |
| 29                | 66        | 43.4 | 33.1   | 31.0           |
| 30                | 651       | 37.8 | 28.7   | 33.9           |
| 31                | 60        | 39.2 | 33.2   | 28.1           |
| Not Given         | 1602      | 37.9 | 29.4   | 30.7           |
| Statewide         | 8245      | 42.5 | 32.9   | 35.7           |

## MAXIMUM MEDICAL IMPROVEMENT TO DATE OF CONCLUSION

Table 5 lists the average number of weeks from MMI to conclusion for each judicial district as well as for all of Tennessee for cases ending in 2000. The mean number of weeks from MMI to conclusion is 38.6 weeks. The data ranges from 30.2 weeks in Judicial District 20 to 71.4 in Judicial District 23. The same information for cases concluding in 2001 is listed in Table 6. The averages were nearly identical to 2000 with a mean of 38.9 weeks. The 2001 data ranges from 30.5 weeks in Judicial District 20 to 65.6 weeks in Judicial District 27. For both years, differences between judicial districts were statistically significant.<sup>4</sup>

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<sup>4</sup> $p < .01$  Kruskal Wallis Test

**Table 5: Calendar Year - 2000: Number of Weeks From Maximum Medical Improvement to Date of Conclusion**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 124       | 49.5 | 30.6   | 61.2           |
| 2                 | 130       | 48.0 | 31.1   | 56.6           |
| 3                 | 167       | 43.2 | 30.3   | 42.2           |
| 4                 | 146       | 49.2 | 36.9   | 39.5           |
| 5                 | 52        | 62.1 | 42.2   | 61.3           |
| 6                 | 763       | 32.4 | 21.1   | 35.7           |
| 7                 | 172       | 49.4 | 35.6   | 46.9           |
| 8                 | 98        | 51.6 | 41.6   | 48.4           |
| 9                 | 90        | 52.5 | 40.3   | 43.8           |
| 10                | 185       | 47.1 | 32.1   | 48.6           |
| 11                | 632       | 36.1 | 24.8   | 34.3           |
| 12                | 153       | 51.1 | 39.9   | 42.2           |
| 13                | 149       | 43.2 | 35.6   | 31.5           |
| 14                | 50        | 41.3 | 30.8   | 33.0           |
| 15                | 118       | 47.6 | 36.1   | 40.4           |
| 16                | 468       | 38.0 | 21.2   | 40.9           |
| 17                | 102       | 48.6 | 36.6   | 41.7           |
| 18                | 72        | 49.9 | 38.9   | 43.9           |
| 19                | 105       | 55.8 | 44.1   | 49.9           |
| 20                | 1589      | 30.2 | 20.3   | 31.0           |
| 21                | 43        | 49.2 | 45.0   | 34.1           |
| 22                | 163       | 53.9 | 38.6   | 49.6           |
| 23                | 45        | 71.4 | 48.7   | 73.7           |
| 24                | 171       | 44.9 | 36.3   | 30.6           |
| 25                | 79        | 58.9 | 37.0   | 54.1           |
| 26                | 300       | 39.4 | 27.6   | 37.9           |
| 27                | 157       | 56.0 | 49.1   | 48.8           |
| 28                | 62        | 44.3 | 35.4   | 29.4           |
| 29                | 69        | 47.5 | 38.0   | 40.0           |
| 30                | 853       | 44.4 | 29.3   | 45.2           |
| 31                | 64        | 54.2 | 34.7   | 55.7           |
| Not Given         | 1438      | 26.8 | 18.0   | 26.8           |
| Statewide         | 8809      | 38.6 | 26.0   | 39.7           |

**Table 6: Calendar Year - 2001: Number of Weeks From Maximum Medical Improvement to Date of Conclusion**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 82        | 51.2 | 26.7   | 57.6           |
| 2                 | 106       | 46.2 | 30.1   | 53.6           |
| 3                 | 151       | 42.1 | 27.6   | 38.8           |
| 4                 | 109       | 53.5 | 39.0   | 49.5           |
| 5                 | 53        | 59.6 | 41.7   | 42.1           |
| 6                 | 537       | 37.5 | 23.1   | 39.5           |
| 7                 | 129       | 57.5 | 41.3   | 49.0           |
| 8                 | 109       | 55.8 | 43.6   | 49.7           |
| 9                 | 78        | 53.3 | 40.4   | 43.0           |
| 10                | 199       | 46.6 | 37.0   | 35.5           |
| 11                | 694       | 33.4 | 23.6   | 33.0           |
| 12                | 147       | 65.1 | 45.9   | 61.4           |
| 13                | 153       | 45.6 | 32.7   | 43.6           |
| 14                | 41        | 47.4 | 35.9   | 35.4           |
| 15                | 125       | 49.9 | 36.3   | 44.6           |
| 16                | 473       | 37.3 | 23.9   | 35.9           |
| 17                | 79        | 47.9 | 34.1   | 55.0           |
| 18                | 68        | 44.5 | 37.9   | 28.2           |
| 19                | 102       | 48.6 | 31.6   | 46.4           |
| 20                | 1532      | 30.5 | 19.6   | 32.5           |
| 21                | 43        | 52.6 | 41.1   | 34.7           |
| 22                | 146       | 50.4 | 31.2   | 54.3           |
| 23                | 31        | 49.3 | 37.1   | 59.2           |
| 24                | 174       | 51.4 | 44.4   | 39.5           |
| 25                | 73        | 62.1 | 40.1   | 53.2           |
| 26                | 268       | 41.4 | 25.4   | 46.2           |
| 27                | 119       | 65.6 | 47.9   | 52.7           |
| 28                | 80        | 37.4 | 33.3   | 22.7           |
| 29                | 66        | 45.7 | 34.9   | 37.0           |
| 30                | 653       | 50.0 | 29.0   | 55.3           |
| 31                | 59        | 52.5 | 32.6   | 53.4           |
| Not Given         | 1603      | 26.1 | 18.0   | 25.3           |
| Statewide         | 8282      | 38.9 | 25.4   | 40.9           |

## DATE OF INJURY TO DATE OF CONCLUSION

The average number of weeks from the date of injury to the date of settlement approval or date of trial in 2000 is listed by judicial district as well as for all of Tennessee in Table 7. The mean number of weeks from injury to conclusion is 83.8 weeks and ranges from 70.5 weeks in Judicial District 20 to 120.1 weeks in Judicial District 23. Differences between judicial districts are statistically significant.<sup>5</sup> Table 8 lists the average number of weeks from injury to conclusion for cases that concluded in 2001. The data ranges from 70.1 weeks in Judicial District 20 to 121.0 weeks in Judicial District 7. The mean went up slightly to 85.4 weeks. Differences between judicial districts in time from injury to conclusion for 2001 cases are also statistically significant.<sup>6</sup>

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<sup>5</sup> $p < .01$  Kruskal Wallis Test

<sup>6</sup> $p < .01$  Kruskal Wallis Test

**Table 7: Calendar Year - 2000: Number of Weeks From Date of Injury to Date of Conclusion**

| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 158              | 100.9       | 81.9          | 71.3                  |
| 2                        | 165              | 116.8       | 89.3          | 84.4                  |
| 3                        | 234              | 91.6        | 77.6          | 63.3                  |
| 4                        | 187              | 104.1       | 89.4          | 60.8                  |
| 5                        | 75               | 117.1       | 107.9         | 57.3                  |
| 6                        | 929              | 75.6        | 61.0          | 52.6                  |
| 7                        | 208              | 96.1        | 83.1          | 55.8                  |
| 8                        | 129              | 115.8       | 101.7         | 69.5                  |
| 9                        | 126              | 100.8       | 90.9          | 57.0                  |
| 10                       | 288              | 107.5       | 94.1          | 67.6                  |
| 11                       | 805              | 89.2        | 77.4          | 55.5                  |
| 12                       | 208              | 109.2       | 94.9          | 65.7                  |
| 13                       | 197              | 93.4        | 87.3          | 48.2                  |
| 14                       | 73               | 90.0        | 78.6          | 52.9                  |
| 15                       | 165              | 99.8        | 83.1          | 62.3                  |
| 16                       | 577              | 87.3        | 71.7          | 57.4                  |
| 17                       | 138              | 94.5        | 83.4          | 59.3                  |
| 18                       | 100              | 100.6       | 87.1          | 57.8                  |
| 19                       | 137              | 102.0       | 94.4          | 60.7                  |
| 20                       | 2134             | 70.5        | 57.7          | 50.3                  |
| 21                       | 54               | 97.3        | 92.1          | 59.9                  |
| 22                       | 226              | 108.3       | 87.0          | 72.6                  |
| 23                       | 59               | 120.1       | 104.1         | 82.1                  |
| 24                       | 209              | 83.7        | 75.4          | 43.4                  |
| 25                       | 98               | 105.2       | 92.5          | 66.0                  |
| 26                       | 391              | 75.3        | 63.6          | 49.7                  |
| 27                       | 216              | 108.8       | 100.6         | 64.3                  |
| 28                       | 86               | 86.7        | 79.4          | 45.9                  |
| 29                       | 84               | 91.4        | 81.1          | 57.6                  |
| 30                       | 1101             | 84.3        | 67.6          | 58.9                  |
| 31                       | 103              | 94.0        | 78.0          | 64.6                  |
| Not Given                | 1670             | 64.2        | 53.0          | 42.7                  |
| Statewide                | 11330            | 83.8        | 69.0          | 57.5                  |

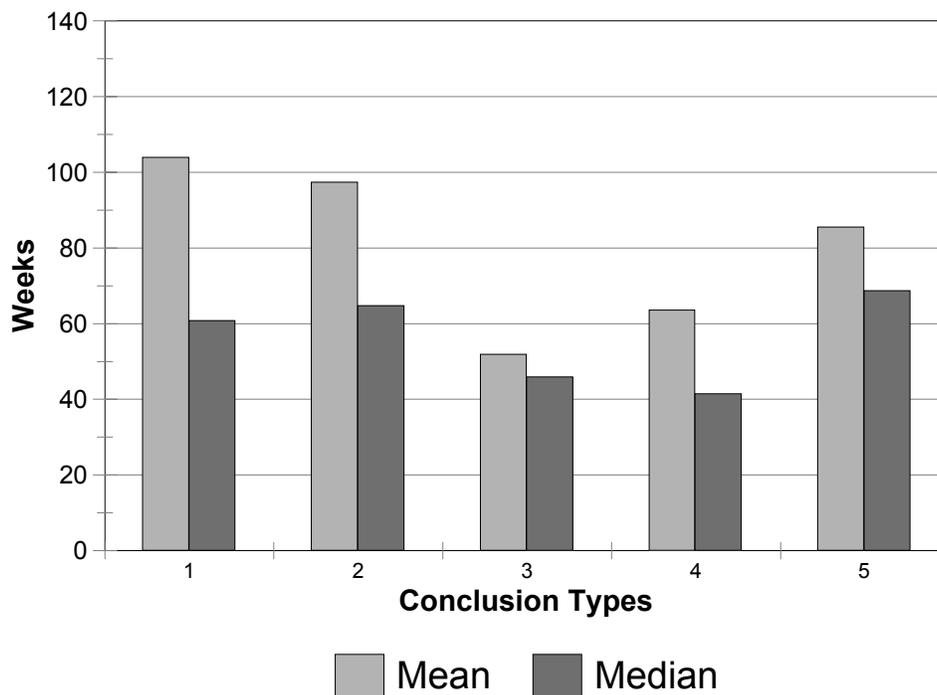
**Table 8: Calendar Year - 2001: Number of Weeks From Date of Injury to Date of Conclusion**

| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 116              | 116.9       | 87.3          | 85.0                  |
| 2                        | 125              | 114.2       | 81.4          | 94.3                  |
| 3                        | 219              | 92.7        | 81.0          | 59.8                  |
| 4                        | 150              | 113.5       | 90.5          | 76.2                  |
| 5                        | 71               | 109.0       | 91.9          | 64.3                  |
| 6                        | 678              | 87.4        | 73.3          | 59.1                  |
| 7                        | 161              | 121.0       | 108.9         | 72.9                  |
| 8                        | 159              | 114.2       | 96.7          | 69.5                  |
| 9                        | 110              | 115.4       | 99.7          | 71.4                  |
| 10                       | 278              | 105.0       | 97.6          | 66.3                  |
| 11                       | 890              | 85.7        | 70.9          | 59.4                  |
| 12                       | 201              | 114.3       | 95.4          | 69.7                  |
| 13                       | 219              | 103.0       | 80.6          | 76.8                  |
| 14                       | 64               | 108.2       | 96.9          | 63.8                  |
| 15                       | 181              | 99.2        | 86.3          | 55.8                  |
| 16                       | 560              | 87.2        | 71.6          | 55.8                  |
| 17                       | 107              | 98.4        | 78.4          | 70.7                  |
| 18                       | 100              | 89.4        | 89.5          | 39.4                  |
| 19                       | 141              | 93.8        | 79.1          | 59.7                  |
| 20                       | 2042             | 70.1        | 56.3          | 49.1                  |
| 21                       | 60               | 103.0       | 85.9          | 55.1                  |
| 22                       | 202              | 105.6       | 88.8          | 72.4                  |
| 23                       | 44               | 89.2        | 69.4          | 59.2                  |
| 24                       | 203              | 91.2        | 83.7          | 41.5                  |
| 25                       | 96               | 100.5       | 84.4          | 68.5                  |
| 26                       | 340              | 79.6        | 64.5          | 51.4                  |
| 27                       | 169              | 110.1       | 100.4         | 57.8                  |
| 28                       | 104              | 84.8        | 75.9          | 42.2                  |
| 29                       | 85               | 94.6        | 86.6          | 49.3                  |
| 30                       | 804              | 90.5        | 71.5          | 65.7                  |
| 31                       | 85               | 91.7        | 77.0          | 51.8                  |
| Not Given                | 1802             | 64.9        | 55.0          | 41.9                  |
| Statewide                | 10566            | 85.4        | 69.9          | 59.4                  |

## TYPES OF CONCLUSION

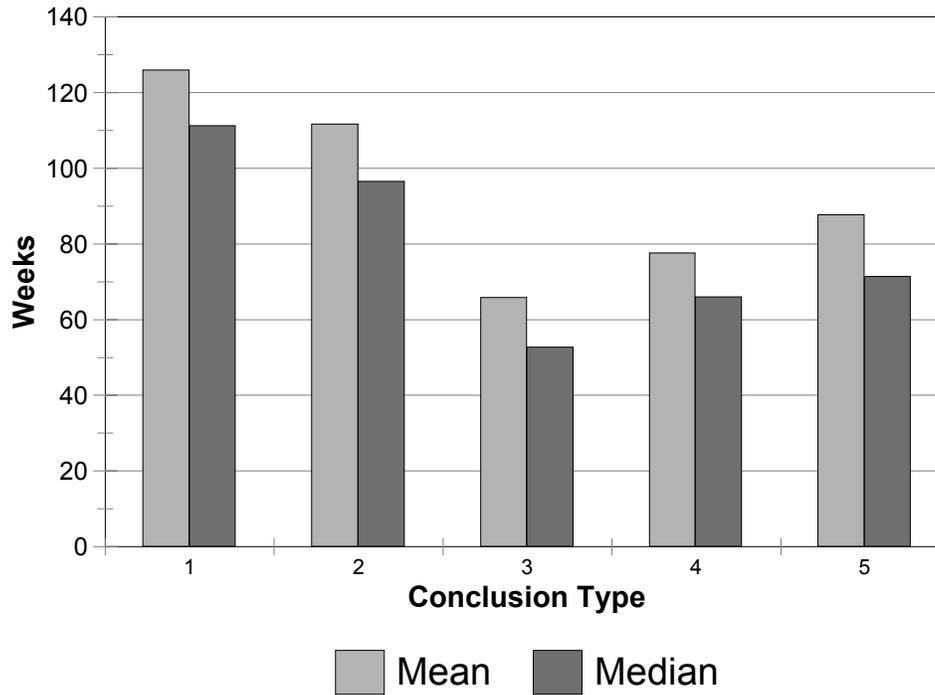
As mentioned previously, workers' compensation cases may be concluded four different ways in Tennessee, by trial, by settlement where a complaint was filed in court, by a joint petition settlement and by a settlement approved by the Department of Labor and Workforce Development. Figures 3 and 4 display the average number of weeks from the date of injury to the date of conclusion for the different conclusion types available in Tennessee.

**Figure 3: Calendar Year - 2000: Number of Weeks From Date of Injury to Date of Conclusion By Conclusion Type**



| Code | Case Type                     | Mean  | Median |
|------|-------------------------------|-------|--------|
| 1    | Trials                        | 104.0 | 60.8   |
| 2    | Settlements - Complaint Filed | 97.4  | 64.8   |
| 3    | Settlements - Joint Petition  | 51.9  | 45.9   |
| 4    | Settlements - DoL/WD Approved | 63.6  | 41.5   |
| 5    | Not Given                     | 85.5  | 68.7   |

**Figure 4: Calendar Year - 2001: Number of Weeks From Date of Injury to Date of Conclusion By Conclusion**



| Code | Conclusion Type               | Mean  | Median |
|------|-------------------------------|-------|--------|
| 1    | Trials                        | 126.0 | 111.3  |
| 2    | Settlements - Complaint Filed | 111.7 | 96.6   |
| 3    | Settlements - Joint Petition  | 65.9  | 52.7   |
| 4    | Settlements - DoL/WD Approved | 77.6  | 66.0   |
| 5    | Not Given                     | 87.7  | 71.4   |

Table 9 lists the number of each type of conclusions by judicial district as well as for the entire state. For cases concluding in 2000, 2.8% are trials, 28.7% are settlements after a complaint had been filed in court, 36.4% are joint petition settlements, 20.2% are DoLWD approved settlements and 11.9% of SD-1 forms did not indicate any type of conclusion. Table 10 lists the conclusion type frequencies for 2001 cases. For cases concluding in 2001, 2.3% are trials, 27.0% are settlements after a complaint had been filed, 32.5% are joint petition settlements, 25.0% are DoLWD approved settlements and in 13.1% of the cases, no conclusion type was indicated.

**Table 9: Calendar Year - 2000: Types of Conclusions**

| Judicial District | Trial | Settlement - Complaint Filed | Settlement - Joint Petition | Settlement - DoLWD Approved | Conclusion Type Not Given | Total |
|-------------------|-------|------------------------------|-----------------------------|-----------------------------|---------------------------|-------|
| 1                 | 3     | 47                           | 43                          | 55                          | 15                        | 163   |
| 2                 | 2     | 54                           | 57                          | 50                          | 8                         | 171   |
| 3                 | 10    | 90                           | 86                          | 33                          | 18                        | 237   |
| 4                 | 11    | 86                           | 41                          | 39                          | 12                        | 189   |
| 5                 | 4     | 44                           | 18                          | 4                           | 5                         | 75    |
| 6                 | 23    | 221                          | 510                         | 105                         | 73                        | 932   |
| 7                 | 6     | 110                          | 68                          | 8                           | 16                        | 208   |
| 8                 | 4     | 89                           | 13                          | 10                          | 15                        | 131   |
| 9                 | 14    | 73                           | 19                          | 11                          | 10                        | 127   |
| 10                | 16    | 142                          | 86                          | 14                          | 30                        | 288   |
| 11                | 20    | 274                          | 361                         | 20                          | 136                       | 811   |
| 12                | 17    | 116                          | 41                          | 3                           | 32                        | 209   |
| 13                | 4     | 93                           | 60                          | 21                          | 22                        | 200   |
| 14                | 3     | 37                           | 24                          | 4                           | 5                         | 73    |
| 15                | 12    | 93                           | 28                          | 16                          | 16                        | 165   |
| 16                | 32    | 197                          | 299                         | 17                          | 36                        | 581   |
| 17                | 6     | 69                           | 40                          | 5                           | 18                        | 138   |
| 18                | 2     | 66                           | 19                          | 4                           | 10                        | 101   |
| 19                | 7     | 65                           | 46                          | 14                          | 8                         | 140   |
| 20                | 25    | 370                          | 1397                        | 76                          | 280                       | 2148  |
| 21                | 0     | 28                           | 13                          | 7                           | 7                         | 55    |
| 22                | 1     | 96                           | 60                          | 20                          | 53                        | 230   |
| 23                | 0     | 33                           | 11                          | 9                           | 6                         | 59    |
| 24                | 9     | 74                           | 20                          | 87                          | 19                        | 209   |
| 25                | 3     | 29                           | 25                          | 30                          | 14                        | 101   |
| 26                | 21    | 142                          | 142                         | 46                          | 42                        | 393   |
| 27                | 43    | 90                           | 34                          | 41                          | 10                        | 218   |
| 28                | 6     | 34                           | 12                          | 22                          | 13                        | 87    |
| 29                | 4     | 44                           | 13                          | 16                          | 8                         | 85    |
| 30                | 5     | 250                          | 353                         | 349                         | 156                       | 1113  |
| 31                | 7     | 48                           | 29                          | 9                           | 11                        | 104   |
| Not Given         | 1     | 77                           | 195                         | 1158                        | 253                       | 1684  |
| Statewide         | 321   | 3281                         | 4163                        | 2303                        | 1357                      | 11425 |
| Percent           | 2.8%  | 28.7%                        | 36.4%                       | 20.2%                       | 11.9%                     |       |

**Table 10: Calendar Year - 2001: Types of Conclusions**

| Judicial District | Trial | Settlement - Complaint Filed | Settlement - Joint Petition | Settlement - DoLWD Approved | Conclusion Type Not Given | Total |
|-------------------|-------|------------------------------|-----------------------------|-----------------------------|---------------------------|-------|
| 1                 | 3     | 24                           | 21                          | 53                          | 15                        | 116   |
| 2                 | 0     | 24                           | 34                          | 52                          | 18                        | 128   |
| 3                 | 5     | 78                           | 69                          | 43                          | 25                        | 220   |
| 4                 | 5     | 80                           | 13                          | 37                          | 15                        | 150   |
| 5                 | 1     | 28                           | 14                          | 21                          | 7                         | 71    |
| 6                 | 11    | 196                          | 248                         | 144                         | 82                        | 681   |
| 7                 | 14    | 86                           | 30                          | 7                           | 26                        | 163   |
| 8                 | 9     | 107                          | 10                          | 12                          | 21                        | 159   |
| 9                 | 8     | 59                           | 10                          | 24                          | 12                        | 113   |
| 10                | 13    | 138                          | 75                          | 14                          | 38                        | 278   |
| 11                | 16    | 262                          | 462                         | 55                          | 98                        | 893   |
| 12                | 15    | 94                           | 43                          | 20                          | 30                        | 202   |
| 13                | 10    | 109                          | 60                          | 15                          | 27                        | 221   |
| 14                | 4     | 36                           | 14                          | 2                           | 8                         | 64    |
| 15                | 10    | 105                          | 23                          | 19                          | 24                        | 181   |
| 16                | 17    | 219                          | 281                         | 23                          | 20                        | 560   |
| 17                | 1     | 54                           | 33                          | 5                           | 15                        | 108   |
| 18                | 4     | 53                           | 22                          | 7                           | 14                        | 100   |
| 19                | 2     | 58                           | 37                          | 23                          | 22                        | 142   |
| 20                | 11    | 356                          | 1296                        | 65                          | 322                       | 2050  |
| 21                | 1     | 23                           | 15                          | 10                          | 11                        | 60    |
| 22                | 4     | 64                           | 56                          | 23                          | 56                        | 203   |
| 23                | 4     | 24                           | 7                           | 7                           | 2                         | 44    |
| 24                | 17    | 85                           | 14                          | 70                          | 18                        | 204   |
| 25                | 3     | 32                           | 19                          | 26                          | 17                        | 97    |
| 26                | 15    | 117                          | 120                         | 40                          | 50                        | 342   |
| 27                | 22    | 61                           | 29                          | 32                          | 26                        | 170   |
| 28                | 5     | 32                           | 19                          | 34                          | 14                        | 104   |
| 29                | 4     | 38                           | 11                          | 14                          | 18                        | 85    |
| 30                | 4     | 119                          | 168                         | 379                         | 137                       | 807   |
| 31                | 8     | 50                           | 17                          | 6                           | 4                         | 85    |
| Not Given         | 1     | 57                           | 173                         | 1373                        | 200                       | 1804  |
| Statewide         | 247   | 2868                         | 3443                        | 2655                        | 1392                      | 10605 |
| Percent           | 2.3%  | 27.0%                        | 32.5%                       | 25.0%                       | 13.1%                     |       |

## AVERAGE AGE

The mean age for workers involved in workers' compensation cases in Tennessee that were concluded in 2000 is 41.5 years and ranges from 38.4 years in Judicial District 8 to 45.6 years in Judicial District 5. Table 11 lists the average ages for all judicial districts as well as for the entire state. Table 12 lists the average ages for cases concluding in 2001. The statewide mean age was almost identical to 2000 at 41.6 years and ranges from 36.7 years in Judicial District 25 to 45.5 years in Judicial District 14. Differences between judicial districts are statistically significant for both 2000 and 2001.<sup>7</sup>

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<sup>7</sup>  $p < .01$  One Way Analysis of Variance (ANOVA) for calendar year 2000 cases and  $p < .02$  for calendar year 2001 cases.

**Table 11: Calendar Year - 2000: Age at Date of Injury**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 123       | 41.4 | 42.0   | 11.4           |
| 2                 | 126       | 42.9 | 42.0   | 11.1           |
| 3                 | 175       | 40.7 | 40.0   | 11.5           |
| 4                 | 113       | 41.5 | 41.0   | 12.0           |
| 5                 | 50        | 45.6 | 46.5   | 9.4            |
| 6                 | 641       | 41.3 | 42.0   | 11.3           |
| 7                 | 149       | 42.7 | 42.0   | 10.2           |
| 8                 | 89        | 38.4 | 37.0   | 11.1           |
| 9                 | 78        | 42.5 | 41.5   | 10.1           |
| 10                | 198       | 40.3 | 39.0   | 10.7           |
| 11                | 579       | 41.7 | 41.0   | 11.3           |
| 12                | 149       | 40.8 | 40.0   | 10.3           |
| 13                | 142       | 41.1 | 41.0   | 10.8           |
| 14                | 47        | 40.6 | 40.0   | 13.0           |
| 15                | 118       | 42.8 | 43.0   | 12.1           |
| 16                | 420       | 40.2 | 39.0   | 9.1            |
| 17                | 108       | 40.6 | 41.0   | 11.1           |
| 18                | 67        | 40.2 | 39.0   | 10.9           |
| 19                | 93        | 41.0 | 41.0   | 10.9           |
| 20                | 1484      | 41.8 | 42.0   | 11.0           |
| 21                | 42        | 45.0 | 44.0   | 10.2           |
| 22                | 146       | 43.7 | 44.0   | 9.6            |
| 23                | 40        | 42.7 | 43.0   | 11.9           |
| 24                | 141       | 42.0 | 41.0   | 11.5           |
| 25                | 61        | 41.1 | 42.0   | 10.1           |
| 26                | 243       | 40.9 | 41.0   | 11.1           |
| 27                | 128       | 41.2 | 41.0   | 10.0           |
| 28                | 50        | 39.6 | 39.0   | 10.8           |
| 29                | 51        | 42.4 | 44.0   | 9.6            |
| 30                | 727       | 40.7 | 40.0   | 10.8           |
| 31                | 63        | 44.3 | 43.0   | 12.6           |
| Not Given         | 1150      | 41.9 | 42.0   | 11.2           |
| Statewide         | 7791      | 41.5 | 41.0   | 11.0           |

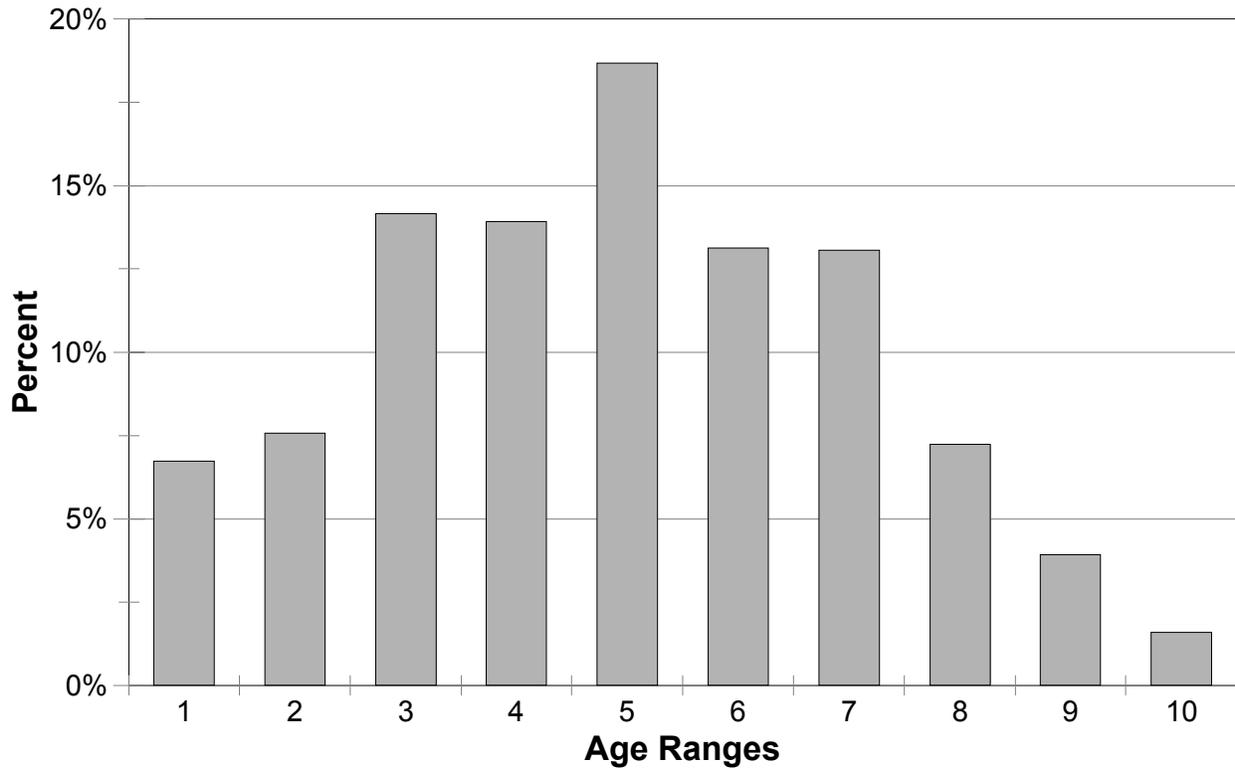
**Table 12: Calendar Year - 2001: Age at Date of Injury**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 71        | 40.0 | 40.0   | 11.6           |
| 2                 | 71        | 42.0 | 40.0   | 10.5           |
| 3                 | 162       | 41.4 | 42.0   | 12.7           |
| 4                 | 104       | 41.4 | 41.0   | 12.1           |
| 5                 | 54        | 44.3 | 45.5   | 12.3           |
| 6                 | 479       | 41.3 | 41.0   | 10.7           |
| 7                 | 108       | 42.1 | 44.0   | 11.8           |
| 8                 | 112       | 39.5 | 40.0   | 11.0           |
| 9                 | 67        | 44.4 | 44.0   | 14.5           |
| 10                | 201       | 43.3 | 44.0   | 11.9           |
| 11                | 627       | 41.7 | 41.0   | 11.4           |
| 12                | 148       | 41.3 | 40.0   | 11.6           |
| 13                | 150       | 41.9 | 41.0   | 11.9           |
| 14                | 40        | 45.5 | 47.0   | 10.1           |
| 15                | 110       | 41.0 | 39.0   | 11.0           |
| 16                | 412       | 40.9 | 40.0   | 9.2            |
| 17                | 71        | 40.4 | 40.0   | 9.9            |
| 18                | 59        | 44.0 | 44.0   | 10.3           |
| 19                | 92        | 40.0 | 39.5   | 10.3           |
| 20                | 1401      | 41.8 | 42.0   | 11.6           |
| 21                | 37        | 40.5 | 39.0   | 11.5           |
| 22                | 135       | 43.2 | 43.0   | 11.4           |
| 23                | 28        | 39.8 | 42.5   | 11.9           |
| 24                | 128       | 40.8 | 41.0   | 11.5           |
| 25                | 58        | 36.7 | 36.5   | 10.6           |
| 26                | 220       | 41.6 | 41.5   | 11.0           |
| 27                | 99        | 40.9 | 40.0   | 10.8           |
| 28                | 67        | 41.8 | 41.0   | 9.8            |
| 29                | 50        | 43.1 | 43.0   | 11.4           |
| 30                | 531       | 40.8 | 41.0   | 10.7           |
| 31                | 48        | 43.5 | 43.0   | 9.9            |
| Not Given         | 1362      | 41.7 | 41.0   | 11.6           |
| Statewide         | 7302      | 41.6 | 41.0   | 11.3           |

## AGE DISTRIBUTION

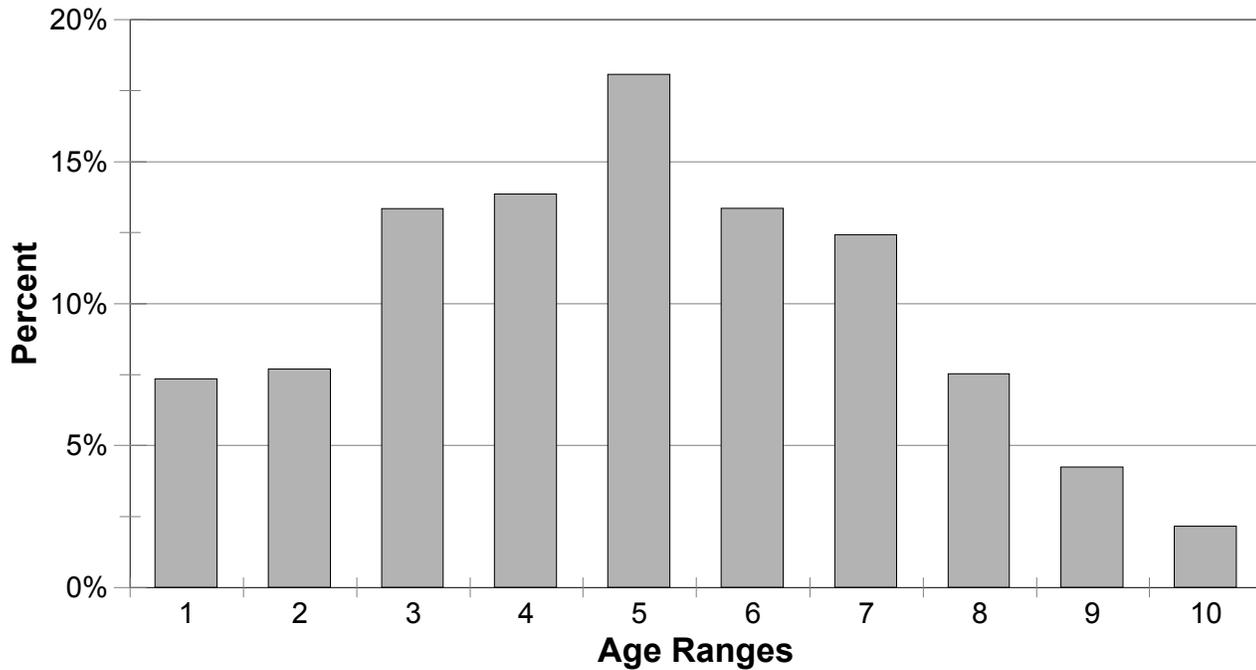
Figures 5 and 6 display the distribution of ages for workers involved in Tennessee workers' compensation cases concluding in 2000 and 2001 respectively. To limit the effects of potential errors in the data base, ages included in the analysis are limited to those over 14 years and less than 90 years.

Figure 5: Calendar Year - 2000: Distribution - Age at Date of Injury



| Code | Range (Years) | Percent |
|------|---------------|---------|
| 1    | 15 to 24      | 6.7%    |
| 2    | 25 to 29      | 7.6%    |
| 3    | 30 to 34      | 14.2%   |
| 4    | 25 to 39      | 13.9%   |
| 5    | 40 to 44      | 18.7%   |
| 6    | 45 to 49      | 13.1%   |
| 7    | 50 to 54      | 13.1%   |
| 8    | 55 to 59      | 7.2%    |
| 9    | 60 to 64      | 3.9%    |
| 10   | 65 +          | 1.6%    |

**Figure 6: Calendar Year - 2001: Distribution - Age at Date of Injury**



| Code | Age in Years | Percent |
|------|--------------|---------|
| 1    | 15 to 24     | 7.3%    |
| 2    | 25 to 29     | 7.7%    |
| 3    | 30 to 34     | 13.3%   |
| 4    | 25 to 39     | 13.9%   |
| 5    | 40 to 44     | 18.1%   |
| 6    | 45 to 49     | 13.4%   |
| 7    | 50 to 54     | 12.4%   |
| 8    | 55 to 59     | 7.5%    |
| 9    | 60 to 64     | 4.2%    |
| 10   | 65 +         | 2.2%    |

## LEVEL OF EDUCATION

The education levels of injured workers in Tennessee for cases concluding in 2000 and 2001 are virtually the same and are displayed in Tables 13 and 14. For both years, 21% of workers have less than a high school education, 59% have a high school education or equivalent and 20% have more than a high school education. These numbers match very closely to 2000 census data for Tennessee as well.

**Table 13: Calendar Year - 2000: Employee's Education Level**

| Judicial District | Less Than High School |         | High School |         | More Than High School |         |
|-------------------|-----------------------|---------|-------------|---------|-----------------------|---------|
|                   | N                     | Percent | N           | Percent | N                     | Percent |
| 1                 | 40                    | 28.8%   | 67          | 48.2%   | 32                    | 23.0%   |
| 2                 | 36                    | 24.2%   | 78          | 52.3%   | 35                    | 23.5%   |
| 3                 | 46                    | 27.5%   | 101         | 60.5%   | 20                    | 12.0%   |
| 4                 | 37                    | 27.6%   | 81          | 60.4%   | 16                    | 11.9%   |
| 5                 | 9                     | 18.0%   | 30          | 60.0%   | 11                    | 22.0%   |
| 6                 | 131                   | 19.2%   | 373         | 54.5%   | 180                   | 26.3%   |
| 7                 | 20                    | 11.2%   | 131         | 73.2%   | 28                    | 15.6%   |
| 8                 | 39                    | 37.1%   | 52          | 49.5%   | 14                    | 13.3%   |
| 9                 | 16                    | 16.5%   | 61          | 62.9%   | 20                    | 20.6%   |
| 10                | 66                    | 30.3%   | 118         | 54.1%   | 34                    | 15.6%   |
| 11                | 114                   | 19.4%   | 367         | 62.4%   | 107                   | 18.2%   |
| 12                | 45                    | 28.1%   | 93          | 58.1%   | 22                    | 13.8%   |
| 13                | 43                    | 30.7%   | 75          | 53.6%   | 22                    | 15.7%   |
| 14                | 18                    | 33.3%   | 27          | 50.0%   | 9                     | 16.7%   |
| 15                | 44                    | 32.8%   | 74          | 55.2%   | 16                    | 11.9%   |
| 16                | 60                    | 13.7%   | 302         | 68.8%   | 77                    | 17.5%   |
| 17                | 20                    | 20.8%   | 60          | 62.5%   | 16                    | 16.7%   |
| 18                | 17                    | 22.7%   | 39          | 52.0%   | 19                    | 25.3%   |
| 19                | 12                    | 11.2%   | 72          | 67.3%   | 23                    | 21.5%   |
| 20                | 281                   | 20.3%   | 777         | 56.1%   | 326                   | 23.6%   |
| 21                | 10                    | 27.8%   | 18          | 50.0%   | 8                     | 22.2%   |
| 22                | 33                    | 24.4%   | 77          | 57.0%   | 25                    | 18.5%   |
| 23                | 12                    | 26.7%   | 26          | 57.8%   | 7                     | 15.6%   |
| 24                | 63                    | 35.4%   | 98          | 55.1%   | 17                    | 9.6%    |
| 25                | 22                    | 27.8%   | 51          | 64.6%   | 6                     | 7.6%    |
| 26                | 50                    | 17.5%   | 185         | 64.7%   | 51                    | 17.8%   |
| 27                | 29                    | 25.0%   | 74          | 63.8%   | 13                    | 11.2%   |
| 28                | 17                    | 25.4%   | 40          | 59.7%   | 10                    | 14.9%   |
| 29                | 14                    | 22.6%   | 37          | 59.7%   | 11                    | 17.7%   |
| 30                | 94                    | 12.7%   | 466         | 62.8%   | 182                   | 24.5%   |
| 31                | 20                    | 26.7%   | 46          | 61.3%   | 9                     | 12.0%   |
| Not Given         | 234                   | 17.3%   | 824         | 60.8%   | 297                   | 21.9%   |
| Statewide         | 1691                  | 20.5%   | 4906        | 59.4%   | 1663                  | 20.1%   |

**Table 14: Calendar Year - 2001: Employee's Education Level**

| Judicial District | Less Than High School |         | High School |         | More Than High School |         |
|-------------------|-----------------------|---------|-------------|---------|-----------------------|---------|
|                   | N                     | Percent | N           | Percent | N                     | Percent |
| 1                 | 23                    | 24.2%   | 57          | 60.0%   | 15                    | 15.8%   |
| 2                 | 24                    | 22.6%   | 55          | 51.9%   | 27                    | 25.5%   |
| 3                 | 53                    | 31.5%   | 89          | 53.0%   | 26                    | 15.5%   |
| 4                 | 30                    | 27.3%   | 60          | 54.5%   | 20                    | 18.2%   |
| 5                 | 5                     | 8.6%    | 34          | 58.6%   | 19                    | 32.8%   |
| 6                 | 93                    | 19.3%   | 273         | 56.8%   | 115                   | 23.9%   |
| 7                 | 20                    | 15.5%   | 74          | 57.4%   | 35                    | 27.1%   |
| 8                 | 45                    | 36.3%   | 63          | 50.8%   | 16                    | 12.9%   |
| 9                 | 20                    | 20.2%   | 62          | 62.6%   | 17                    | 17.2%   |
| 10                | 57                    | 26.8%   | 111         | 52.1%   | 45                    | 21.1%   |
| 11                | 151                   | 24.4%   | 344         | 55.5%   | 125                   | 20.2%   |
| 12                | 42                    | 28.6%   | 84          | 57.1%   | 21                    | 14.3%   |
| 13                | 44                    | 29.5%   | 87          | 58.4%   | 18                    | 12.1%   |
| 14                | 16                    | 30.2%   | 27          | 50.9%   | 10                    | 18.9%   |
| 15                | 40                    | 29.2%   | 77          | 56.2%   | 20                    | 14.6%   |
| 16                | 54                    | 13.0%   | 276         | 66.3%   | 86                    | 20.7%   |
| 17                | 17                    | 22.4%   | 46          | 60.5%   | 13                    | 17.1%   |
| 18                | 18                    | 22.8%   | 52          | 65.8%   | 9                     | 11.4%   |
| 19                | 15                    | 15.6%   | 55          | 57.3%   | 26                    | 27.1%   |
| 20                | 251                   | 19.1%   | 752         | 57.3%   | 309                   | 23.6%   |
| 21                | 12                    | 30.0%   | 23          | 57.5%   | 5                     | 12.5%   |
| 22                | 34                    | 23.0%   | 90          | 60.8%   | 24                    | 16.2%   |
| 23                | 7                     | 21.9%   | 23          | 71.9%   | 2                     | 6.3%    |
| 24                | 47                    | 26.7%   | 105         | 59.7%   | 24                    | 13.6%   |
| 25                | 18                    | 23.4%   | 46          | 59.7%   | 13                    | 16.9%   |
| 26                | 41                    | 15.8%   | 169         | 65.3%   | 49                    | 18.9%   |
| 27                | 32                    | 29.6%   | 65          | 60.2%   | 11                    | 10.2%   |
| 28                | 26                    | 29.5%   | 53          | 60.2%   | 9                     | 10.2%   |
| 29                | 11                    | 16.7%   | 43          | 65.2%   | 12                    | 18.2%   |
| 30                | 87                    | 13.9%   | 395         | 62.9%   | 146                   | 23.2%   |
| 31                | 21                    | 36.2%   | 35          | 60.3%   | 2                     | 3.4%    |
| Not Given         | 270                   | 18.4%   | 891         | 60.7%   | 306                   | 20.9%   |
| Statewide         | 1624                  | 20.8%   | 4616        | 59.1%   | 1575                  | 20.2%   |

## WEEKLY COMPENSATION RATE

Table 15 lists the average weekly compensation rates for each judicial district as well as for the entire state. Mean compensation rates for cases concluding in 2000 range from \$264.38 in Judicial District 24 to \$416.23 a week in Judicial District 16, with a statewide mean of \$319.10. Differences between judicial districts are statistically significant.<sup>8</sup>

The same data from 2001 cases are given in Table 16. For 2001, the mean weekly compensation rate rose slightly to \$331.32 with a range of \$251.39 in Judicial District 1 to \$438.81 in Judicial District 16. Differences between judicial districts are also statistically significant for weekly compensation rates in cases closed in 2001.<sup>9</sup> The distributions of weekly compensation rates are displayed in Figures 7 (2000 cases) and 8 (2001 cases).

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<sup>8</sup>  $p < .01$  Kruskal Wallis Test

<sup>9</sup>  $p < .01$  Kruskal Wallis Test

**Table 15: Calendar Year - 2000: Weekly Compensation Rate**

| Judicial District | Frequency | Mean     | Median   | Std. Deviation |
|-------------------|-----------|----------|----------|----------------|
| 1                 | 162       | \$275.96 | \$254.76 | \$116.95       |
| 2                 | 164       | \$287.38 | \$266.56 | \$112.65       |
| 3                 | 223       | \$279.98 | \$261.49 | \$114.33       |
| 4                 | 181       | \$276.62 | \$264.75 | \$124.06       |
| 5                 | 73        | \$290.48 | \$286.00 | \$107.08       |
| 6                 | 909       | \$307.26 | \$286.81 | \$116.85       |
| 7                 | 205       | \$361.51 | \$372.01 | \$137.32       |
| 8                 | 128       | \$271.76 | \$251.30 | \$117.40       |
| 9                 | 125       | \$325.15 | \$315.03 | \$124.94       |
| 10                | 274       | \$286.72 | \$274.44 | \$113.09       |
| 11                | 796       | \$322.74 | \$315.81 | \$124.09       |
| 12                | 202       | \$284.91 | \$257.40 | \$121.88       |
| 13                | 191       | \$269.92 | \$252.32 | \$101.00       |
| 14                | 70        | \$294.81 | \$270.04 | \$128.49       |
| 15                | 158       | \$309.71 | \$299.15 | \$120.92       |
| 16                | 563       | \$416.23 | \$492.00 | \$131.99       |
| 17                | 134       | \$296.51 | \$278.32 | \$114.97       |
| 18                | 97        | \$312.23 | \$293.33 | \$111.07       |
| 19                | 133       | \$302.11 | \$283.33 | \$127.61       |
| 20                | 2064      | \$337.06 | \$322.50 | \$126.52       |
| 21                | 55        | \$339.61 | \$319.98 | \$127.31       |
| 22                | 217       | \$331.78 | \$325.88 | \$127.70       |
| 23                | 57        | \$306.68 | \$302.00 | \$130.22       |
| 24                | 203       | \$264.38 | \$243.51 | \$98.60        |
| 25                | 97        | \$280.85 | \$265.55 | \$109.40       |
| 26                | 389       | \$306.21 | \$291.34 | \$114.64       |
| 27                | 212       | \$329.40 | \$319.96 | \$137.40       |
| 28                | 83        | \$276.06 | \$274.01 | \$101.15       |
| 29                | 79        | \$299.87 | \$285.02 | \$112.87       |
| 30                | 1078      | \$325.30 | \$314.22 | \$129.74       |
| 31                | 89        | \$277.30 | \$259.40 | \$114.14       |
| Not Given         | 1639      | \$315.63 | \$298.00 | \$128.43       |
| Statewide         | 11050     | \$319.10 | \$302.05 | \$127.21       |

**Maximum Weekly Benefit**

|                  |          |
|------------------|----------|
| 8/1/92 - 6/30/93 | \$318.24 |
| 7/1/93 - 6/30/94 | \$355.97 |
| 7/1/94 - 6/30/95 | \$382.79 |
| 7/1/95 - 6/30/96 | \$415.87 |
| 7/1/96 - 6/30/97 | \$453.14 |
| 7/1/97 - 6/30/98 | \$492.00 |
| 7/1/98 - 6/30/99 | \$515.00 |
| 7/1/99 - 6/30/00 | \$541.00 |
| 7/1/00 - 6/30/01 | \$562.00 |

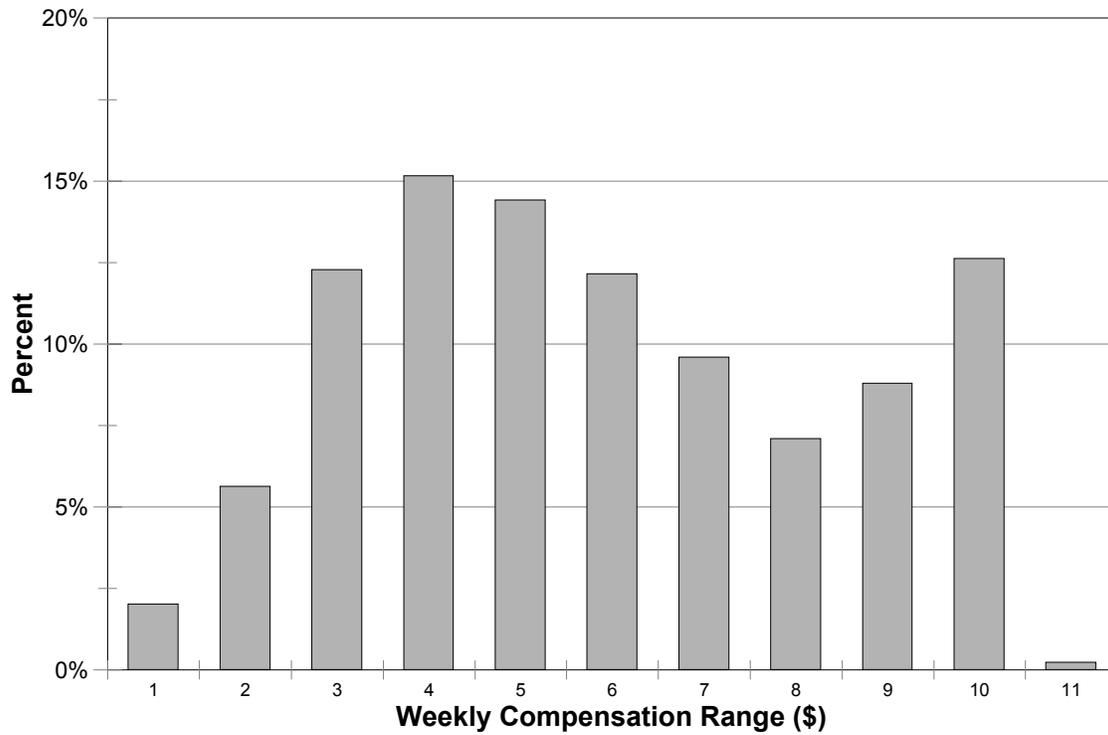
Table 16: Calendar Year - 2001: Weekly Compensation Rate

| Judicial District | Frequency | Mean     | Median   | Std. Deviation |
|-------------------|-----------|----------|----------|----------------|
| 1                 | 112       | \$251.39 | \$235.10 | \$108.46       |
| 2                 | 122       | \$306.48 | \$290.60 | \$132.38       |
| 3                 | 216       | \$299.87 | \$278.75 | \$107.38       |
| 4                 | 145       | \$272.52 | \$269.00 | \$111.08       |
| 5                 | 71        | \$306.16 | \$293.35 | \$124.70       |
| 6                 | 657       | \$319.81 | \$299.71 | \$125.57       |
| 7                 | 157       | \$349.63 | \$363.87 | \$138.71       |
| 8                 | 153       | \$273.79 | \$258.93 | \$99.15        |
| 9                 | 101       | \$327.17 | \$316.00 | \$131.24       |
| 10                | 266       | \$300.93 | \$278.19 | \$125.93       |
| 11                | 862       | \$328.04 | \$319.52 | \$129.66       |
| 12                | 195       | \$302.97 | \$278.73 | \$118.92       |
| 13                | 210       | \$291.53 | \$265.87 | \$111.44       |
| 14                | 59        | \$311.12 | \$294.34 | \$131.39       |
| 15                | 178       | \$322.87 | \$292.05 | \$124.85       |
| 16                | 541       | \$438.81 | \$515.00 | \$129.60       |
| 17                | 101       | \$314.29 | \$301.87 | \$123.41       |
| 18                | 96        | \$320.62 | \$295.03 | \$120.46       |
| 19                | 136       | \$323.82 | \$321.74 | \$125.15       |
| 20                | 1977      | \$350.60 | \$335.35 | \$133.39       |
| 21                | 59        | \$297.14 | \$280.10 | \$109.08       |
| 22                | 190       | \$321.51 | \$303.02 | \$130.50       |
| 23                | 41        | \$326.65 | \$317.26 | \$133.85       |
| 24                | 197       | \$274.05 | \$244.29 | \$113.92       |
| 25                | 93        | \$291.26 | \$280.19 | \$106.00       |
| 26                | 334       | \$314.50 | \$306.22 | \$124.19       |
| 27                | 164       | \$324.62 | \$286.63 | \$143.44       |
| 28                | 101       | \$282.59 | \$261.00 | \$101.07       |
| 29                | 85        | \$302.86 | \$287.84 | \$106.40       |
| 30                | 788       | \$343.57 | \$336.01 | \$138.75       |
| 31                | 80        | \$295.11 | \$269.49 | \$112.46       |
| Not Given         | 1764      | \$333.80 | \$316.78 | \$132.89       |
| Statewide         | 10251     | \$331.32 | \$312.79 | \$132.46       |

**Maximum Weekly Benefit**

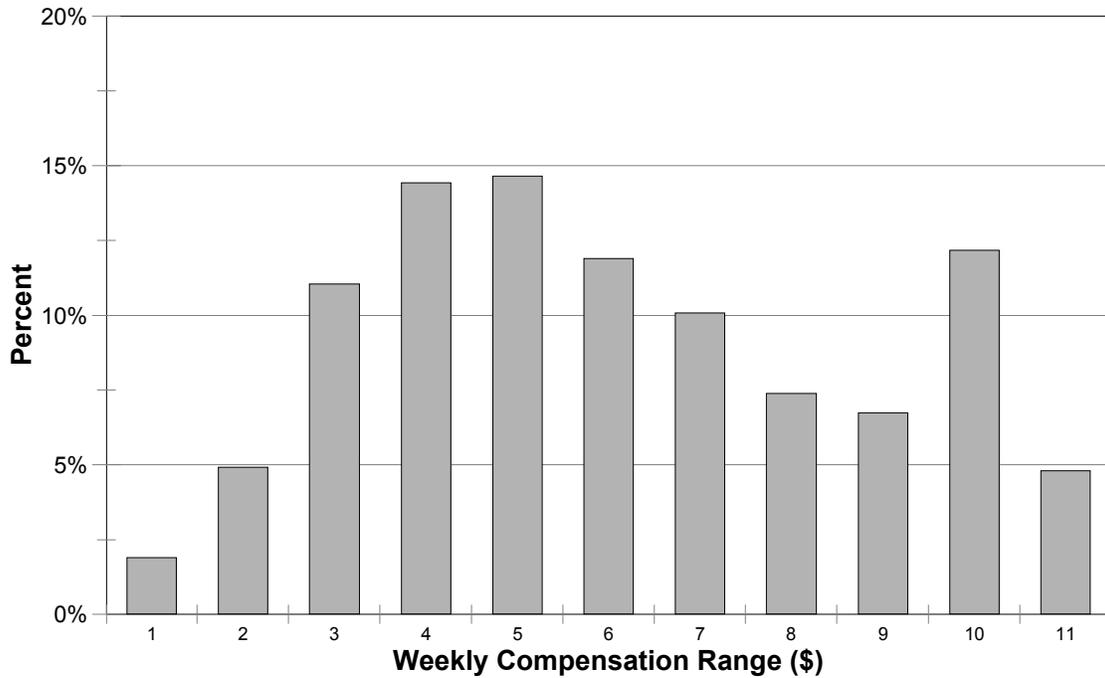
|                  |          |
|------------------|----------|
| 8/1/92 - 6/30/93 | \$318.24 |
| 7/1/93 - 6/30/94 | \$355.97 |
| 7/1/94 - 6/30/95 | \$382.79 |
| 7/1/95 - 6/30/96 | \$415.87 |
| 7/1/96 - 6/30/97 | \$453.14 |
| 7/1/97 - 6/30/98 | \$492.00 |
| 7/1/98 - 6/30/99 | \$515.00 |
| 7/1/99 - 6/30/00 | \$541.00 |
| 7/1/00 - 6/30/01 | \$562.00 |
| 7/1/01 - 6/30/02 | \$581.00 |

**Figure 7: Calendar Year - 2000: Weekly Compensation Rate Distribution**



| Code | Range (\$) | Percent |
|------|------------|---------|
| 1    | 50 to 100  | 2.0%    |
| 2    | 101 to 150 | 5.6%    |
| 3    | 151 to 200 | 12.3%   |
| 4    | 201 to 250 | 15.2%   |
| 5    | 251 to 300 | 14.4%   |
| 6    | 301 to 350 | 12.2%   |
| 7    | 351 to 400 | 9.6%    |
| 8    | 401 to 450 | 7.1%    |
| 9    | 451 to 500 | 8.8%    |
| 10   | 501 to 550 | 12.6%   |
| 11   | 551 to 600 | 0.2%    |

**Figure 8: Calendar Year - 2001: Weekly Compensation Rate Distribution**



| Code | Range (\$) | Percent |
|------|------------|---------|
| 1    | 50 to 100  | 1.9%    |
| 2    | 101 to 150 | 4.9%    |
| 3    | 151 to 200 | 11.1%   |
| 4    | 201 to 250 | 14.4%   |
| 5    | 251 to 300 | 14.7%   |
| 6    | 301 to 350 | 11.9%   |
| 7    | 351 to 400 | 10.1%   |
| 8    | 401 to 450 | 7.4%    |
| 9    | 451 to 500 | 6.7%    |
| 10   | 501 to 550 | 12.2%   |
| 11   | 551 to 600 | 4.8%    |

## TEMPORARY TOTAL DISABILITY

Table 17 lists the average number of weeks Temporary Total Disability (TTD) benefits that were paid for 2000 cases. The calculation for the number of weeks of TTD benefits was made from SD-1 data by dividing the total monetary amount of TTD benefits paid by an injured workers' weekly compensation rate. It is the average of the calculated number of weeks of TTD benefits that Table 17 reports. It is also important to note that this includes all injury types and severities. The mean number of weeks of TTD benefits ranges from 14.4 in Judicial District 31 to 29.3 in Judicial District 2, with a statewide mean of 18.2. Table 18 lists the same information but for cases concluding in 2001. For that year, the data ranges from 10.5 weeks in Judicial District 25 to 28.8 weeks in Judicial District 9 with a statewide mean of 18.3 weeks. For both 2000 and 2001, differences between judicial districts are statistically significant.<sup>10</sup>

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<sup>10</sup>  $p < .01$  Kruskal Wallis Test

**Table 17: Calendar Year - 2000: Temporary Total Disability Benefits - Number of Weeks**

| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 114              | 26.1        | 16.4          | 24.8                  |
| 2                        | 115              | 29.3        | 23.9          | 22.4                  |
| 3                        | 146              | 19.8        | 12.5          | 21.1                  |
| 4                        | 116              | 22.9        | 17.3          | 20.8                  |
| 5                        | 59               | 24.2        | 16.0          | 21.3                  |
| 6                        | 661              | 17.9        | 13.4          | 16.5                  |
| 7                        | 143              | 17.8        | 11.1          | 17.2                  |
| 8                        | 85               | 26.1        | 17.0          | 23.3                  |
| 9                        | 83               | 25.0        | 21.0          | 18.6                  |
| 10                       | 164              | 23.5        | 16.3          | 22.4                  |
| 11                       | 524              | 20.8        | 14.0          | 20.2                  |
| 12                       | 127              | 25.8        | 16.8          | 22.5                  |
| 13                       | 119              | 23.0        | 17.5          | 20.2                  |
| 14                       | 49               | 19.3        | 17.1          | 15.1                  |
| 15                       | 109              | 18.9        | 13.7          | 16.9                  |
| 16                       | 438              | 14.8        | 11.0          | 13.3                  |
| 17                       | 92               | 21.1        | 15.6          | 21.2                  |
| 18                       | 60               | 16.5        | 11.0          | 14.0                  |
| 19                       | 86               | 16.4        | 9.8           | 17.5                  |
| 20                       | 1463             | 16.7        | 11.8          | 16.5                  |
| 21                       | 39               | 23.9        | 19.4          | 19.5                  |
| 22                       | 150              | 18.9        | 15.1          | 16.2                  |
| 23                       | 45               | 18.0        | 11.0          | 18.7                  |
| 24                       | 135              | 15.4        | 10.9          | 15.4                  |
| 25                       | 68               | 17.9        | 11.4          | 19.4                  |
| 26                       | 235              | 15.3        | 10.0          | 15.9                  |
| 27                       | 128              | 15.2        | 11.0          | 16.8                  |
| 28                       | 48               | 18.1        | 12.1          | 19.7                  |
| 29                       | 50               | 19.4        | 15.1          | 18.1                  |
| 30                       | 733              | 17.0        | 12.5          | 17.0                  |
| 31                       | 50               | 14.4        | 11.7          | 14.0                  |
| Not Given                | 1145             | 16.4        | 11.5          | 15.4                  |
| Statewide                | 7579             | 18.2        | 12.6          | 17.7                  |

**Table 18: Calendar Year - 2001: Temporary Total Disability Benefits - Number of Weeks**

| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 61               | 22.3        | 16.0          | 21.8                  |
| 2                        | 68               | 24.9        | 16.3          | 22.3                  |
| 3                        | 140              | 18.3        | 10.7          | 19.0                  |
| 4                        | 95               | 20.9        | 16.1          | 18.7                  |
| 5                        | 49               | 18.2        | 12.0          | 15.5                  |
| 6                        | 446              | 20.6        | 14.0          | 20.1                  |
| 7                        | 117              | 18.8        | 14.9          | 14.7                  |
| 8                        | 106              | 20.7        | 17.5          | 17.5                  |
| 9                        | 69               | 28.8        | 18.1          | 25.4                  |
| 10                       | 161              | 24.1        | 18.0          | 22.2                  |
| 11                       | 592              | 21.5        | 15.5          | 19.7                  |
| 12                       | 137              | 21.5        | 15.0          | 19.5                  |
| 13                       | 135              | 18.3        | 10.0          | 19.1                  |
| 14                       | 34               | 22.1        | 15.9          | 21.9                  |
| 15                       | 118              | 20.4        | 15.0          | 18.7                  |
| 16                       | 429              | 17.1        | 13.5          | 15.0                  |
| 17                       | 65               | 17.9        | 11.6          | 19.4                  |
| 18                       | 50               | 17.5        | 8.4           | 23.0                  |
| 19                       | 89               | 19.8        | 11.9          | 19.9                  |
| 20                       | 1465             | 17.1        | 12.0          | 16.6                  |
| 21                       | 35               | 25.0        | 19.9          | 21.1                  |
| 22                       | 119              | 18.5        | 11.0          | 18.9                  |
| 23                       | 27               | 14.5        | 12.0          | 12.5                  |
| 24                       | 109              | 16.5        | 8.4           | 20.4                  |
| 25                       | 46               | 10.5        | 8.7           | 8.7                   |
| 26                       | 208              | 15.9        | 10.3          | 18.2                  |
| 27                       | 96               | 20.1        | 12.8          | 22.7                  |
| 28                       | 52               | 12.6        | 8.0           | 15.3                  |
| 29                       | 46               | 15.8        | 11.7          | 14.7                  |
| 30                       | 511              | 17.7        | 12.0          | 17.7                  |
| 31                       | 27               | 14.3        | 11.7          | 10.8                  |
| Not Given                | 1268             | 15.9        | 11.0          | 15.5                  |
| Statewide                | 6970             | 18.3        | 12.3          | 18.0                  |

## TEMPORARY TOTAL DISABILITY - MONETARY AMOUNTS

The average amount of TTD benefits paid in 2000 are listed in Table 19. Unlike the number of weeks of TTD benefits, the TTD amount is directly affected by a workers' weekly compensation rate. The data ranges from a mean of \$3,574.72 in Judicial District 31 to \$8,945.76 in Judicial District 9 with a statewide mean of \$6,116.74. Differences between judicial districts are statistically significant.<sup>11</sup> Table 20 lists the average amount of TTD benefits for cases concluding in 2001. This data ranges from \$3,335.62 in Judicial District 25 to \$11,553.35 in Judicial District 9. The statewide mean is \$6,594.42. Differences between judicial districts are also statistically significant for TTD amounts in cases concluding in 2001.<sup>12</sup>

Figures 9 and 10 display the distributions of TTD benefit amounts for 2000 and 2001 respectively. Not all SD-1 forms included the dollar amounts paid to the employee for TTD benefits. However, for those cases in which the figure is listed for 2000, in 61% of the cases, the TTD benefits paid are \$5,000 or less. In 2001, the percentage dropped slightly to 59% of the cases although the average weekly compensation rate rose in 2001.

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<sup>11</sup>  $p < .01$  Kruskal Wallis Test

<sup>12</sup>  $p < .01$  Kruskal Wallis Test

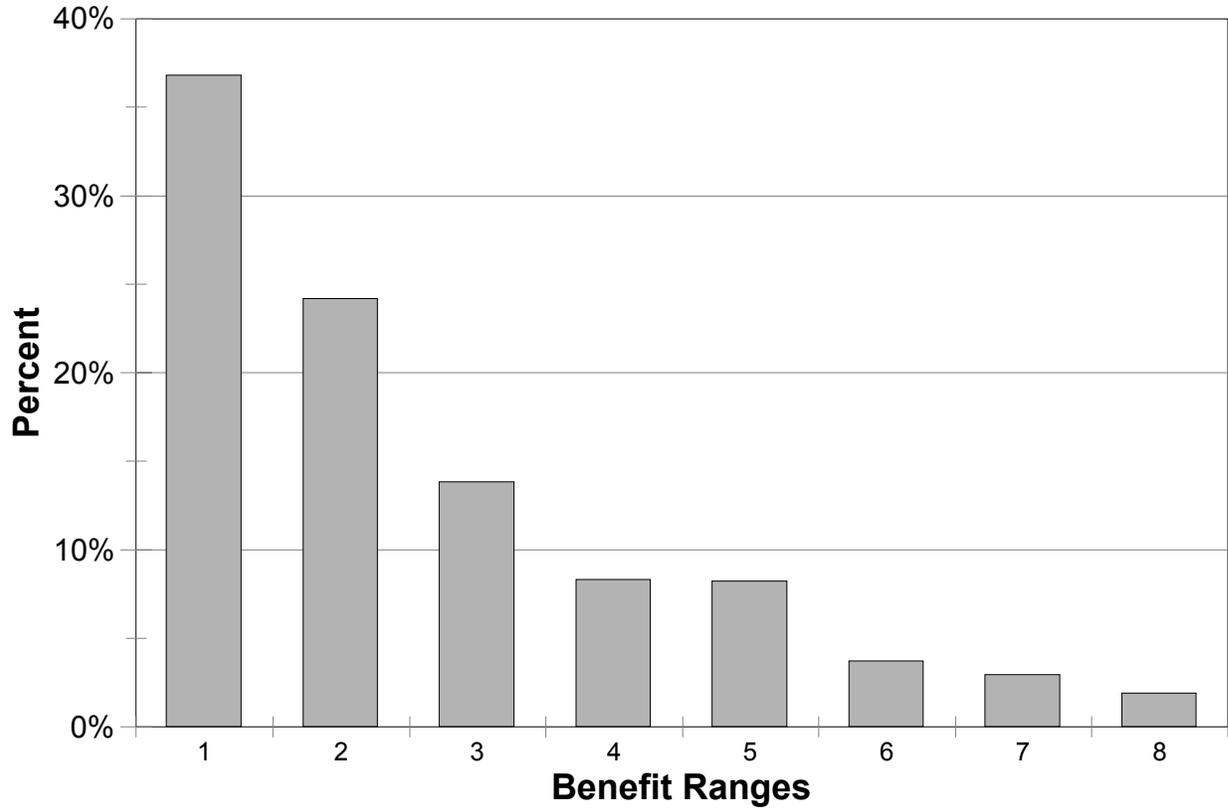
**Table 19: Calendar Year - 2000: Temporary Total Disability - Monetary Benefits**

| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 119              | \$7,574.60  | \$3,688.52    | \$10,145.50           |
| 2                        | 119              | \$8,611.84  | \$5,285.08    | \$8,294.41            |
| 3                        | 151              | \$5,391.46  | \$3,257.28    | \$6,369.07            |
| 4                        | 128              | \$7,872.89  | \$4,869.19    | \$9,032.00            |
| 5                        | 59               | \$7,091.76  | \$4,985.04    | \$7,287.43            |
| 6                        | 675              | \$5,580.59  | \$3,752.00    | \$6,694.98            |
| 7                        | 148              | \$6,414.51  | \$4,213.27    | \$7,158.23            |
| 8                        | 91               | \$8,799.70  | \$5,025.06    | \$11,064.30           |
| 9                        | 85               | \$8,945.76  | \$5,991.07    | \$9,840.13            |
| 10                       | 174              | \$8,036.35  | \$4,136.49    | \$11,087.29           |
| 11                       | 539              | \$7,630.95  | \$4,028.40    | \$9,880.05            |
| 12                       | 133              | \$8,876.85  | \$4,894.04    | \$12,523.15           |
| 13                       | 125              | \$6,290.06  | \$4,741.08    | \$8,124.94            |
| 14                       | 51               | \$5,231.36  | \$4,097.60    | \$4,793.09            |
| 15                       | 110              | \$5,898.11  | \$3,720.40    | \$6,483.15            |
| 16                       | 447              | \$6,480.40  | \$4,813.00    | \$6,598.51            |
| 17                       | 95               | \$6,870.75  | \$3,965.39    | \$9,041.89            |
| 18                       | 62               | \$6,156.85  | \$3,552.10    | \$8,346.06            |
| 19                       | 90               | \$5,346.30  | \$2,772.10    | \$7,048.82            |
| 20                       | 1498             | \$5,880.06  | \$3,524.56    | \$7,980.25            |
| 21                       | 39               | \$8,110.78  | \$6,335.20    | \$7,097.69            |
| 22                       | 154              | \$6,265.12  | \$4,675.89    | \$6,054.49            |
| 23                       | 45               | \$5,054.79  | \$3,658.87    | \$5,280.07            |
| 24                       | 138              | \$4,607.71  | \$2,532.46    | \$6,913.83            |
| 25                       | 70               | \$5,543.08  | \$2,590.93    | \$7,222.22            |
| 26                       | 239              | \$5,034.85  | \$2,802.73    | \$6,712.99            |
| 27                       | 131              | \$5,361.52  | \$2,540.11    | \$8,603.88            |
| 28                       | 49               | \$6,213.39  | \$3,298.45    | \$13,061.16           |
| 29                       | 55               | \$5,649.30  | \$3,744.60    | \$5,266.72            |
| 30                       | 760              | \$5,733.50  | \$3,362.61    | \$7,526.67            |
| 31                       | 52               | \$3,574.72  | \$2,442.19    | \$3,584.63            |
| Not Given                | 1171             | \$5,181.67  | \$3,205.62    | \$6,676.74            |
| Statewide                | 7802             | \$6,116.74  | \$3,679.29    | \$7,922.03            |

**Table 20: Calendar Year - 2001: Temporary Total Disability - Monetary Benefits**

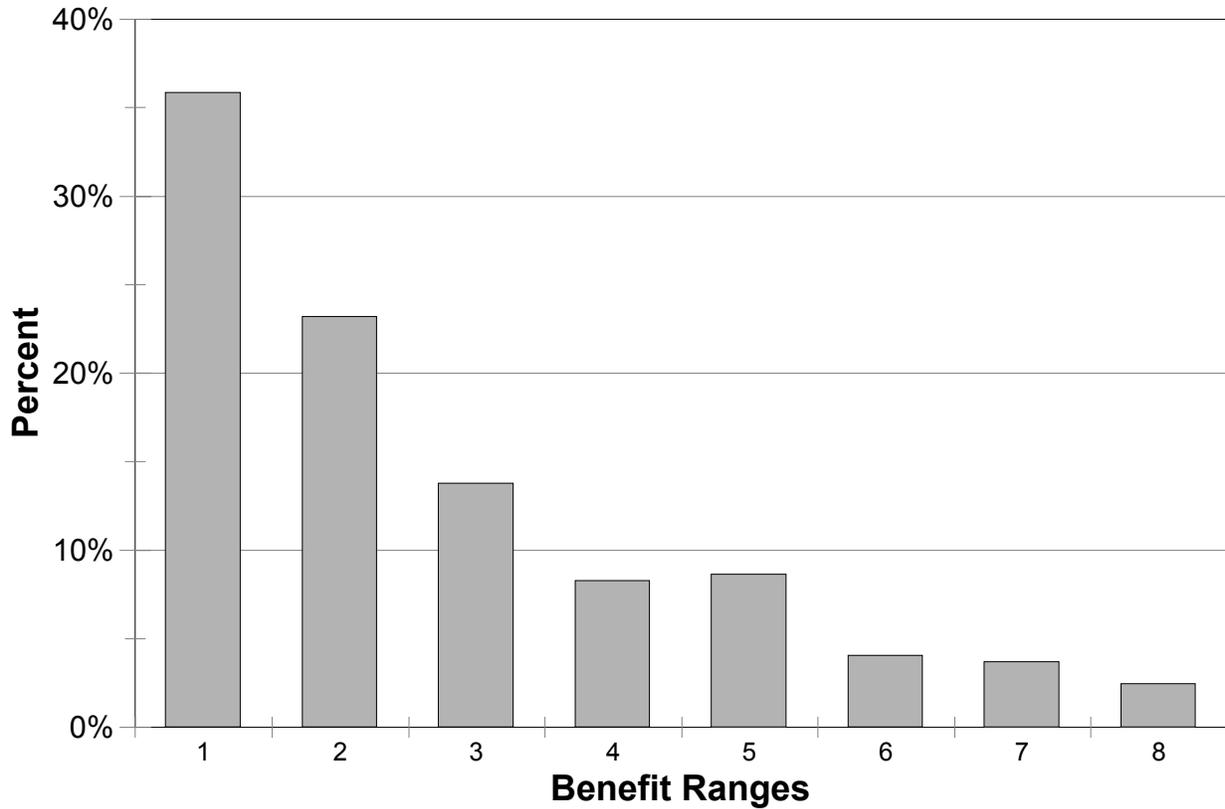
| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 64               | \$6,437.28  | \$2,833.46    | \$7,879.72            |
| 2                        | 71               | \$8,096.13  | \$4,918.90    | \$8,266.14            |
| 3                        | 143              | \$7,978.90  | \$3,326.96    | \$26,445.91           |
| 4                        | 95               | \$5,821.82  | \$4,031.00    | \$5,916.76            |
| 5                        | 49               | \$5,219.35  | \$3,590.78    | \$4,954.62            |
| 6                        | 461              | \$6,877.71  | \$4,046.40    | \$8,545.85            |
| 7                        | 122              | \$7,526.65  | \$5,170.46    | \$8,839.40            |
| 8                        | 109              | \$6,108.90  | \$4,951.37    | \$5,548.67            |
| 9                        | 73               | \$11,553.35 | \$5,712.88    | \$14,519.72           |
| 10                       | 176              | \$8,759.18  | \$5,307.25    | \$10,998.03           |
| 11                       | 616              | \$8,001.86  | \$4,923.99    | \$9,394.42            |
| 12                       | 143              | \$7,457.77  | \$4,397.71    | \$11,972.01           |
| 13                       | 145              | \$6,359.20  | \$3,373.37    | \$7,600.99            |
| 14                       | 36               | \$5,874.39  | \$4,464.56    | \$5,236.20            |
| 15                       | 123              | \$8,001.34  | \$4,651.92    | \$10,455.14           |
| 16                       | 447              | \$8,387.29  | \$6,083.74    | \$8,896.48            |
| 17                       | 67               | \$6,741.10  | \$3,380.32    | \$10,995.33           |
| 18                       | 54               | \$7,298.52  | \$2,181.14    | \$16,504.96           |
| 19                       | 91               | \$7,649.14  | \$3,247.00    | \$14,064.97           |
| 20                       | 1510             | \$6,320.82  | \$3,995.10    | \$7,879.18            |
| 21                       | 36               | \$8,546.92  | \$5,542.66    | \$9,939.20            |
| 22                       | 127              | \$7,634.71  | \$3,076.60    | \$12,947.59           |
| 23                       | 29               | \$5,252.79  | \$3,473.20    | \$5,963.30            |
| 24                       | 112              | \$4,652.55  | \$2,216.71    | \$5,871.58            |
| 25                       | 48               | \$3,335.62  | \$2,549.69    | \$3,690.08            |
| 26                       | 213              | \$4,791.56  | \$2,794.14    | \$6,124.12            |
| 27                       | 98               | \$7,046.90  | \$3,247.83    | \$10,169.83           |
| 28                       | 53               | \$4,408.99  | \$2,385.10    | \$7,922.64            |
| 29                       | 46               | \$4,813.37  | \$3,382.22    | \$5,464.75            |
| 30                       | 522              | \$6,283.93  | \$3,591.34    | \$7,888.62            |
| 31                       | 28               | \$3,923.85  | \$3,083.05    | \$3,069.07            |
| Not Given                | 1285             | \$5,241.06  | \$3,169.60    | \$6,000.73            |
| Statewide                | 7192             | \$6,594.42  | \$3,817.40    | \$9,170.98            |

**Figure 9: Calendar Year - 2000: Temporary Total Disability Distribution**



| Code | Range (\$)     | Percent |
|------|----------------|---------|
| 1    | 0 to 2499      | 36.8%   |
| 2    | 2500 to 4999   | 24.2%   |
| 3    | 5000 to 7499   | 13.8%   |
| 4    | 7500 to 9999   | 8.3%    |
| 5    | 10000 to 14999 | 8.2%    |
| 6    | 15000 to 19999 | 3.7%    |
| 7    | 20000 to 29999 | 2.9%    |
| 8    | 30000 +        | 1.9%    |

**Figure 10: Calendar Year - 2001: Temporary Total Disability Distribution**



| Code | Range (\$)     | Percent |
|------|----------------|---------|
| 1    | 0 to 2499      | 35.9%   |
| 2    | 2500 to 4999   | 23.2%   |
| 3    | 5000 to 7499   | 13.8%   |
| 4    | 7500 to 9999   | 8.3%    |
| 5    | 10000 to 14999 | 8.6%    |
| 6    | 15000 to 19999 | 4.1%    |
| 7    | 20000 to 29999 | 3.7%    |
| 8    | 30000 +        | 2.4%    |

## MEDICAL BENEFITS/EXPENSES

Table 21 lists the average amount of medical benefits paid for cases closed in 2000. Like the TTD data, this includes all types of injuries and severities. The statewide mean for medical benefits paid is \$14,618.33 with a range of \$9,106.45 in Judicial District 31 to \$27,154.45 in Judicial District 25. Differences between judicial districts are statistically significant.<sup>13</sup> The mean amount of medical benefits paid on a statewide level rose in 2001 to \$15,680.80 with a range from \$8,732.71 in Judicial District 31 to \$31,800.63 in Judicial District 21. Differences between judicial districts for 2001 cases are also statistically significant for medical benefits paid.<sup>14</sup> Calendar year 2001 medical data is displayed in Table 22. Figures 11 and 12 display the medical benefit distributions for years 2000 and 2001 respectively. For cases in which medical benefit information is available, 53% of 2000 cases and 50% of 2001 cases reported medical benefits of \$10,000 or less.

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<sup>13</sup>  $p < .01$  Kruskal Wallis Test

<sup>14</sup>  $p < .01$  Kruskal Wallis Test

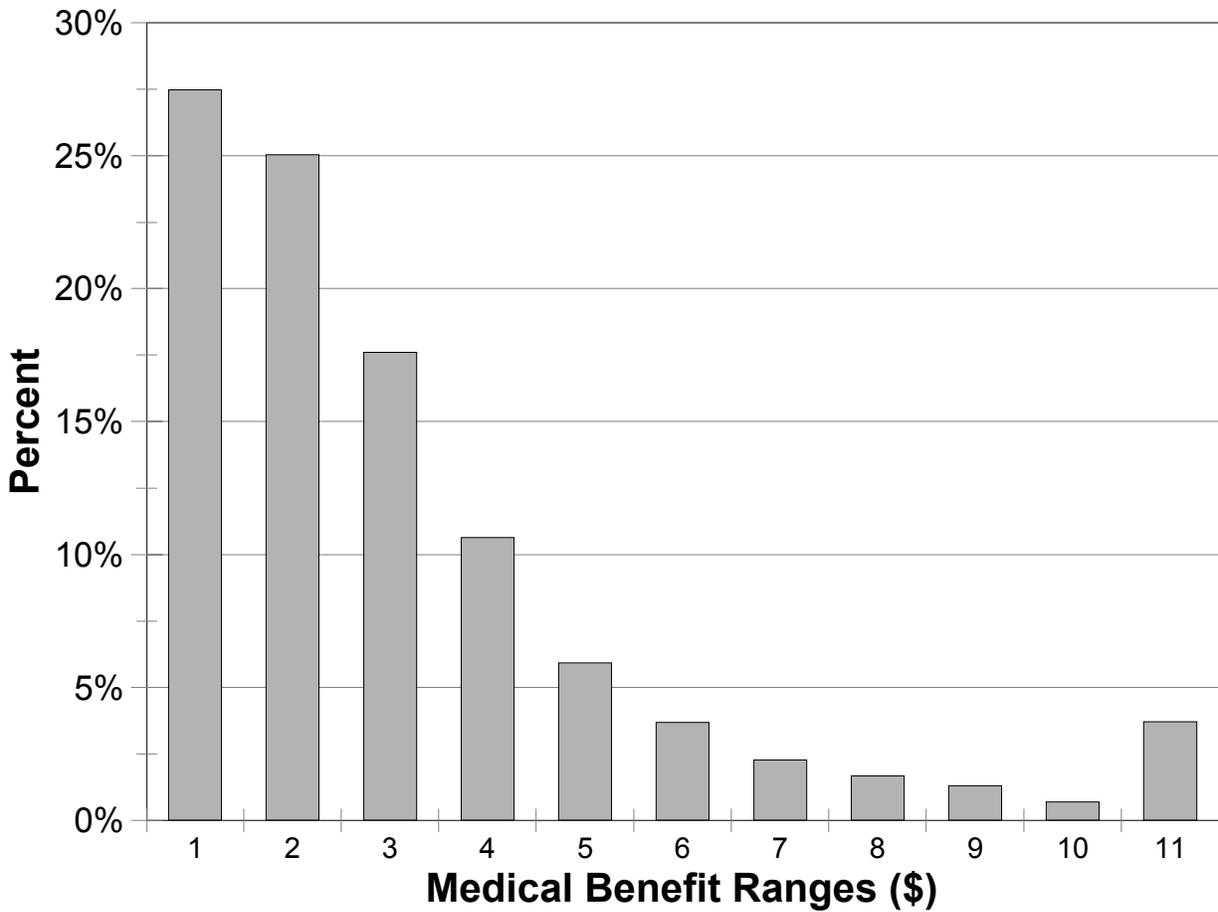
**Table 21: Calendar Year - 2000: Medical Benefits/Expenses**

| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 143              | \$15,528.15 | \$10,088.50   | \$16,830.74           |
| 2                        | 146              | \$16,498.48 | \$11,501.93   | \$16,818.31           |
| 3                        | 208              | \$13,735.18 | \$8,229.43    | \$20,659.30           |
| 4                        | 167              | \$21,289.76 | \$9,972.03    | \$36,728.86           |
| 5                        | 69               | \$22,991.64 | \$12,045.67   | \$42,641.53           |
| 6                        | 841              | \$14,324.45 | \$9,528.38    | \$16,462.13           |
| 7                        | 179              | \$14,504.42 | \$9,053.02    | \$28,472.89           |
| 8                        | 107              | \$18,175.19 | \$11,981.31   | \$27,993.18           |
| 9                        | 106              | \$16,572.07 | \$10,793.50   | \$18,316.05           |
| 10                       | 238              | \$16,743.56 | \$9,487.51    | \$38,812.84           |
| 11                       | 726              | \$15,506.15 | \$9,187.63    | \$21,746.01           |
| 12                       | 175              | \$15,958.74 | \$10,461.90   | \$16,337.32           |
| 13                       | 164              | \$14,525.10 | \$10,244.31   | \$14,869.87           |
| 14                       | 60               | \$11,871.74 | \$9,313.69    | \$8,774.28            |
| 15                       | 141              | \$15,043.22 | \$10,765.07   | \$19,796.92           |
| 16                       | 513              | \$12,700.58 | \$9,230.18    | \$15,086.69           |
| 17                       | 121              | \$17,436.39 | \$10,572.84   | \$30,901.16           |
| 18                       | 86               | \$15,748.45 | \$12,863.73   | \$15,953.03           |
| 19                       | 120              | \$13,910.57 | \$9,719.90    | \$15,563.64           |
| 20                       | 1952             | \$15,446.04 | \$10,091.51   | \$32,222.40           |
| 21                       | 47               | \$19,393.58 | \$12,936.49   | \$23,994.10           |
| 22                       | 196              | \$13,968.59 | \$10,144.73   | \$15,190.19           |
| 23                       | 51               | \$13,724.42 | \$8,484.96    | \$18,691.34           |
| 24                       | 178              | \$10,054.00 | \$7,346.55    | \$11,104.71           |
| 25                       | 83               | \$27,154.45 | \$9,904.00    | \$98,666.96           |
| 26                       | 322              | \$12,764.97 | \$7,892.45    | \$19,872.70           |
| 27                       | 194              | \$11,182.02 | \$8,628.93    | \$11,973.87           |
| 28                       | 70               | \$9,510.62  | \$7,816.45    | \$8,134.48            |
| 29                       | 69               | \$17,176.94 | \$10,834.01   | \$20,545.15           |
| 30                       | 950              | \$15,568.96 | \$9,318.63    | \$39,581.46           |
| 31                       | 77               | \$9,106.45  | \$6,694.17    | \$9,165.70            |
| Not Given                | 1574             | \$12,206.24 | \$8,850.50    | \$15,310.29           |
| Statewide                | 10073            | \$14,618.33 | \$9,357.55    | \$26,686.14           |

**Table 22: Calendar Year - 2001: Medical Benefits/Expenses**

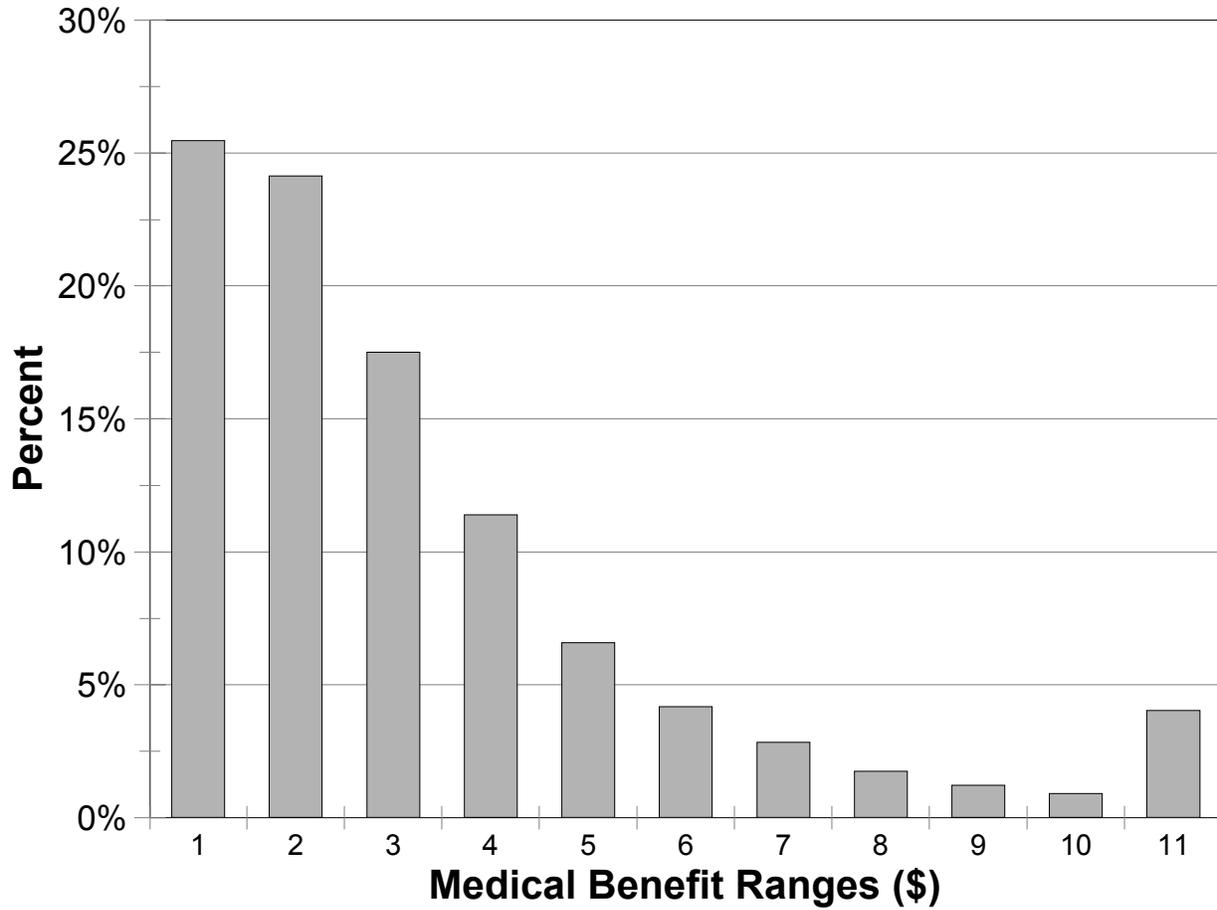
| <b>Judicial District</b> | <b>Frequency</b> | <b>Mean</b> | <b>Median</b> | <b>Std. Deviation</b> |
|--------------------------|------------------|-------------|---------------|-----------------------|
| 1                        | 91               | \$12,536.33 | \$9,641.02    | \$14,707.32           |
| 2                        | 110              | \$15,924.48 | \$9,187.51    | \$29,363.42           |
| 3                        | 194              | \$14,317.28 | \$9,646.09    | \$15,051.83           |
| 4                        | 127              | \$15,690.52 | \$10,677.36   | \$21,646.68           |
| 5                        | 61               | \$13,381.58 | \$10,207.00   | \$11,884.45           |
| 6                        | 600              | \$16,076.26 | \$10,060.56   | \$26,478.54           |
| 7                        | 138              | \$13,290.69 | \$10,147.16   | \$10,950.40           |
| 8                        | 132              | \$17,196.14 | \$9,960.89    | \$28,142.25           |
| 9                        | 87               | \$23,806.03 | \$13,177.98   | \$38,604.65           |
| 10                       | 237              | \$24,325.58 | \$10,452.37   | \$72,320.50           |
| 11                       | 814              | \$18,923.41 | \$10,201.32   | \$49,260.77           |
| 12                       | 173              | \$16,509.01 | \$9,474.59    | \$20,364.00           |
| 13                       | 180              | \$17,900.85 | \$10,095.63   | \$24,957.89           |
| 14                       | 47               | \$24,817.09 | \$15,096.89   | \$44,744.31           |
| 15                       | 155              | \$18,499.87 | \$14,061.00   | \$19,463.93           |
| 16                       | 509              | \$15,163.22 | \$9,243.04    | \$30,731.63           |
| 17                       | 90               | \$11,747.12 | \$9,238.24    | \$11,134.36           |
| 18                       | 85               | \$16,870.68 | \$11,766.10   | \$21,794.08           |
| 19                       | 122              | \$17,802.03 | \$9,656.96    | \$28,188.89           |
| 20                       | 1886             | \$15,539.22 | \$10,870.81   | \$22,226.02           |
| 21                       | 48               | \$31,800.63 | \$12,206.39   | \$98,572.33           |
| 22                       | 159              | \$17,152.57 | \$10,777.38   | \$23,288.24           |
| 23                       | 35               | \$15,358.60 | \$12,388.04   | \$20,044.28           |
| 24                       | 176              | \$12,254.95 | \$8,605.25    | \$17,333.41           |
| 25                       | 81               | \$9,353.20  | \$5,734.69    | \$9,708.71            |
| 26                       | 294              | \$12,738.39 | \$9,534.93    | \$15,029.27           |
| 27                       | 149              | \$12,291.82 | \$9,222.64    | \$11,940.33           |
| 28                       | 82               | \$11,234.10 | \$9,153.45    | \$9,468.23            |
| 29                       | 64               | \$16,947.14 | \$10,129.95   | \$21,346.17           |
| 30                       | 665              | \$16,430.45 | \$10,896.98   | \$26,328.62           |
| 31                       | 65               | \$8,732.71  | \$5,674.17    | \$8,263.77            |
| Not Given                | 1706             | \$13,336.88 | \$9,287.70    | \$15,446.91           |
| Statewide                | 9362             | \$15,680.80 | \$10,093.91   | \$28,647.80           |

**Figure 11: Calendar Year - 2000: Medical Expense Distribution**



| Code | Range (\$)     | Percent |
|------|----------------|---------|
| 1    | 0 to 4999      | 27.5%   |
| 2    | 5000 to 9999   | 25.0%   |
| 3    | 10000 to 14999 | 17.6%   |
| 4    | 15000 to 19999 | 10.6%   |
| 5    | 20000 to 24999 | 5.9%    |
| 6    | 25000 to 29999 | 3.7%    |
| 7    | 30000 to 34999 | 2.3%    |
| 8    | 35000 to 39999 | 1.7%    |
| 9    | 40000 to 44999 | 1.3%    |
| 10   | 45000 to 49999 | 0.7%    |
| 11   | 50000 +        | 3.7%    |

**Figure 12: Calendar Year - 2001: Medical Expense Distribution**

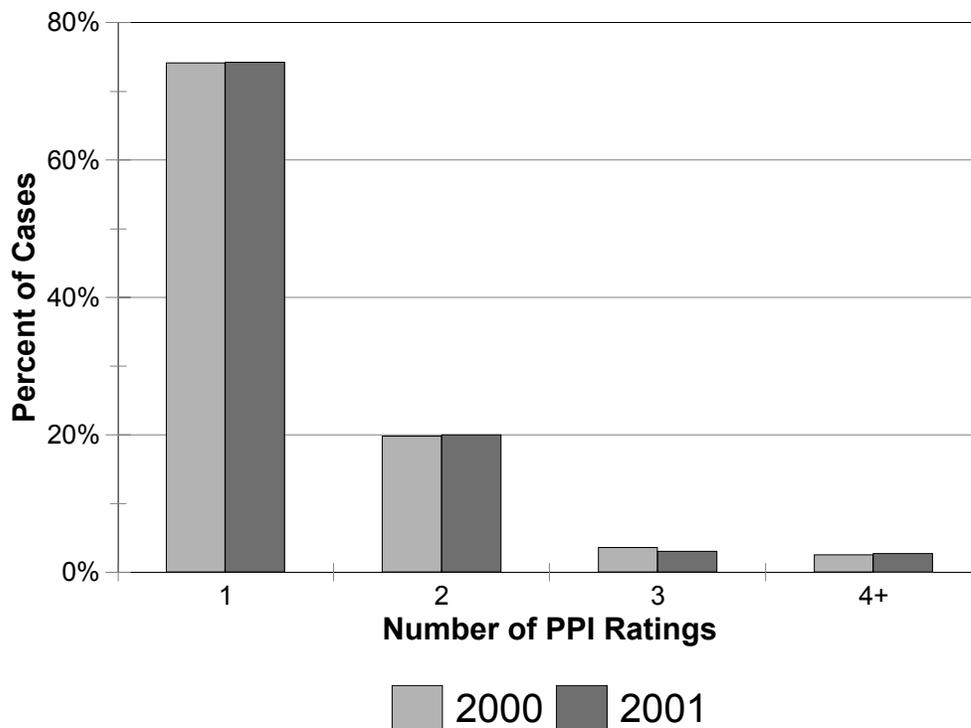


| Code | Range (\$)     | Percent |
|------|----------------|---------|
| 1    | 0 to 4999      | 25.5%   |
| 2    | 5000 to 9999   | 24.1%   |
| 3    | 10000 to 14999 | 17.5%   |
| 4    | 15000 to 19999 | 11.4%   |
| 5    | 20000 to 24999 | 6.6%    |
| 6    | 25000 to 29999 | 4.2%    |
| 7    | 30000 to 34999 | 2.8%    |
| 8    | 35000 to 39999 | 1.7%    |
| 9    | 40000 to 44999 | 1.2%    |
| 10   | 45000 to 49999 | 0.9%    |
| 11   | 50000 +        | 4.0%    |

### NUMBER OF PERMANENT PARTIAL IMPAIRMENT RATINGS

Figure 13 represents the number of PPI ratings given per case for both calendar years 2000 and 2001. In most instances this number will be equal to the number of doctors per case, but not in all. It is possible that one doctor could give more than one PPI rating for the same injury (i.e., a specific impairment to the hand is converted to a percentage of impairment to the arm). It is also possible that the same doctor could give more than one PPI rating to different body parts injured in the same case (i.e., 10% PPI to the left arm and 5% PPI to the left leg). Usually multiple body part PPI ratings are for injuries to the fingers. For both calendar years 2000 and 2001, 74% of the cases involved the use of only one PPI rating.

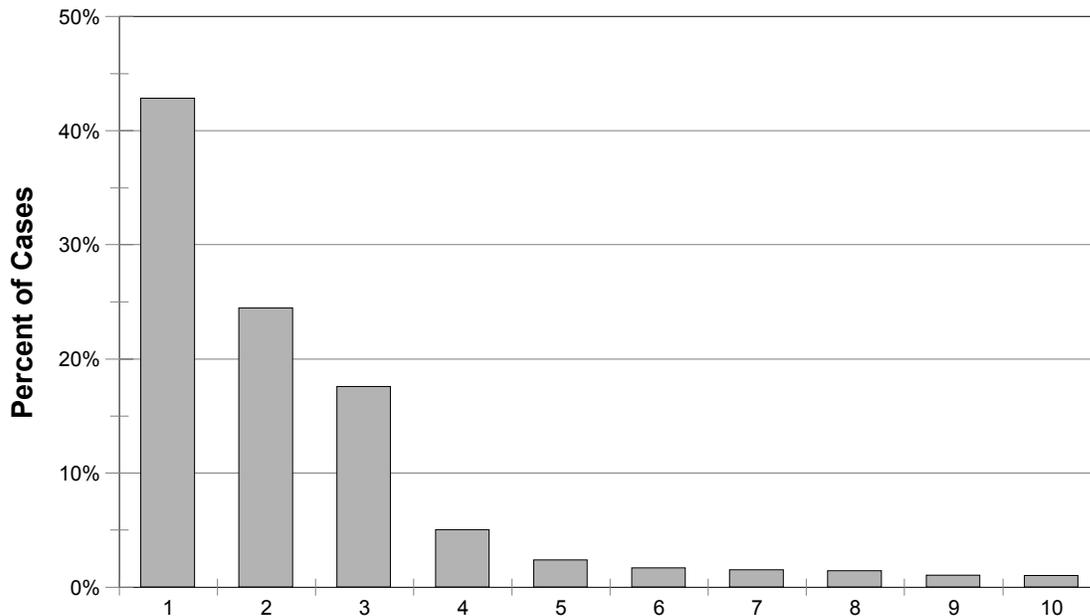
**Figure 13: Number Permanent Partial Impairment Ratings Given Per Case**



BODY PARTS INJURED

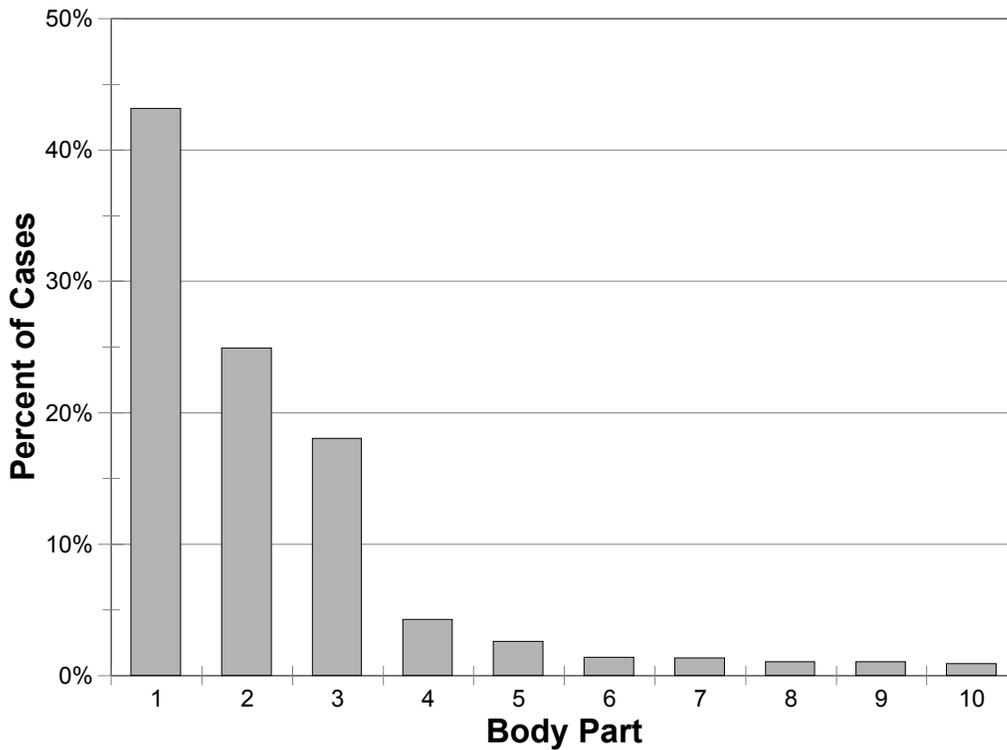
Specific body parts injured and type of injuries are unavailable for 2000 and 2001 data. However the body part on which a judgment or settlement amount was based is available from SD-1 forms as the forms indicate. If a permanent partial disability (PPD) amount is based on a body part from the schedule or on the body as a whole (BAW) the type of injury (i.e. sprain, strain, etc.) is not available from the WCS. For cases closed in 2000, 42.8% of PPD amounts are based on the body as a whole, 24.5% on arms and 17.6% on legs. The ten most often occurring body parts are displayed in Figure 14. For cases concluded in 2001, 43.2% are BAW, 24.9% are arms and 18.1% are legs. The ten most often occurring body parts for 2001 cases are shown in Figure 15.

**Figure 14: Calendar Year 2000 - Ten Most Frequently Occurring Permanent Partial Disability Body Part Award Basis**



| Code | Body Part       | Percent |
|------|-----------------|---------|
| 1    | Body as a Whole | 42.8%   |
| 2    | Arm             | 24.5%   |
| 3    | Leg             | 17.6%   |
| 4    | Hand            | 5.0%    |
| 5    | Index Finger    | 2.4%    |
| 6    | Thumb           | 1.7%    |
| 7    | Foot            | 1.5%    |
| 8    | Middle Finger   | 1.5%    |
| 9    | Little Finger   | 1.1%    |
| 10   | Ring Finger     | 1.0%    |

**Figure 15: Calendar Year 2001 - Ten Most Frequently Occurring Permanent Partial Disability Body Part Award Basis**



| Code | Body Part       | Percent |
|------|-----------------|---------|
| 1    | Body as a Whole | 43.2%   |
| 2    | Arm             | 24.9%   |
| 3    | Leg             | 18.1%   |
| 4    | Hand            | 4.3%    |
| 5    | Index Finger    | 2.6%    |
| 6    | Foot            | 1.4%    |
| 7    | Middle Finger   | 1.3%    |
| 8    | Little Finger   | 1.1%    |
| 9    | Ring Finger     | 1.1%    |
| 10   | Thumb           | 0.9%    |

## BODY AS A WHOLE - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Table 23 lists the average of the highest permanent partial impairment (PPI) ratings given for BAW cases in which the injured workers returned to work for their pre-injury employers at same or higher pay. The "average highest PPI rating" is the average of each of the highest impairment ratings given by a physicians to the injured worker in each of the cases reviewed. For example, assume six body as a whole trials were conducted with the following information: (\* indicates highest PPI)

| Case | PPI 1 | PPI 2 |
|------|-------|-------|
| 1    | 10*   | 5     |
| 2    | 3     | 5*    |
| 3    | 5*    |       |
| 4    | 20*   | 16    |
| 5    | 45*   | 10    |
| 6    | 0     | 5*    |

The average highest PPI is 15. Calculated by adding the highest PPI ratings (10, 5, 5, 20, 45, 5) and dividing by 6. The average highest PPI was utilized as a comparison because a judge has discretion to accept any of the PPI ratings given and the determination as to whether a judge properly applied the multiplier caps in body as a whole cases is directly related to the highest PPI rating given.

As shown in Table 23, the mean PPI ratings for 2000 range from 7.3% to the BAW in Judicial District 18 to 15.9% in Judicial District 4. The statewide mean is 9.4% PPI to the BAW. Table 24 lists the same information but for 2001 cases. For that year, the mean PPI ratings range from 6.4% in Judicial District 1 to 16.4% in Judicial District 8. The statewide mean for 2001 is 9.3% PPI. Differences between judicial districts are statistically significant for both years.<sup>15</sup>

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<sup>15</sup>  $p < .01$  Kruskal Wallis Test

**Table 23: Calendar Year - 2000: Permanent Partial Impairment - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 31        | 9.7  | 9.0    | 5.9            |
| 2                 | 39        | 8.0  | 6.0    | 4.1            |
| 3                 | 34        | 10.1 | 6.5    | 10.2           |
| 4                 | 39        | 15.5 | 10.0   | 20.0           |
| 5                 | 17        | 9.5  | 5.0    | 11.7           |
| 6                 | 210       | 8.5  | 7.0    | 6.8            |
| 7                 | 55        | 9.1  | 7.0    | 7.5            |
| 8                 | 16        | 12.2 | 8.5    | 11.2           |
| 9                 | 25        | 11.6 | 11.0   | 6.5            |
| 10                | 39        | 10.8 | 10.0   | 9.6            |
| 11                | 182       | 8.7  | 7.0    | 7.0            |
| 12                | 43        | 11.3 | 9.0    | 13.2           |
| 13                | 34        | 9.5  | 9.5    | 7.7            |
| 14                | 20        | 12.1 | 6.0    | 21.0           |
| 15                | 32        | 13.1 | 10.0   | 17.9           |
| 16                | 156       | 9.8  | 8.0    | 9.9            |
| 17                | 20        | 9.9  | 6.5    | 10.5           |
| 18                | 24        | 7.3  | 7.0    | 3.5            |
| 19                | 19        | 7.6  | 7.0    | 5.3            |
| 20                | 426       | 8.7  | 7.0    | 6.8            |
| 21                | 16        | 10.0 | 7.0    | 9.6            |
| 22                | 51        | 11.0 | 8.0    | 15.0           |
| 23                | 8         | 11.0 | 10.0   | 2.9            |
| 24                | 51        | 12.5 | 10.0   | 12.8           |
| 25                | 20        | 9.4  | 6.5    | 6.9            |
| 26                | 75        | 10.5 | 9.0    | 9.5            |
| 27                | 55        | 10.7 | 9.0    | 6.7            |
| 28                | 12        | 13.4 | 12.0   | 6.8            |
| 29                | 19        | 14.9 | 13.0   | 7.9            |
| 30                | 267       | 9.0  | 8.0    | 7.4            |
| 31                | 20        | 9.3  | 9.0    | 5.4            |
| Not Given         | 350       | 7.4  | 7.0    | 4.3            |
| Statewide         | 2405      | 9.3  | 8.0    | 8.6            |

**Table 24: Calendar Year - 2001: Permanent Partial Impairment - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 15        | 6.1  | 5.0    | 3.9            |
| 2                 | 28        | 6.8  | 5.0    | 4.8            |
| 3                 | 31        | 10.1 | 10.0   | 6.8            |
| 4                 | 32        | 12.4 | 10.0   | 11.2           |
| 5                 | 17        | 7.0  | 7.5    | 3.1            |
| 6                 | 169       | 7.6  | 5.5    | 5.7            |
| 7                 | 37        | 11.8 | 7.0    | 10.9           |
| 8                 | 30        | 16.4 | 11.0   | 18.9           |
| 9                 | 22        | 10.4 | 9.0    | 5.8            |
| 10                | 49        | 12.9 | 8.0    | 12.9           |
| 11                | 192       | 9.0  | 7.0    | 7.9            |
| 12                | 44        | 13.7 | 10.0   | 12.2           |
| 13                | 48        | 9.2  | 8.0    | 5.5            |
| 14                | 18        | 9.9  | 7.0    | 10.5           |
| 15                | 42        | 8.7  | 8.0    | 4.2            |
| 16                | 154       | 9.1  | 8.0    | 6.7            |
| 17                | 22        | 8.1  | 6.5    | 4.6            |
| 18                | 25        | 8.8  | 6.0    | 7.1            |
| 19                | 32        | 8.8  | 7.0    | 5.9            |
| 20                | 421       | 8.6  | 8.0    | 5.9            |
| 21                | 23        | 10.1 | 10.0   | 4.5            |
| 22                | 53        | 8.8  | 8.0    | 7.0            |
| 23                | 10        | 7.0  | 6.3    | 4.6            |
| 24                | 48        | 11.5 | 10.0   | 6.2            |
| 25                | 20        | 10.8 | 10.0   | 6.7            |
| 26                | 81        | 10.6 | 8.0    | 9.9            |
| 27                | 40        | 11.3 | 8.0    | 9.1            |
| 28                | 18        | 11.2 | 10.0   | 8.5            |
| 29                | 19        | 9.8  | 10.0   | 5.4            |
| 30                | 202       | 10.0 | 8.0    | 7.4            |
| 31                | 12        | 11.4 | 9.0    | 7.1            |
| Not Given         | 438       | 7.9  | 7.0    | 5.7            |
| Statewide         | 2392      | 9.2  | 8.0    | 7.4            |

## PERMANENT PARTIAL DISABILITY MULTIPLIERS

A permanent partial disability (PPD) multiplier is the ratio of the PPD judgment or settlement amount to the highest PPI rating given to an injured employee. To determine the multiplier, the PPD percent was divided by the highest PPI rating. To ensure accuracy, cases were selected for analysis only if the SD-1 form included both a BAW PPI rating and a BAW PPD judgment or settlement amount.

The statewide mean PPD multiplier for BAW cases where the injured worker returned to work for 2000 cases is 2.2, with a range of 1.7 in Judicial District 28 to 2.6 in Judicial District 12. All judicial districts as well as the statewide mean and median PPD multipliers for BAW return to work cases for calendar year 2000 are listed in Table 25. Table 26 contains the same data for 2001 cases. For 2001 cases, the PPD multiplier data ranges from 1.8 in Judicial District 25 to 2.6 in Judicial Districts 4 and 7. The mean remained the same as 2000 cases at a multiplier of 2.2. Differences between judicial districts for both years are statistically significant.<sup>16</sup>

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<sup>16</sup>  $p < .01$  Kruskal Wallis Test

**Table 25: Calendar Year - 2000: Permanent Partial Disability Multipliers - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 31        | 2.0  | 1.7    | 1.0            |
| 2                 | 38        | 2.2  | 2.2    | 0.8            |
| 3                 | 33        | 2.1  | 2.0    | 0.9            |
| 4                 | 38        | 2.1  | 2.0    | 0.9            |
| 5                 | 17        | 2.5  | 2.5    | 0.7            |
| 6                 | 210       | 2.4  | 2.3    | 1.1            |
| 7                 | 55        | 2.5  | 2.3    | 1.1            |
| 8                 | 16        | 2.4  | 2.3    | 1.7            |
| 9                 | 25        | 2.3  | 2.5    | 1.0            |
| 10                | 39        | 2.1  | 2.0    | 0.9            |
| 11                | 182       | 2.4  | 2.2    | 0.9            |
| 12                | 43        | 2.6  | 2.5    | 1.0            |
| 13                | 33        | 2.4  | 2.5    | 0.9            |
| 14                | 20        | 2.1  | 2.1    | 0.6            |
| 15                | 32        | 2.3  | 2.1    | 1.2            |
| 16                | 156       | 2.1  | 2.0    | 0.8            |
| 17                | 20        | 2.1  | 2.0    | 0.5            |
| 18                | 24        | 2.4  | 2.4    | 0.7            |
| 19                | 19        | 2.0  | 2.4    | 0.6            |
| 20                | 423       | 2.2  | 2.0    | 0.9            |
| 21                | 16        | 2.1  | 2.0    | 0.7            |
| 22                | 49        | 2.4  | 2.3    | 0.9            |
| 23                | 8         | 1.9  | 2.0    | 0.7            |
| 24                | 51        | 2.0  | 2.0    | 0.8            |
| 25                | 20        | 1.8  | 1.9    | 0.6            |
| 26                | 75        | 2.1  | 2.0    | 0.9            |
| 27                | 53        | 2.0  | 1.7    | 1.0            |
| 28                | 12        | 1.7  | 1.4    | 1.0            |
| 29                | 19        | 1.9  | 2.0    | 0.5            |
| 30                | 267       | 2.2  | 2.0    | 0.9            |
| 31                | 20        | 2.1  | 2.0    | 1.1            |
| Not Given         | 349       | 2.1  | 2.0    | 0.9            |
| Statewide         | 2393      | 2.2  | 2.0    | 0.9            |

**Table 26: Calendar Year - 2001: Permanent Partial Disability Multipliers - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 14        | 2.5  | 2.0    | 1.6            |
| 2                 | 27        | 2.3  | 2.5    | 0.8            |
| 3                 | 31        | 2.2  | 2.1    | 1.1            |
| 4                 | 32        | 2.6  | 2.5    | 1.4            |
| 5                 | 17        | 2.0  | 2.3    | 1.1            |
| 6                 | 168       | 2.3  | 2.1    | 0.9            |
| 7                 | 37        | 2.6  | 2.5    | 1.1            |
| 8                 | 30        | 2.5  | 2.5    | 1.4            |
| 9                 | 22        | 2.4  | 2.3    | 0.9            |
| 10                | 49        | 2.4  | 2.0    | 1.1            |
| 11                | 189       | 2.4  | 2.3    | 0.9            |
| 12                | 44        | 2.5  | 2.5    | 0.6            |
| 13                | 48        | 2.4  | 2.5    | 0.8            |
| 14                | 18        | 2.3  | 2.3    | 1.0            |
| 15                | 41        | 2.6  | 2.5    | 0.9            |
| 16                | 154       | 2.0  | 2.0    | 0.7            |
| 17                | 22        | 2.3  | 2.3    | 0.6            |
| 18                | 25        | 2.3  | 2.1    | 0.9            |
| 19                | 32        | 2.3  | 2.3    | 0.8            |
| 20                | 420       | 2.1  | 2.0    | 0.9            |
| 21                | 23        | 2.4  | 2.2    | 1.0            |
| 22                | 53        | 2.3  | 2.2    | 0.9            |
| 23                | 10        | 2.1  | 1.9    | 0.8            |
| 24                | 48        | 2.3  | 2.0    | 1.1            |
| 25                | 20        | 1.8  | 1.8    | 0.5            |
| 26                | 81        | 2.2  | 2.0    | 1.3            |
| 27                | 39        | 2.2  | 2.0    | 1.1            |
| 28                | 18        | 1.9  | 1.9    | 0.5            |
| 29                | 19        | 2.2  | 2.5    | 0.8            |
| 30                | 201       | 2.1  | 2.0    | 0.7            |
| 31                | 12        | 2.1  | 2.0    | 0.7            |
| Not Given         | 438       | 2.2  | 2.0    | 0.9            |
| Statewide         | 2382      | 2.2  | 2.0    | 0.9            |

## PERMANENT PARTIAL DISABILITY PERCENTAGE

Table 27 lists average percentage of permanent partial disability (settlements and judgments) for body as a whole injuries in cases where the injured employee returned to work for the same employer. The mean PPD percentage for the state for 2000 cases is 18.5% (74 weeks) to the body as a whole. Mean PPD amounts range from 15.2% in Judicial District 18 to 31.1% in Judicial District 29. The mean PPD amount for 2001 BAW return to work cases is 18.9% (75.6 weeks) with a range from 12.5% in Judicial District 5 to 30.8% in Judicial District 8. The 2001 data for all judicial districts are listed in Table 28. Differences between judicial districts for 2000 and 2001 PPD amounts are statistically significant for BAW return to work cases.<sup>17</sup>

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<sup>17</sup>  $p < .02$  Kruskal Wallis Test

**Table 27: Calendar Year - 2000: Percentage Awarded for Permanent Partial Disability Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 33        | 18.9 | 16.0   | 13.6           |
| 2                 | 47        | 16.4 | 12.5   | 11.6           |
| 3                 | 43        | 19.7 | 15.0   | 16.5           |
| 4                 | 43        | 20.1 | 17.5   | 13.6           |
| 5                 | 19        | 19.1 | 17.5   | 15.3           |
| 6                 | 236       | 18.3 | 14.0   | 14.9           |
| 7                 | 57        | 21.6 | 17.0   | 16.0           |
| 8                 | 20        | 23.2 | 22.5   | 17.2           |
| 9                 | 29        | 24.2 | 22.9   | 13.8           |
| 10                | 48        | 19.9 | 15.3   | 13.9           |
| 11                | 199       | 19.7 | 15.0   | 14.4           |
| 12                | 46        | 25.5 | 20.0   | 16.1           |
| 13                | 40        | 20.7 | 20.0   | 12.4           |
| 14                | 22        | 19.0 | 12.0   | 17.1           |
| 15                | 35        | 19.5 | 18.8   | 10.8           |
| 16                | 174       | 18.2 | 15.4   | 14.1           |
| 17                | 24        | 18.9 | 15.0   | 13.9           |
| 18                | 29        | 15.2 | 13.3   | 8.9            |
| 19                | 22        | 17.0 | 14.5   | 13.4           |
| 20                | 474       | 17.7 | 15.0   | 12.8           |
| 21                | 17        | 17.9 | 18.0   | 6.6            |
| 22                | 56        | 23.9 | 18.5   | 18.1           |
| 23                | 8         | 20.7 | 20.0   | 8.7            |
| 24                | 54        | 19.2 | 18.6   | 10.4           |
| 25                | 26        | 19.7 | 14.5   | 14.9           |
| 26                | 83        | 18.3 | 15.0   | 12.0           |
| 27                | 58        | 19.8 | 15.0   | 13.1           |
| 28                | 17        | 19.7 | 17.5   | 22.3           |
| 29                | 24        | 31.1 | 25.0   | 21.5           |
| 30                | 287       | 18.5 | 15.6   | 12.8           |
| 31                | 23        | 17.9 | 15.0   | 11.6           |
| Not Given         | 387       | 14.7 | 12.0   | 10.1           |
| Statewide         | 2680      | 18.5 | 15.0   | 13.5           |

**Table 28: Calendar Year - 2001: Percentage Awarded for Permanent Partial Disability Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 17        | 17.8 | 10.0   | 22.1           |
| 2                 | 33        | 17.3 | 12.0   | 17.5           |
| 3                 | 40        | 18.9 | 12.9   | 16.3           |
| 4                 | 35        | 22.3 | 18.0   | 14.8           |
| 5                 | 20        | 12.5 | 12.3   | 7.6            |
| 6                 | 191       | 17.6 | 12.5   | 14.7           |
| 7                 | 41        | 23.5 | 20.0   | 17.0           |
| 8                 | 33        | 30.8 | 27.5   | 18.1           |
| 9                 | 24        | 27.4 | 19.8   | 20.6           |
| 10                | 51        | 24.2 | 20.0   | 17.8           |
| 11                | 203       | 20.5 | 15.0   | 16.4           |
| 12                | 51        | 30.0 | 22.5   | 22.5           |
| 13                | 54        | 21.0 | 18.3   | 11.7           |
| 14                | 20        | 18.4 | 17.8   | 11.7           |
| 15                | 45        | 22.3 | 20.0   | 10.8           |
| 16                | 164       | 17.0 | 14.0   | 10.4           |
| 17                | 23        | 18.5 | 15.0   | 10.5           |
| 18                | 26        | 19.0 | 14.0   | 18.0           |
| 19                | 34        | 19.0 | 15.5   | 12.9           |
| 20                | 463       | 17.2 | 13.5   | 12.4           |
| 21                | 26        | 26.1 | 25.0   | 14.3           |
| 22                | 61        | 18.8 | 13.0   | 14.6           |
| 23                | 11        | 15.9 | 11.0   | 10.8           |
| 24                | 52        | 24.1 | 22.8   | 12.7           |
| 25                | 22        | 17.7 | 15.0   | 8.7            |
| 26                | 94        | 19.9 | 16.0   | 15.3           |
| 27                | 45        | 22.8 | 18.0   | 15.3           |
| 28                | 20        | 21.7 | 22.8   | 13.2           |
| 29                | 20        | 21.0 | 20.4   | 12.1           |
| 30                | 213       | 19.3 | 15.5   | 13.2           |
| 31                | 14        | 20.7 | 18.8   | 12.7           |
| Not Given         | 472       | 15.7 | 13.0   | 10.9           |
| Statewide         | 2618      | 18.9 | 15.0   | 14.0           |

## PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Like the data for the average TTD monetary amounts paid discussed previously, average PPD monetary amounts paid are very much influenced by weekly compensation rates. Table 29 lists the average PPD monetary payments for 2000 BAW return to work cases. The statewide mean is \$22,212.91 with a range from \$15,058.72 in Judicial District 23 to \$35,468.76 in Judicial District 29.

Table 30 lists the same information for calendar year 2001. This data ranges from \$16,689.98 in Judicial District 5 to \$40,592.10 in Judicial District 8. The 2001 statewide mean is \$24,457.69.

Because PPD monetary amounts paid are influenced directly by other variables (i.e., compensation rate and PPD percentage amount) that are statistically different from each other, so would the monetary amounts paid be statistically different. This, however, is of little value; therefore, significance tests are not reported for PPD monetary amounts paid here and throughout the rest of the report.

**Table 29: Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 33        | \$17,492.49 | \$18,173.28 | \$13,082.65    |
| 2                 | 48        | \$17,008.37 | \$15,400.00 | \$16,476.71    |
| 3                 | 43        | \$28,822.01 | \$11,679.20 | \$61,867.33    |
| 4                 | 44        | \$22,847.63 | \$14,475.00 | \$33,475.77    |
| 5                 | 19        | \$22,614.61 | \$14,250.00 | \$29,197.28    |
| 6                 | 238       | \$19,260.89 | \$14,481.50 | \$19,374.95    |
| 7                 | 57        | \$30,402.84 | \$22,157.28 | \$29,727.70    |
| 8                 | 20        | \$31,507.98 | \$23,910.00 | \$35,146.80    |
| 9                 | 29        | \$30,372.04 | \$21,193.20 | \$27,530.39    |
| 10                | 48        | \$18,101.66 | \$11,605.45 | \$22,214.93    |
| 11                | 199       | \$25,742.36 | \$18,000.00 | \$26,758.44    |
| 12                | 46        | \$28,313.55 | \$21,608.00 | \$24,031.13    |
| 13                | 40        | \$17,904.34 | \$13,942.50 | \$14,240.74    |
| 14                | 22        | \$19,997.02 | \$10,400.00 | \$21,208.81    |
| 15                | 35        | \$23,471.66 | \$18,640.00 | \$23,343.63    |
| 16                | 174       | \$30,550.40 | \$25,968.00 | \$25,641.87    |
| 17                | 24        | \$23,665.71 | \$16,331.18 | \$19,495.67    |
| 18                | 29        | \$16,908.45 | \$14,042.56 | \$15,283.20    |
| 19                | 22        | \$19,402.40 | \$10,633.40 | \$18,370.40    |
| 20                | 474       | \$22,026.85 | \$17,787.78 | \$20,413.56    |
| 21                | 17        | \$23,002.96 | \$20,000.00 | \$17,409.06    |
| 22                | 56        | \$21,672.36 | \$19,711.67 | \$18,854.26    |
| 23                | 8         | \$15,058.72 | \$19,200.00 | \$10,391.31    |
| 24                | 54        | \$17,982.54 | \$15,909.50 | \$13,752.14    |
| 25                | 26        | \$16,803.05 | \$8,888.00  | \$17,672.15    |
| 26                | 83        | \$22,345.88 | \$18,750.72 | \$19,174.26    |
| 27                | 58        | \$24,815.59 | \$18,062.80 | \$24,673.77    |
| 28                | 17        | \$23,629.95 | \$24,600.00 | \$20,872.18    |
| 29                | 24        | \$35,468.76 | \$30,507.04 | \$21,689.13    |
| 30                | 287       | \$22,002.24 | \$18,279.68 | \$21,051.72    |
| 31                | 23        | \$20,566.38 | \$15,906.63 | \$17,090.84    |
|                   |           |             |             |                |
| Not Given         | 388       | \$17,434.60 | \$14,351.60 | \$15,389.96    |
|                   |           |             |             |                |
| Statewide         | 2685      | \$22,212.91 | \$17,312.00 | \$22,711.90    |

**Table 30 Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 17        | \$14,211.50 | \$8,493.60  | \$17,357.20    |
| 2                 | 33        | \$20,618.08 | \$13,641.60 | \$23,694.01    |
| 3                 | 40        | \$19,204.47 | \$10,559.25 | \$22,257.94    |
| 4                 | 35        | \$19,397.20 | \$14,097.28 | \$18,402.91    |
| 5                 | 20        | \$16,689.98 | \$13,434.00 | \$14,255.78    |
| 6                 | 191       | \$22,627.71 | \$15,323.20 | \$25,235.46    |
| 7                 | 41        | \$38,456.10 | \$24,886.00 | \$33,632.95    |
| 8                 | 33        | \$40,592.10 | \$35,689.80 | \$29,116.34    |
| 9                 | 24        | \$34,610.24 | \$26,669.50 | \$25,508.79    |
| 10                | 51        | \$30,496.45 | \$25,000.00 | \$24,996.01    |
| 11                | 203       | \$26,584.26 | \$19,200.00 | \$26,288.73    |
| 12                | 51        | \$35,585.35 | \$26,125.60 | \$29,526.14    |
| 13                | 54        | \$21,333.47 | \$19,226.20 | \$17,139.69    |
| 14                | 20        | \$24,147.22 | \$20,795.00 | \$14,627.20    |
| 15                | 45        | \$29,810.25 | \$28,912.00 | \$19,250.35    |
| 16                | 164       | \$30,086.29 | \$26,330.50 | \$21,518.64    |
| 17                | 23        | \$18,166.42 | \$14,166.50 | \$19,023.17    |
| 18                | 26        | \$18,716.97 | \$18,063.95 | \$17,053.29    |
| 19                | 34        | \$23,943.94 | \$17,167.70 | \$23,732.84    |
| 20                | 464       | \$23,339.91 | \$19,248.74 | \$20,800.47    |
| 21                | 26        | \$22,662.86 | \$27,308.10 | \$16,121.63    |
| 22                | 61        | \$23,872.41 | \$20,403.00 | \$22,623.51    |
| 23                | 11        | \$21,851.70 | \$19,926.00 | \$12,147.46    |
| 24                | 52        | \$26,674.90 | \$24,528.51 | \$23,823.00    |
| 25                | 22        | \$19,574.96 | \$16,064.88 | \$19,383.12    |
| 26                | 94        | \$24,711.31 | \$18,374.00 | \$25,482.29    |
| 27                | 45        | \$31,965.38 | \$23,789.60 | \$28,825.00    |
| 28                | 20        | \$20,669.19 | \$13,412.51 | \$22,712.62    |
| 29                | 20        | \$26,013.80 | \$22,504.15 | \$21,130.67    |
| 30                | 213       | \$25,216.04 | \$20,232.00 | \$20,492.10    |
| 31                | 14        | \$23,934.57 | \$17,525.00 | \$19,608.01    |
|                   |           |             |             |                |
| Not Given         | 472       | \$20,238.97 | \$16,739.58 | \$15,563.68    |
|                   |           |             |             |                |
| Statewide         | 2619      | \$24,457.69 | \$19,926.00 | \$22,117.78    |

## BODY AS A WHOLE - RETURN TO WORK SUMMARY

Tables 31 and 32 display the median PPI, median PPD multiplier and median PPD percentages for BAW return to work cases for 2000 and 2001 cases respectively. This data is provided as a summary of previous tables given. Median numbers are presented because they are less influenced by extreme or outlier data.

**Table 31: Calendar Year - 2000: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 9.0        | 31        | 1.7               | 31        | 16.0       | 33        |
| 2                 | 6.0        | 38        | 2.2               | 38        | 12.5       | 47        |
| 3                 | 7.0        | 33        | 2.0               | 33        | 15.0       | 43        |
| 4                 | 10.0       | 38        | 2.0               | 38        | 17.5       | 43        |
| 5                 | 5.0        | 17        | 2.5               | 17        | 17.5       | 19        |
| 6                 | 7.0        | 210       | 2.3               | 210       | 14.0       | 236       |
| 7                 | 7.0        | 55        | 2.3               | 55        | 17.0       | 57        |
| 8                 | 8.5        | 16        | 2.3               | 16        | 22.5       | 20        |
| 9                 | 11.0       | 25        | 2.5               | 25        | 22.9       | 29        |
| 10                | 10.0       | 39        | 2.0               | 39        | 15.3       | 48        |
| 11                | 7.0        | 182       | 2.2               | 182       | 15.0       | 199       |
| 12                | 9.0        | 43        | 2.5               | 43        | 20.0       | 46        |
| 13                | 10.0       | 33        | 2.5               | 33        | 20.0       | 40        |
| 14                | 6.0        | 20        | 2.1               | 20        | 12.0       | 22        |
| 15                | 10.0       | 32        | 2.1               | 32        | 18.8       | 35        |
| 16                | 8.0        | 156       | 2.0               | 156       | 15.4       | 174       |
| 17                | 6.5        | 20        | 2.0               | 20        | 15.0       | 24        |
| 18                | 7.0        | 24        | 2.4               | 24        | 13.3       | 29        |
| 19                | 7.0        | 19        | 2.4               | 19        | 14.5       | 22        |
| 20                | 7.0        | 423       | 2.0               | 423       | 15.0       | 474       |
| 21                | 7.0        | 16        | 2.0               | 16        | 18.0       | 17        |
| 22                | 8.0        | 49        | 2.3               | 49        | 18.5       | 56        |
| 23                | 10.0       | 8         | 2.0               | 8         | 20.0       | 8         |
| 24                | 10.0       | 51        | 2.0               | 51        | 18.6       | 54        |
| 25                | 6.5        | 20        | 1.9               | 20        | 14.5       | 26        |
| 26                | 9.0        | 75        | 2.0               | 75        | 15.0       | 83        |
| 27                | 9.0        | 53        | 1.7               | 53        | 15.0       | 58        |
| 28                | 12.0       | 12        | 1.4               | 12        | 17.5       | 17        |
| 29                | 13.0       | 19        | 2.0               | 19        | 25.0       | 24        |
| 30                | 8.0        | 267       | 2.0               | 267       | 15.6       | 287       |
| 31                | 9.0        | 20        | 2.0               | 20        | 15.0       | 23        |
| Not Given         | 7.0        | 349       | 2.0               | 349       | 12.0       | 387       |
| Statewide         | 8.0        | 2393      | 2.0               | 2393      | 15.0       | 2680      |

**Table 32: Calendar Year - 2001: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Body as a Whole Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 5.0        | 14        | 2.0               | 14        | 10.0       | 17        |
| 2                 | 5.0        | 27        | 2.5               | 27        | 12.0       | 33        |
| 3                 | 10.0       | 31        | 2.1               | 31        | 12.9       | 40        |
| 4                 | 10.0       | 32        | 2.5               | 32        | 18.0       | 35        |
| 5                 | 7.5        | 17        | 2.3               | 17        | 12.3       | 20        |
| 6                 | 5.5        | 168       | 2.1               | 168       | 12.5       | 191       |
| 7                 | 7.0        | 37        | 2.5               | 37        | 20.0       | 41        |
| 8                 | 11.0       | 30        | 2.5               | 30        | 27.5       | 33        |
| 9                 | 9.0        | 22        | 2.3               | 22        | 19.8       | 24        |
| 10                | 8.0        | 49        | 2.0               | 49        | 20.0       | 51        |
| 11                | 7.0        | 189       | 2.3               | 189       | 15.0       | 203       |
| 12                | 10.0       | 44        | 2.5               | 44        | 22.5       | 51        |
| 13                | 8.0        | 48        | 2.5               | 48        | 18.3       | 54        |
| 14                | 7.0        | 18        | 2.3               | 18        | 17.8       | 20        |
| 15                | 8.0        | 41        | 2.5               | 41        | 20.0       | 45        |
| 16                | 8.0        | 154       | 2.0               | 154       | 14.0       | 164       |
| 17                | 6.5        | 22        | 2.3               | 22        | 15.0       | 23        |
| 18                | 6.0        | 25        | 2.1               | 25        | 14.0       | 26        |
| 19                | 7.0        | 32        | 2.3               | 32        | 15.5       | 34        |
| 20                | 8.0        | 420       | 2.0               | 420       | 13.5       | 463       |
| 21                | 10.0       | 23        | 2.2               | 23        | 25.0       | 26        |
| 22                | 8.0        | 53        | 2.2               | 53        | 13.0       | 61        |
| 23                | 6.3        | 10        | 1.9               | 10        | 11.0       | 11        |
| 24                | 10.0       | 48        | 2.0               | 48        | 22.8       | 52        |
| 25                | 10.0       | 20        | 1.8               | 20        | 15.0       | 22        |
| 26                | 8.0        | 81        | 2.0               | 81        | 16.0       | 94        |
| 27                | 8.0        | 39        | 2.0               | 39        | 18.0       | 45        |
| 28                | 10.0       | 18        | 1.9               | 18        | 22.8       | 20        |
| 29                | 10.0       | 19        | 2.5               | 19        | 20.4       | 20        |
| 30                | 8.0        | 201       | 2.0               | 201       | 15.5       | 213       |
| 31                | 9.0        | 12        | 2.0               | 12        | 18.8       | 14        |
| Not Given         | 7.0        | 438       | 2.0               | 438       | 13.0       | 472       |
| Statewide         | 8.0        | 2382      | 2.0               | 2382      | 15.0       | 2618      |

## **BODY AS A WHOLE CASES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT**

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Average highest permanent partial impairment (PPI) ratings for BAW cases where the injured worker did not return to work for cases concluded in 2000 are listed in Table 33. The statewide mean highest PPI rating for BAW no return to work cases is 15.0% with a range from 7.2% in Judicial District 14 to 46.7% in Judicial District 28. The mean highest PPI rating for cases concluded in 2001 for Tennessee is 14.2% to the body as a whole and ranges from 9.1% in Judicial Districts 12 and 23 to 41.8% in Judicial District 8. This data is listed in Table 34. Differences in mean highest PPI ratings for BAW cases where the injured workers returned to work are statistically significant for 2000 and 2001 cases.<sup>18</sup>

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<sup>18</sup>  $p < .01$  Kruskal Wallis Test

**Table 33: Calendar Year - 2000: Permanent Partial Impairment - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 26        | 26.1 | 17.5   | 22.4           |
| 2                 | 16        | 20.3 | 11.0   | 22.9           |
| 3                 | 22        | 30.6 | 10.0   | 35.4           |
| 4                 | 23        | 20.3 | 11.0   | 23.8           |
| 5                 | 6         | 22.6 | 12.5   | 19.4           |
| 6                 | 75        | 11.3 | 9.0    | 13.5           |
| 7                 | 16        | 15.6 | 6.5    | 24.5           |
| 8                 | 20        | 23.7 | 15.0   | 21.9           |
| 9                 | 13        | 12.5 | 9.0    | 13.2           |
| 10                | 34        | 17.8 | 11.3   | 19.3           |
| 11                | 74        | 13.0 | 10.0   | 15.1           |
| 12                | 25        | 16.3 | 10.0   | 20.1           |
| 13                | 13        | 22.5 | 12.0   | 27.7           |
| 14                | 10        | 7.2  | 7.3    | 3.1            |
| 15                | 10        | 16.3 | 9.0    | 22.9           |
| 16                | 34        | 14.6 | 8.0    | 20.4           |
| 17                | 7         | 11.2 | 10.0   | 8.3            |
| 18                | 5         | 9.1  | 10.0   | 4.2            |
| 19                | 14        | 11.9 | 7.0    | 13.2           |
| 20                | 107       | 8.8  | 9.0    | 4.1            |
| 21                | 5         | 7.4  | 7.0    | 2.5            |
| 22                | 18        | 19.3 | 10.0   | 23.4           |
| 23                | 4         | 26.5 | 13.5   | 31.3           |
| 24                | 13        | 19.9 | 13.0   | 26.2           |
| 25                | 4         | 31.9 | 12.3   | 45.8           |
| 26                | 32        | 17.2 | 9.8    | 23.2           |
| 27                | 11        | 26.2 | 10.0   | 28.7           |
| 28                | 3         | 46.7 | 25.0   | 46.5           |
| 29                | 9         | 19.1 | 13.0   | 23.8           |
| 30                | 75        | 14.1 | 10.0   | 18.0           |
| 31                | 8         | 13.1 | 10.5   | 9.6            |
| Not Given         | 99        | 10.6 | 9.5    | 8.1            |
| Statewide         | 831       | 15.0 | 10.0   | 18.6           |

**Table 34: Calendar Year - 2001: Permanent Partial Impairment - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 12        | 12.3 | 13.5   | 4.5            |
| 2                 | 16        | 12.7 | 11.5   | 7.3            |
| 3                 | 21        | 14.6 | 12.0   | 9.4            |
| 4                 | 22        | 11.2 | 9.0    | 7.7            |
| 5                 | 8         | 16.3 | 12.5   | 18.1           |
| 6                 | 73        | 14.7 | 10.0   | 12.9           |
| 7                 | 28        | 20.2 | 10.0   | 25.1           |
| 8                 | 25        | 41.8 | 20.0   | 38.6           |
| 9                 | 22        | 20.2 | 13.5   | 21.3           |
| 10                | 50        | 21.1 | 13.0   | 21.9           |
| 11                | 111       | 11.9 | 8.0    | 14.3           |
| 12                | 25        | 9.1  | 9.0    | 4.7            |
| 13                | 31        | 18.8 | 10.0   | 23.8           |
| 14                | 6         | 9.3  | 8.3    | 6.2            |
| 15                | 23        | 15.1 | 16.0   | 7.6            |
| 16                | 44        | 10.5 | 8.5    | 7.2            |
| 17                | 13        | 12.3 | 13.0   | 4.6            |
| 18                | 16        | 18.6 | 13.0   | 23.2           |
| 19                | 21        | 13.4 | 6.5    | 20.9           |
| 20                | 171       | 11.1 | 9.0    | 11.9           |
| 21                | 7         | 22.1 | 10.0   | 34.4           |
| 22                | 18        | 17.5 | 10.0   | 20.6           |
| 23                | 7         | 9.1  | 8.0    | 3.8            |
| 24                | 25        | 20.0 | 13.0   | 19.3           |
| 25                | 6         | 11.9 | 10.5   | 4.9            |
| 26                | 20        | 13.8 | 10.0   | 11.0           |
| 27                | 6         | 19.7 | 13.0   | 20.2           |
| 28                | 15        | 11.6 | 10.0   | 7.4            |
| 29                | 7         | 20.0 | 20.0   | 9.7            |
| 30                | 75        | 11.2 | 10.0   | 7.5            |
| 31                | 17        | 21.5 | 10.0   | 25.6           |
| Not Given         | 137       | 10.3 | 8.0    | 9.2            |
| Statewide         | 1078      | 14.2 | 10.0   | 16.1           |

## PERMANENT PARTIAL DISABILITY MULTIPLIERS

Calendar year 2000 BAW cases in which the employee did not return to work for the pre-injury employer have a mean PPD multiplier of 3.1 and are displayed in Table 35. The data ranges from 1.8 in Judicial District 28 to 4.1 in Judicial District 9. Differences between judicial districts are not statistically significant. Table 36 displays average PPD multipliers for 2001 BAW no return to work cases. The data ranges from a multiplier of 1.9 in Judicial District 29 to a multiplier of 6.1 in Judicial District 14 with a statewide mean of 3.2. As in 2000, differences between judicial districts for 2001 BAW no return to work cases are not statistically significant.

**Table 35: Calendar Year - 2000: Permanent Partial Disability Multipliers - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 25        | 2.4  | 2.5    | 1.4            |
| 2                 | 16        | 3.5  | 3.4    | 1.6            |
| 3                 | 22        | 2.3  | 2.3    | 1.5            |
| 4                 | 23        | 3.1  | 3.0    | 1.6            |
| 5                 | 6         | 3.2  | 3.4    | 2.2            |
| 6                 | 75        | 3.2  | 3.0    | 1.5            |
| 7                 | 16        | 3.4  | 3.4    | 1.8            |
| 8                 | 20        | 3.3  | 3.3    | 2.0            |
| 9                 | 13        | 4.1  | 3.7    | 3.0            |
| 10                | 34        | 3.3  | 2.8    | 2.6            |
| 11                | 74        | 3.2  | 2.9    | 2.0            |
| 12                | 25        | 4.0  | 3.4    | 3.2            |
| 13                | 13        | 3.4  | 3.3    | 2.0            |
| 14                | 10        | 3.9  | 4.0    | 1.9            |
| 15                | 10        | 3.2  | 3.2    | 1.4            |
| 16                | 33        | 2.8  | 2.5    | 1.3            |
| 17                | 7         | 2.9  | 2.9    | 1.1            |
| 18                | 5         | 3.2  | 2.6    | 1.4            |
| 19                | 14        | 2.6  | 2.6    | 1.2            |
| 20                | 107       | 3.2  | 3.0    | 1.4            |
| 21                | 5         | 3.0  | 2.9    | 0.6            |
| 22                | 17        | 3.0  | 3.3    | 1.2            |
| 23                | 4         | 3.2  | 3.2    | 2.3            |
| 24                | 13        | 2.3  | 2.1    | 1.5            |
| 25                | 4         | 3.0  | 2.9    | 1.8            |
| 26                | 32        | 2.9  | 2.6    | 1.5            |
| 27                | 11        | 2.4  | 2.5    | 1.4            |
| 28                | 3         | 1.8  | 1.9    | 0.9            |
| 29                | 9         | 2.6  | 2.5    | 1.8            |
| 30                | 74        | 2.7  | 2.5    | 1.5            |
| 31                | 8         | 2.8  | 2.8    | 1.3            |
| Not Given         | 99        | 3.1  | 2.9    | 1.5            |
| Statewide         | 827       | 3.1  | 2.9    | 1.7            |

**Table 36: Calendar Year - 2001: Permanent Partial Disability Multipliers - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 12        | 3.2  | 3.2    | 1.2            |
| 2                 | 16        | 3.0  | 3.0    | 1.1            |
| 3                 | 21        | 3.3  | 3.4    | 1.6            |
| 4                 | 22        | 3.5  | 3.5    | 1.2            |
| 5                 | 8         | 3.1  | 3.3    | 1.5            |
| 6                 | 73        | 3.3  | 3.4    | 1.4            |
| 7                 | 28        | 4.0  | 2.8    | 3.2            |
| 8                 | 25        | 2.5  | 2.7    | 1.8            |
| 9                 | 22        | 2.9  | 2.8    | 2.0            |
| 10                | 50        | 2.7  | 2.6    | 1.8            |
| 11                | 111       | 3.2  | 3.0    | 2.1            |
| 12                | 25        | 4.1  | 4.0    | 1.8            |
| 13                | 31        | 3.4  | 3.4    | 2.0            |
| 14                | 6         | 6.1  | 3.3    | 6.6            |
| 15                | 23        | 3.5  | 2.9    | 2.5            |
| 16                | 44        | 3.5  | 2.6    | 2.5            |
| 17                | 12        | 2.6  | 2.8    | 1.4            |
| 18                | 16        | 2.7  | 2.5    | 1.0            |
| 19                | 21        | 3.1  | 3.2    | 1.4            |
| 20                | 170       | 3.2  | 3.0    | 1.2            |
| 21                | 7         | 2.0  | 2.3    | 1.7            |
| 22                | 18        | 3.1  | 3.1    | 1.5            |
| 23                | 7         | 3.0  | 3.3    | 1.3            |
| 24                | 25        | 2.6  | 2.9    | 1.2            |
| 25                | 6         | 2.3  | 2.3    | 1.8            |
| 26                | 19        | 3.1  | 3.0    | 1.7            |
| 27                | 6         | 2.5  | 2.7    | 1.6            |
| 28                | 15        | 3.0  | 2.5    | 1.4            |
| 29                | 6         | 1.9  | 1.9    | 0.9            |
| 30                | 74        | 3.1  | 2.8    | 2.1            |
| 31                | 17        | 2.4  | 2.5    | 1.1            |
| Not Given         | 137       | 3.3  | 3.0    | 1.5            |
| Statewide         | 1073      | 3.2  | 3.0    | 1.8            |

## PERMANENT PARTIAL DISABILITY PERCENTAGE

Tables 37 and 38 list the average percentage of PPD for employees with injuries to the body as a whole who did not return to work for the pre-injury employer that concluded in 2000 and 2001 respectively. The mean PPD percent for 2000 cases is 32.9% (131.6 weeks) to the body as a whole and ranges from a low of 21.0% in Judicial District 21 to a high of 53.7% in Judicial District 25. For 2001 cases, the statewide mean is 34.3% (137.2 weeks) with a range of 21.6% in Judicial District 21 to 43.0% in Judicial District 8. Differences between judicial districts for PPD percent for BAW no return to work cases are statistically significant for both years.<sup>19</sup>

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<sup>19</sup>  $p < .02$  Kruskal Wallis Test

**Table 37: Calendar Year - 2000: Percentage Awarded for Permanent Partial Disability Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 28        | 44.0 | 47.4   | 28.6           |
| 2                 | 19        | 49.7 | 45.0   | 19.6           |
| 3                 | 25        | 35.5 | 21.0   | 29.7           |
| 4                 | 25        | 38.6 | 30.0   | 26.3           |
| 5                 | 7         | 40.4 | 40.0   | 23.6           |
| 6                 | 79        | 30.1 | 24.0   | 22.2           |
| 7                 | 19        | 30.2 | 28.1   | 15.0           |
| 8                 | 25        | 47.6 | 50.0   | 24.5           |
| 9                 | 16        | 33.1 | 25.5   | 21.1           |
| 10                | 37        | 36.3 | 39.0   | 19.9           |
| 11                | 83        | 31.3 | 27.5   | 22.0           |
| 12                | 28        | 40.0 | 44.5   | 25.1           |
| 13                | 15        | 45.4 | 42.5   | 27.0           |
| 14                | 10        | 24.3 | 20.5   | 12.5           |
| 15                | 14        | 31.0 | 23.4   | 22.7           |
| 16                | 40        | 30.5 | 20.0   | 26.3           |
| 17                | 7         | 36.5 | 36.0   | 31.3           |
| 18                | 6         | 25.0 | 21.0   | 11.4           |
| 19                | 15        | 26.5 | 17.5   | 21.0           |
| 20                | 118       | 26.5 | 20.0   | 18.4           |
| 21                | 5         | 21.0 | 20.0   | 4.2            |
| 22                | 21        | 42.7 | 39.0   | 23.2           |
| 23                | 4         | 41.4 | 41.5   | 25.3           |
| 24                | 15        | 35.1 | 20.0   | 33.7           |
| 25                | 4         | 53.7 | 49.4   | 43.3           |
| 26                | 34        | 31.8 | 27.3   | 21.2           |
| 27                | 11        | 34.8 | 25.0   | 21.5           |
| 28                | 4         | 45.6 | 44.3   | 28.2           |
| 29                | 9         | 29.0 | 25.0   | 20.4           |
| 30                | 85        | 29.5 | 22.8   | 22.2           |
| 31                | 8         | 37.2 | 25.5   | 31.8           |
| Not Given         | 105       | 29.4 | 21.5   | 23.0           |
| Statewide         | 921       | 32.9 | 25.0   | 23.3           |

**Table 38: Calendar Year - 2001: Percentage Awarded for Permanent Partial Disability Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 14        | 36.9 | 32.5   | 21.8           |
| 2                 | 20        | 35.1 | 30.3   | 25.7           |
| 3                 | 21        | 40.3 | 36.6   | 24.9           |
| 4                 | 22        | 38.8 | 34.0   | 26.0           |
| 5                 | 10        | 40.3 | 37.5   | 29.6           |
| 6                 | 81        | 39.3 | 35.0   | 28.0           |
| 7                 | 30        | 38.4 | 35.3   | 18.7           |
| 8                 | 30        | 43.0 | 40.0   | 25.7           |
| 9                 | 23        | 39.3 | 36.0   | 21.8           |
| 10                | 54        | 39.2 | 33.1   | 27.5           |
| 11                | 118       | 30.2 | 21.3   | 22.2           |
| 12                | 29        | 38.1 | 36.0   | 24.0           |
| 13                | 39        | 43.8 | 37.8   | 29.1           |
| 14                | 6         | 39.1 | 41.8   | 17.1           |
| 15                | 25        | 42.4 | 35.0   | 22.8           |
| 16                | 48        | 33.7 | 25.8   | 22.5           |
| 17                | 14        | 31.9 | 30.0   | 20.0           |
| 18                | 17        | 39.1 | 32.5   | 25.5           |
| 19                | 24        | 28.4 | 20.0   | 24.0           |
| 20                | 188       | 30.2 | 25.0   | 21.0           |
| 21                | 7         | 21.6 | 23.0   | 14.1           |
| 22                | 20        | 38.1 | 27.3   | 33.0           |
| 23                | 7         | 28.2 | 32.5   | 17.4           |
| 24                | 26        | 42.2 | 30.5   | 25.3           |
| 25                | 7         | 23.8 | 32.0   | 14.4           |
| 26                | 22        | 39.7 | 38.6   | 24.2           |
| 27                | 10        | 37.5 | 27.5   | 29.8           |
| 28                | 15        | 28.1 | 32.0   | 12.1           |
| 29                | 9         | 38.2 | 30.0   | 19.4           |
| 30                | 86        | 33.5 | 28.0   | 24.1           |
| 31                | 18        | 36.0 | 27.5   | 21.4           |
|                   |           |      |        |                |
| Not Given         | 158       | 28.3 | 22.3   | 19.0           |
|                   |           |      |        |                |
| Statewide         | 1198      | 34.3 | 30.0   | 23.5           |

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Table 39 lists the average judgment and settlement monetary amounts for 2000 BAW no return to work cases. The statewide mean amount is \$32,849.20 with a range of \$21,223.50 in Judicial District 3 to \$70,951.52 in Judicial District 4. The mean judgment and settlement amounts for 2001 BAW no return to work cases range from \$23,315.74 in Judicial District 14 to \$56,152.24 in Judicial District 15 with a statewide mean of \$38,072.65. All judicial district average judgment and settlement monetary amounts for 2001 BAW no return to work cases are listed in Table 40. Again it must be remembered that this data is a function of the compensation rate as well as the percentage of permanent partial disability.

**Table 39: Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 28        | \$37,039.32 | \$42,500.00 | \$31,189.87    |
| 2                 | 19        | \$47,905.64 | \$44,434.80 | \$37,103.67    |
| 3                 | 25        | \$21,223.50 | \$13,015.52 | \$26,283.08    |
| 4                 | 25        | \$37,165.54 | \$24,500.00 | \$33,276.92    |
| 5                 | 7         | \$29,124.09 | \$27,916.20 | \$29,085.26    |
| 6                 | 79        | \$34,079.27 | \$20,216.40 | \$35,662.14    |
| 7                 | 19        | \$31,151.53 | \$17,323.20 | \$32,814.60    |
| 8                 | 25        | \$47,242.11 | \$33,600.60 | \$45,975.48    |
| 9                 | 16        | \$37,810.66 | \$23,434.80 | \$36,023.84    |
| 10                | 37        | \$32,811.01 | \$29,520.00 | \$26,378.65    |
| 11                | 84        | \$34,786.95 | \$23,000.50 | \$35,502.85    |
| 12                | 28        | \$38,958.70 | \$29,467.00 | \$36,441.10    |
| 13                | 15        | \$31,412.54 | \$22,678.00 | \$30,433.71    |
| 14                | 10        | \$23,283.98 | \$13,544.10 | \$25,926.88    |
| 15                | 14        | \$36,692.04 | \$24,500.00 | \$30,207.09    |
| 16                | 40        | \$29,852.99 | \$15,182.64 | \$39,463.07    |
| 17                | 7         | \$30,783.66 | \$8,529.78  | \$42,656.53    |
| 18                | 6         | \$29,298.52 | \$26,362.92 | \$19,390.39    |
| 19                | 15        | \$25,646.70 | \$13,792.80 | \$27,580.07    |
| 20                | 118       | \$30,078.25 | \$23,330.60 | \$27,588.33    |
| 21                | 5         | \$29,227.92 | \$32,624.00 | \$17,263.43    |
| 22                | 21        | \$41,303.94 | \$32,666.40 | \$36,059.13    |
| 23                | 4         | \$46,799.04 | \$43,493.08 | \$22,119.20    |
| 24                | 15        | \$43,238.08 | \$30,000.00 | \$43,536.55    |
| 25                | 4         | \$70,951.52 | \$64,413.93 | \$64,101.60    |
| 26                | 34        | \$29,467.41 | \$19,293.20 | \$25,980.02    |
| 27                | 11        | \$45,413.23 | \$45,228.80 | \$52,327.99    |
| 28                | 4         | \$21,753.60 | \$20,757.20 | \$21,131.13    |
| 29                | 9         | \$22,145.47 | \$21,853.00 | \$16,515.34    |
| 30                | 85        | \$27,034.61 | \$18,572.00 | \$30,677.21    |
| 31                | 8         | \$37,044.05 | \$16,748.20 | \$55,568.13    |
| Not Given         | 105       | \$29,778.51 | \$21,319.80 | \$30,109.41    |
| Statewide         | 922       | \$32,849.20 | \$22,571.50 | \$33,114.15    |

**Table 40: Calendar Year - 2001: Permanent Partial Disability - Monetary Benefits - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 14        | \$26,792.43 | \$26,027.48 | \$19,246.97    |
| 2                 | 20        | \$34,066.06 | \$24,250.00 | \$34,161.21    |
| 3                 | 21        | \$36,846.15 | \$25,000.00 | \$35,331.59    |
| 4                 | 22        | \$34,993.25 | \$21,926.98 | \$34,499.46    |
| 5                 | 10        | \$46,389.43 | \$50,645.99 | \$39,097.92    |
| 6                 | 81        | \$42,534.47 | \$34,202.40 | \$38,994.97    |
| 7                 | 30        | \$51,453.92 | \$43,122.00 | \$35,066.28    |
| 8                 | 31        | \$41,671.26 | \$29,587.00 | \$34,361.23    |
| 9                 | 23        | \$47,072.80 | \$43,280.00 | \$43,744.18    |
| 10                | 54        | \$42,349.57 | \$27,759.76 | \$37,415.48    |
| 11                | 118       | \$33,139.08 | \$24,800.00 | \$32,085.58    |
| 12                | 29        | \$35,821.89 | \$32,000.00 | \$28,205.51    |
| 13                | 40        | \$40,181.16 | \$28,167.48 | \$44,244.36    |
| 14                | 6         | \$23,315.74 | \$19,011.00 | \$21,272.49    |
| 15                | 25        | \$56,152.24 | \$35,165.00 | \$72,018.34    |
| 16                | 48        | \$43,596.92 | \$37,290.00 | \$38,899.64    |
| 17                | 14        | \$35,601.62 | \$27,768.12 | \$39,219.36    |
| 18                | 17        | \$55,793.83 | \$44,000.00 | \$46,929.18    |
| 19                | 24        | \$38,541.76 | \$28,891.40 | \$37,855.42    |
| 20                | 190       | \$36,444.62 | \$27,025.00 | \$39,294.98    |
| 21                | 7         | \$31,965.43 | \$13,484.00 | \$32,773.80    |
| 22                | 20        | \$37,184.98 | \$13,819.00 | \$41,240.76    |
| 23                | 7         | \$32,317.84 | \$15,000.00 | \$34,132.73    |
| 24                | 26        | \$36,724.81 | \$26,360.84 | \$33,590.22    |
| 25                | 7         | \$39,090.62 | \$29,672.28 | \$21,305.18    |
| 26                | 22        | \$42,738.86 | \$28,242.40 | \$33,677.85    |
| 27                | 10        | \$48,171.38 | \$22,519.00 | \$64,755.92    |
| 28                | 15        | \$24,509.64 | \$24,412.60 | \$22,636.43    |
| 29                | 9         | \$48,380.21 | \$43,697.50 | \$40,026.21    |
| 30                | 86        | \$36,536.62 | \$27,957.24 | \$36,435.58    |
| 31                | 18        | \$32,172.51 | \$27,246.14 | \$24,013.92    |
|                   |           |             |             |                |
| Not Given         | 158       | \$32,857.15 | \$28,835.00 | \$27,981.66    |
|                   |           |             |             |                |
| Statewide         | 1202      | \$38,072.65 | \$28,269.12 | \$37,006.43    |

#### BODY AS A WHOLE - NO RETURN TO WORK SUMMARY

Tables 41 and 42 display the median PPI, median PPD multiplier and median PPD percentage amount for BAW no return to work cases for 2000 and 2001 cases respectively. This data is provided as a summary of previous tables given. Median numbers are presented because they are less influenced by extreme or outlier data.

**Table 41: Calendar Year - 2000: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 16.0       | 25        | 2.5               | 25        | 47.4       | 28        |
| 2                 | 11.0       | 16        | 3.4               | 16        | 45.0       | 19        |
| 3                 | 10.0       | 22        | 2.3               | 22        | 21.0       | 25        |
| 4                 | 11.0       | 23        | 3.0               | 23        | 30.0       | 25        |
| 5                 | 12.5       | 6         | 3.4               | 6         | 40.0       | 7         |
| 6                 | 9.0        | 75        | 3.0               | 75        | 24.0       | 79        |
| 7                 | 6.5        | 16        | 3.4               | 16        | 28.1       | 19        |
| 8                 | 15.0       | 20        | 3.3               | 20        | 50.0       | 25        |
| 9                 | 9.0        | 13        | 3.7               | 13        | 25.5       | 16        |
| 10                | 11.3       | 34        | 2.8               | 34        | 39.0       | 37        |
| 11                | 10.0       | 74        | 2.9               | 74        | 27.5       | 83        |
| 12                | 10.0       | 25        | 3.4               | 25        | 44.5       | 28        |
| 13                | 12.0       | 13        | 3.3               | 13        | 42.5       | 15        |
| 14                | 7.3        | 10        | 4.0               | 10        | 20.5       | 10        |
| 15                | 9.0        | 10        | 3.2               | 10        | 23.4       | 14        |
| 16                | 8.0        | 33        | 2.5               | 33        | 20.0       | 40        |
| 17                | 10.0       | 7         | 2.9               | 7         | 36.0       | 7         |
| 18                | 10.0       | 5         | 2.6               | 5         | 21.0       | 6         |
| 19                | 7.0        | 14        | 2.6               | 14        | 17.5       | 15        |
| 20                | 9.0        | 107       | 3.0               | 107       | 20.0       | 118       |
| 21                | 7.0        | 5         | 2.9               | 5         | 20.0       | 5         |
| 22                | 10.0       | 17        | 3.3               | 17        | 39.0       | 21        |
| 23                | 13.5       | 4         | 3.2               | 4         | 41.5       | 4         |
| 24                | 13.0       | 13        | 2.1               | 13        | 20.0       | 15        |
| 25                | 12.3       | 4         | 2.9               | 4         | 49.4       | 4         |
| 26                | 9.8        | 32        | 2.6               | 32        | 27.3       | 34        |
| 27                | 10.0       | 11        | 2.5               | 11        | 25.0       | 11        |
| 28                | 25.0       | 3         | 1.9               | 3         | 44.3       | 4         |
| 29                | 13.0       | 9         | 2.5               | 9         | 25.0       | 9         |
| 30                | 10.0       | 74        | 2.5               | 74        | 22.8       | 85        |
| 31                | 10.5       | 8         | 2.8               | 8         | 25.5       | 8         |
| Not Given         | 9.5        | 99        | 2.9               | 99        | 21.5       | 105       |
| Statewide         | 10.0       | 827       | 2.9               | 827       | 25.0       | 921       |

**Table 42: Calendar Year - 2001: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Body as a Whole Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 13.5       | 12        | 3.2               | 12        | 32.5       | 14        |
| 2                 | 11.5       | 16        | 3.0               | 16        | 30.3       | 20        |
| 3                 | 12.0       | 21        | 3.4               | 21        | 36.6       | 21        |
| 4                 | 9.0        | 22        | 3.5               | 22        | 34.0       | 22        |
| 5                 | 12.5       | 8         | 3.3               | 8         | 37.5       | 10        |
| 6                 | 10.0       | 73        | 3.4               | 73        | 35.0       | 81        |
| 7                 | 10.0       | 28        | 2.8               | 28        | 35.3       | 30        |
| 8                 | 20.0       | 25        | 2.7               | 25        | 40.0       | 30        |
| 9                 | 13.5       | 22        | 2.8               | 22        | 36.0       | 23        |
| 10                | 13.0       | 50        | 2.6               | 50        | 33.1       | 54        |
| 11                | 8.0        | 111       | 3.0               | 111       | 21.3       | 118       |
| 12                | 9.0        | 25        | 4.0               | 25        | 36.0       | 29        |
| 13                | 10.0       | 31        | 3.4               | 31        | 37.8       | 39        |
| 14                | 8.3        | 6         | 3.3               | 6         | 41.8       | 6         |
| 15                | 16.0       | 23        | 2.9               | 23        | 35.0       | 25        |
| 16                | 8.5        | 44        | 2.6               | 44        | 25.8       | 48        |
| 17                | 12.0       | 12        | 2.8               | 12        | 30.0       | 14        |
| 18                | 13.0       | 16        | 2.5               | 16        | 32.5       | 17        |
| 19                | 6.5        | 21        | 3.2               | 21        | 20.0       | 24        |
| 20                | 9.0        | 170       | 3.0               | 170       | 25.0       | 188       |
| 21                | 10.0       | 7         | 2.3               | 7         | 23.0       | 7         |
| 22                | 10.0       | 18        | 3.1               | 18        | 27.3       | 20        |
| 23                | 8.0        | 7         | 3.3               | 7         | 32.5       | 7         |
| 24                | 13.0       | 25        | 2.9               | 25        | 30.5       | 26        |
| 25                | 10.5       | 6         | 2.3               | 6         | 32.0       | 7         |
| 26                | 10.0       | 19        | 3.0               | 19        | 38.6       | 22        |
| 27                | 13.0       | 6         | 2.7               | 6         | 27.5       | 10        |
| 28                | 10.0       | 15        | 2.5               | 15        | 32.0       | 15        |
| 29                | 23.0       | 6         | 1.9               | 6         | 30.0       | 9         |
| 30                | 10.0       | 74        | 2.8               | 74        | 28.0       | 86        |
| 31                | 10.0       | 17        | 2.5               | 17        | 27.5       | 18        |
| Not Given         | 8.0        | 137       | 3.0               | 137       | 22.3       | 158       |
| Statewide         | 10.0       | 1073      | 3.0               | 1073      | 30.0       | 1198      |

## ARM INJURIES - EMPLOYEE RETURNED TO PRE- INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Average PPI ratings for cases concluding in 2000 involving an injury to the arm where the injured worker returned to work are listed in Table 43. The statewide mean PPI rating is 9.1% to the arm. The data ranges from 6.0% in Judicial District 1 to 14.1% in Judicial District 22. Table 44 lists the average PPI ratings for arm return to work cases for 2001. The data ranges from 5.8% in Judicial District 18 to 14.5% in Judicial District 25 with a statewide mean of 9.5% to the arm. Differences between judicial districts are statistically significant for both years.<sup>20</sup>

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<sup>20</sup>  $p < .01$  Kruskal Wallis Test

**Table 43: Calendar Year - 2000: Permanent Partial Impairment - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 8         | 6.0  | 5.5    | 2.8            |
| 2                 | 19        | 9.3  | 5.0    | 11.1           |
| 3                 | 21        | 7.9  | 7.0    | 3.8            |
| 4                 | 19        | 9.6  | 10.0   | 5.4            |
| 5                 | 7         | 7.4  | 5.0    | 6.1            |
| 6                 | 99        | 9.0  | 5.0    | 12.7           |
| 7                 | 37        | 9.0  | 10.0   | 5.1            |
| 8                 | 11        | 13.6 | 10.0   | 15.2           |
| 9                 | 13        | 8.3  | 8.0    | 4.2            |
| 10                | 30        | 9.7  | 9.0    | 6.4            |
| 11                | 96        | 8.1  | 5.0    | 8.6            |
| 12                | 21        | 9.4  | 7.0    | 7.7            |
| 13                | 30        | 12.0 | 10.0   | 10.6           |
| 14                | 8         | 4.8  | 5.0    | 1.9            |
| 15                | 18        | 12.1 | 10.0   | 7.2            |
| 16                | 98        | 8.1  | 7.5    | 6.3            |
| 17                | 15        | 6.1  | 5.0    | 3.0            |
| 18                | 9         | 8.2  | 9.0    | 4.1            |
| 19                | 18        | 12.9 | 10.0   | 14.6           |
| 20                | 277       | 7.8  | 5.0    | 6.4            |
| 21                | 8         | 14.1 | 10.0   | 9.9            |
| 22                | 8         | 7.8  | 9.5    | 2.9            |
| 23                | 6         | 11.2 | 10.0   | 4.5            |
| 24                | 45        | 13.3 | 10.0   | 8.5            |
| 25                | 12        | 14.0 | 12.5   | 5.4            |
| 26                | 56        | 8.7  | 10.0   | 4.9            |
| 27                | 37        | 10.4 | 10.0   | 7.2            |
| 28                | 14        | 12.3 | 10.0   | 8.9            |
| 29                | 20        | 10.5 | 7.3    | 11.0           |
| 30                | 93        | 9.3  | 5.0    | 9.6            |
| 31                | 20        | 9.1  | 8.5    | 8.1            |
| Not Given         | 210       | 9.1  | 6.0    | 10.1           |
| Statewide         | 1383      | 9.1  | 7.0    | 8.5            |

**Table 44: Calendar Year - 2001: Permanent Partial Impairment - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 7.1  | 7.0    | 3.5            |
| 2                 | 11        | 7.9  | 5.0    | 5.8            |
| 3                 | 30        | 10.0 | 5.0    | 9.3            |
| 4                 | 8         | 13.9 | 12.5   | 7.4            |
| 5                 | 6         | 8.0  | 6.5    | 6.2            |
| 6                 | 73        | 6.3  | 5.0    | 6.9            |
| 7                 | 30        | 9.6  | 7.5    | 7.4            |
| 8                 | 17        | 12.0 | 10.0   | 9.4            |
| 9                 | 4         | 7.3  | 7.5    | 3.2            |
| 10                | 32        | 10.7 | 10.0   | 7.6            |
| 11                | 82        | 7.6  | 5.0    | 7.8            |
| 12                | 20        | 10.2 | 10.0   | 9.8            |
| 13                | 27        | 9.3  | 5.0    | 7.5            |
| 14                | 3         | 7.5  | 7.5    | 2.5            |
| 15                | 15        | 9.3  | 9.0    | 5.8            |
| 16                | 99        | 6.9  | 5.0    | 5.7            |
| 17                | 16        | 10.5 | 8.5    | 8.6            |
| 18                | 9         | 5.8  | 5.0    | 3.1            |
| 19                | 13        | 9.1  | 8.3    | 6.1            |
| 20                | 255       | 8.1  | 5.0    | 7.3            |
| 21                | 2         | 6.5  | 6.5    | 5.0            |
| 22                | 22        | 8.7  | 7.7    | 6.0            |
| 23                | 9         | 7.2  | 9.0    | 3.5            |
| 24                | 50        | 11.9 | 10.0   | 6.5            |
| 25                | 19        | 14.5 | 10.0   | 11.8           |
| 26                | 48        | 12.1 | 10.0   | 14.0           |
| 27                | 32        | 12.3 | 10.0   | 8.5            |
| 28                | 27        | 13.9 | 13.0   | 5.7            |
| 29                | 21        | 13.6 | 10.0   | 10.5           |
| 30                | 67        | 10.8 | 7.0    | 11.1           |
| 31                | 13        | 10.2 | 11.5   | 4.9            |
| Not Given         | 224       | 7.7  | 5.0    | 8.3            |
| Statewide         | 1289      | 9.0  | 6.0    | 8.3            |

## PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 45 lists the average PPD multiplier for cases concluded in 2000 involving arm injuries where in the injured worker returned to work. The statewide mean multiplier is 2.7 with a range from 2.1 in Judicial District 3 to 4.0 in Judicial Districts 5 and 12. The statewide mean multiplier for 2001 cases is 2.8. The range is from 2.0 in Judicial District 2 to 7.7 in Judicial District 1. This data is listed in Table 46. For both years, cases were only selected for analysis if PPI ratings and PPD judgment/settlement percentages were to the arm. Also for both years, differences between judicial districts are statistically significant.<sup>21</sup>

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<sup>21</sup>  $p < .01$  Kruskal Wallis Test

**Table 45: Calendar Year - 2000: Permanent Partial Disability Multipliers - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 8         | 2.9  | 2.5    | 1.9            |
| 2                 | 19        | 2.2  | 2.0    | 1.3            |
| 3                 | 20        | 2.1  | 2.0    | 0.7            |
| 4                 | 19        | 3.0  | 2.5    | 2.0            |
| 5                 | 7         | 4.0  | 3.0    | 2.8            |
| 6                 | 99        | 2.6  | 2.0    | 1.9            |
| 7                 | 37        | 3.1  | 2.5    | 1.9            |
| 8                 | 11        | 3.7  | 3.7    | 1.9            |
| 9                 | 13        | 3.2  | 3.0    | 1.1            |
| 10                | 30        | 2.6  | 2.5    | 1.1            |
| 11                | 96        | 2.6  | 2.0    | 2.1            |
| 12                | 21        | 4.0  | 3.2    | 3.6            |
| 13                | 30        | 3.3  | 3.0    | 1.5            |
| 14                | 8         | 3.3  | 2.8    | 2.0            |
| 15                | 18        | 3.0  | 2.7    | 1.4            |
| 16                | 98        | 2.7  | 2.0    | 1.6            |
| 17                | 15        | 3.7  | 3.0    | 2.7            |
| 18                | 9         | 2.8  | 3.0    | 1.0            |
| 19                | 18        | 2.9  | 3.0    | 0.9            |
| 20                | 277       | 2.6  | 2.3    | 1.4            |
| 21                | 8         | 2.5  | 2.6    | 0.9            |
| 22                | 8         | 3.1  | 3.1    | 0.7            |
| 23                | 6         | 2.2  | 2.3    | 0.7            |
| 24                | 45        | 2.5  | 2.3    | 1.5            |
| 25                | 12        | 2.1  | 2.0    | 0.7            |
| 26                | 56        | 2.4  | 2.0    | 1.2            |
| 27                | 37        | 2.2  | 2.0    | 1.3            |
| 28                | 14        | 2.4  | 2.4    | 1.1            |
| 29                | 20        | 2.2  | 2.0    | 1.4            |
| 30                | 92        | 2.6  | 2.3    | 1.4            |
| 31                | 20        | 2.7  | 2.4    | 1.8            |
| Not Given         | 210       | 2.6  | 2.0    | 1.7            |
| Statewide         | 1381      | 2.7  | 2.3    | 1.7            |

**Table 46: Calendar Year - 2001: Permanent Partial Disability Multipliers - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 7.7  | 11.1   | 5.0            |
| 2                 | 11        | 2.0  | 2.0    | 0.8            |
| 3                 | 30        | 2.5  | 2.0    | 1.4            |
| 4                 | 8         | 2.4  | 2.2    | 0.5            |
| 5                 | 7         | 2.7  | 2.5    | 2.0            |
| 6                 | 73        | 3.0  | 2.8    | 1.6            |
| 7                 | 30        | 5.0  | 4.0    | 3.4            |
| 8                 | 17        | 4.1  | 3.0    | 4.0            |
| 9                 | 4         | 3.5  | 3.4    | 0.8            |
| 10                | 32        | 2.9  | 2.6    | 1.8            |
| 11                | 82        | 2.6  | 2.2    | 1.3            |
| 12                | 20        | 4.4  | 3.2    | 3.5            |
| 13                | 27        | 3.4  | 3.3    | 1.5            |
| 14                | 3         | 3.8  | 3.1    | 1.3            |
| 15                | 15        | 3.5  | 3.0    | 1.8            |
| 16                | 99        | 3.4  | 2.8    | 2.2            |
| 17                | 16        | 2.3  | 2.5    | 0.7            |
| 18                | 9         | 3.4  | 3.5    | 0.7            |
| 19                | 13        | 3.0  | 3.0    | 1.0            |
| 20                | 254       | 2.6  | 2.5    | 1.4            |
| 21                | 2         | 2.5  | 2.5    | 0.7            |
| 22                | 21        | 2.3  | 2.0    | 1.5            |
| 23                | 9         | 3.7  | 2.6    | 3.5            |
| 24                | 50        | 2.5  | 2.3    | 1.2            |
| 25                | 19        | 2.5  | 2.3    | 1.1            |
| 26                | 48        | 2.4  | 2.2    | 1.3            |
| 27                | 32        | 2.5  | 2.0    | 2.4            |
| 28                | 27        | 2.5  | 2.3    | 1.2            |
| 29                | 21        | 2.4  | 2.1    | 1.6            |
| 30                | 67        | 2.6  | 2.5    | 1.7            |
| 31                | 13        | 2.3  | 2.0    | 1.2            |
| Not Given         | 222       | 2.5  | 2.2    | 1.4            |
| Statewide         | 1286      | 2.8  | 2.5    | 1.8            |

## PERMANENT PARTIAL DISABILITY PERCENTAGE

The average PPD percentage for 2000 return to work (for pre-injury employer) arm cases are listed in Table 47. The statewide mean is 20.6% to the arm (41.2 weeks) with a range of 13.8% in Judicial District 1 to 33.8% in Judicial District 8. For the same type of cases in 2001, the data ranges from 15.7% in Judicial District 6 to 43.5% in Judicial District 1 with a statewide mean of 21.1% (42.2 weeks). Table 48 displays the calendar year 2001 data. Differences between judicial districts for both years are statistically significant.<sup>22</sup>

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<sup>22</sup>  $p < .01$  Kruskal Wallis Test

**Table 47: Calendar Year - 2000: Percentage Awarded for Permanent Partial Disability Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 8         | 13.8 | 11.8   | 5.7            |
| 2                 | 19        | 18.5 | 10.0   | 22.2           |
| 3                 | 20        | 17.7 | 14.5   | 10.4           |
| 4                 | 19        | 26.9 | 22.0   | 17.8           |
| 5                 | 7         | 21.9 | 15.0   | 16.0           |
| 6                 | 99        | 18.8 | 12.5   | 18.0           |
| 7                 | 37        | 25.6 | 22.0   | 16.2           |
| 8                 | 11        | 33.8 | 35.0   | 21.7           |
| 9                 | 13        | 23.6 | 25.0   | 7.8            |
| 10                | 30        | 24.8 | 23.8   | 17.8           |
| 11                | 96        | 17.6 | 11.9   | 16.5           |
| 12                | 21        | 29.4 | 25.0   | 17.5           |
| 13                | 30        | 31.9 | 35.0   | 15.2           |
| 14                | 8         | 15.4 | 15.0   | 6.5            |
| 15                | 18        | 32.0 | 26.0   | 20.5           |
| 16                | 98        | 17.0 | 15.0   | 10.6           |
| 17                | 15        | 18.7 | 15.3   | 7.5            |
| 18                | 9         | 21.4 | 17.0   | 13.2           |
| 19                | 18        | 30.3 | 28.3   | 18.8           |
| 20                | 276       | 17.9 | 15.0   | 13.3           |
| 21                | 8         | 31.8 | 18.4   | 29.0           |
| 22                | 8         | 22.9 | 22.2   | 7.2            |
| 23                | 6         | 22.2 | 25.0   | 8.1            |
| 24                | 45        | 29.4 | 25.0   | 16.5           |
| 25                | 12        | 27.7 | 26.4   | 7.2            |
| 26                | 56        | 19.3 | 20.0   | 10.9           |
| 27                | 37        | 20.4 | 20.0   | 14.0           |
| 28                | 14        | 24.1 | 20.0   | 14.5           |
| 29                | 20        | 19.6 | 15.0   | 21.0           |
| 30                | 93        | 20.7 | 15.0   | 17.6           |
| 31                | 20        | 19.3 | 15.0   | 9.9            |
| Not Given         | 209       | 19.0 | 14.4   | 16.4           |
| Statewide         | 1380      | 20.6 | 17.5   | 15.8           |

**Table 48: Calendar Year - 2001: Percentage Awarded for Permanent Partial Disability Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 43.5 | 30.0   | 32.8           |
| 2                 | 11        | 16.9 | 10.4   | 17.3           |
| 3                 | 30        | 21.4 | 12.9   | 17.3           |
| 4                 | 8         | 32.4 | 29.8   | 14.7           |
| 5                 | 7         | 23.0 | 12.5   | 15.9           |
| 6                 | 73        | 15.7 | 12.0   | 12.6           |
| 7                 | 30        | 35.2 | 30.5   | 23.5           |
| 8                 | 17        | 33.9 | 30.0   | 21.2           |
| 9                 | 4         | 23.4 | 22.8   | 6.0            |
| 10                | 32        | 23.7 | 22.5   | 15.6           |
| 11                | 82        | 18.2 | 13.9   | 16.3           |
| 12                | 20        | 31.0 | 21.5   | 23.5           |
| 13                | 27        | 28.7 | 20.0   | 20.8           |
| 14                | 3         | 29.7 | 21.0   | 20.4           |
| 15                | 15        | 28.7 | 23.3   | 16.1           |
| 16                | 99        | 17.7 | 13.5   | 12.2           |
| 17                | 16        | 23.6 | 16.9   | 22.3           |
| 18                | 9         | 19.7 | 20.0   | 10.1           |
| 19                | 13        | 23.2 | 26.0   | 11.4           |
| 20                | 254       | 19.1 | 15.0   | 15.8           |
| 21                | 2         | 18.0 | 18.0   | 17.0           |
| 22                | 21        | 17.3 | 15.0   | 13.5           |
| 23                | 9         | 22.0 | 22.5   | 10.6           |
| 24                | 50        | 25.4 | 25.0   | 10.8           |
| 25                | 19        | 29.8 | 24.5   | 20.9           |
| 26                | 48        | 22.6 | 21.0   | 17.3           |
| 27                | 32        | 19.8 | 15.0   | 11.2           |
| 28                | 27        | 28.6 | 25.0   | 12.0           |
| 29                | 21        | 24.9 | 20.3   | 15.1           |
| 30                | 66        | 22.0 | 20.0   | 17.7           |
| 31                | 13        | 23.2 | 23.0   | 13.6           |
| Not Given         | 224       | 17.7 | 12.5   | 17.7           |
| Statewide         | 1287      | 21.1 | 16.0   | 16.8           |

## PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Tables 49 and 50 display the average PPD monetary amounts paid in return to work arm cases for 2000 and 2001 respectively. In 2000, the mean amount paid for return to work arm cases is \$14,739.69 with a range of \$7,541.96 in Judicial District 14 to \$25,496.25 in Judicial District 7. For 2001, the statewide mean is \$16,052.70 with a range from \$7,134.67 in Judicial District 28 to \$29,311.80 in Judicial District 23.

**Table 49: Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 11        | \$12,698.36 | \$10,820.00 | \$10,519.71    |
| 2                 | 22        | \$14,586.59 | \$9,813.10  | \$15,092.03    |
| 3                 | 23        | \$12,610.74 | \$10,000.00 | \$12,376.29    |
| 4                 | 21        | \$14,660.86 | \$15,745.60 | \$10,034.62    |
| 5                 | 7         | \$13,517.40 | \$11,225.00 | \$9,070.06     |
| 6                 | 109       | \$11,091.29 | \$8,079.90  | \$11,312.93    |
| 7                 | 41        | \$25,496.25 | \$20,793.50 | \$19,496.03    |
| 8                 | 14        | \$19,955.75 | \$15,645.00 | \$20,385.09    |
| 9                 | 16        | \$16,508.22 | \$12,895.90 | \$15,392.04    |
| 10                | 37        | \$13,627.22 | \$11,479.80 | \$11,904.08    |
| 11                | 106       | \$11,891.85 | \$6,267.45  | \$13,025.58    |
| 12                | 22        | \$22,151.80 | \$14,600.00 | \$15,634.51    |
| 13                | 33        | \$21,536.09 | \$20,000.00 | \$16,760.32    |
| 14                | 8         | \$7,541.96  | \$5,525.60  | \$7,874.20     |
| 15                | 18        | \$20,866.05 | \$17,862.78 | \$18,382.18    |
| 16                | 115       | \$19,541.72 | \$12,360.00 | \$22,634.51    |
| 17                | 18        | \$14,121.21 | \$11,211.55 | \$13,943.63    |
| 18                | 12        | \$10,246.84 | \$7,331.68  | \$11,885.06    |
| 19                | 21        | \$25,377.67 | \$17,000.00 | \$22,109.92    |
| 20                | 309       | \$13,003.29 | \$10,000.00 | \$11,750.95    |
| 21                | 8         | \$19,197.64 | \$13,124.55 | \$13,462.85    |
| 22                | 12        | \$17,697.75 | \$16,996.25 | \$13,591.88    |
| 23                | 7         | \$22,040.10 | \$17,142.00 | \$17,488.44    |
| 24                | 54        | \$18,180.46 | \$18,286.15 | \$12,867.49    |
| 25                | 15        | \$13,385.61 | \$11,565.40 | \$11,666.54    |
| 26                | 63        | \$16,810.14 | \$13,168.32 | \$13,434.62    |
| 27                | 39        | \$12,449.28 | \$9,500.00  | \$10,602.83    |
| 28                | 17        | \$18,170.78 | \$12,900.00 | \$15,953.19    |
| 29                | 24        | \$12,897.73 | \$9,988.03  | \$13,947.54    |
| 30                | 106       | \$13,864.57 | \$9,644.66  | \$14,451.79    |
| 31                | 22        | \$17,463.35 | \$15,099.90 | \$14,467.26    |
|                   |           |             |             |                |
| Not Given         | 236       | \$12,024.21 | \$7,814.60  | \$14,343.41    |
|                   |           |             |             |                |
| Statewide         | 1566      | \$14,739.69 | \$10,820.00 | \$14,843.24    |

**Table 50: Calendar Year - 2001: Permanent Partial Disability - Monetary Benefits - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 11        | \$15,771.45 | \$8,960.20  | \$15,641.53    |
| 2                 | 15        | \$11,492.61 | \$6,000.00  | \$9,782.34     |
| 3                 | 17        | \$12,914.18 | \$11,193.84 | \$10,664.92    |
| 4                 | 20        | \$14,324.54 | \$13,338.35 | \$11,652.65    |
| 5                 | 7         | \$12,346.13 | \$15,310.62 | \$8,875.06     |
| 6                 | 71        | \$13,607.15 | \$10,464.44 | \$11,131.63    |
| 7                 | 20        | \$19,223.86 | \$14,297.10 | \$17,476.14    |
| 8                 | 13        | \$21,108.28 | \$23,870.70 | \$21,007.83    |
| 9                 | 14        | \$27,051.86 | \$23,120.74 | \$24,007.34    |
| 10                | 25        | \$15,844.20 | \$6,000.00  | \$18,486.95    |
| 11                | 106       | \$15,066.58 | \$8,308.90  | \$19,122.88    |
| 12                | 10        | \$9,945.77  | \$6,930.21  | \$9,599.79     |
| 13                | 18        | \$12,560.29 | \$11,269.20 | \$7,270.46     |
| 14                | 5         | \$17,853.63 | \$16,448.16 | \$12,651.02    |
| 15                | 20        | \$22,177.35 | \$18,881.73 | \$12,093.12    |
| 16                | 69        | \$16,357.42 | \$12,000.00 | \$14,271.87    |
| 17                | 9         | \$14,339.49 | \$16,254.60 | \$9,060.16     |
| 18                | 11        | \$16,092.69 | \$11,000.00 | \$16,267.19    |
| 19                | 16        | \$10,851.12 | \$10,992.18 | \$8,923.39     |
| 20                | 293       | \$12,259.04 | \$9,500.00  | \$10,918.49    |
| 21                | 4         | \$12,768.65 | \$12,627.30 | \$1,714.27     |
| 22                | 19        | \$10,273.04 | \$5,667.20  | \$11,513.80    |
| 23                | 2         | \$29,311.80 | \$29,311.80 | \$6,234.14     |
| 24                | 5         | \$22,410.78 | \$24,274.90 | \$16,951.56    |
| 25                | 8         | \$7,248.80  | \$4,375.51  | \$6,109.27     |
| 26                | 46        | \$17,000.41 | \$15,687.28 | \$11,772.05    |
| 27                | 21        | \$21,383.66 | \$13,469.50 | \$22,458.63    |
| 28                | 3         | \$7,134.67  | \$7,806.08  | \$4,270.01     |
| 29                | 8         | \$23,752.30 | \$18,364.59 | \$22,436.93    |
| 30                | 107       | \$14,662.36 | \$10,500.00 | \$12,752.29    |
| 31                | 4         | \$19,430.94 | \$18,740.00 | \$13,909.98    |
|                   |           |             |             |                |
| Not Given         | 252       | \$12,440.19 | \$7,868.10  | \$14,094.42    |
|                   |           |             |             |                |
| Statewide         | 1438      | \$16,052.70 | \$11,516.10 | \$15,466.24    |

## ARM INJURIES - RETURN TO WORK SUMMARY

Tables 51 and 52 display the median PPI, median PPD multiplier and median PPD percentage amount for 2000 and 2001 return to work arm cases respectively. This data is provided as a summary of previous tables given.

**Table 51: Calendar Year - 2000: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 5.5        | 8         | 2.5               | 8         | 11.8       | 8         |
| 2                 | 5.0        | 19        | 2.0               | 19        | 10.0       | 19        |
| 3                 | 8.0        | 20        | 2.0               | 20        | 14.5       | 20        |
| 4                 | 10.0       | 19        | 2.5               | 19        | 22.0       | 19        |
| 5                 | 5.0        | 7         | 3.0               | 7         | 15.0       | 7         |
| 6                 | 5.0        | 99        | 2.0               | 99        | 12.5       | 99        |
| 7                 | 10.0       | 37        | 2.5               | 37        | 22.0       | 37        |
| 8                 | 10.0       | 11        | 3.7               | 11        | 35.0       | 11        |
| 9                 | 8.0        | 13        | 3.0               | 13        | 25.0       | 13        |
| 10                | 9.0        | 30        | 2.5               | 30        | 23.8       | 30        |
| 11                | 5.0        | 96        | 2.0               | 96        | 11.9       | 96        |
| 12                | 7.0        | 21        | 3.2               | 21        | 25.0       | 21        |
| 13                | 10.0       | 30        | 3.0               | 30        | 35.0       | 30        |
| 14                | 5.0        | 8         | 2.8               | 8         | 15.0       | 8         |
| 15                | 10.0       | 18        | 2.7               | 18        | 26.0       | 18        |
| 16                | 7.5        | 98        | 2.0               | 98        | 15.0       | 98        |
| 17                | 5.0        | 15        | 3.0               | 15        | 15.3       | 15        |
| 18                | 9.0        | 9         | 3.0               | 9         | 17.0       | 9         |
| 19                | 10.0       | 18        | 3.0               | 18        | 28.3       | 18        |
| 20                | 5.0        | 277       | 2.3               | 277       | 15.0       | 276       |
| 21                | 10.0       | 8         | 2.6               | 8         | 18.4       | 8         |
| 22                | 9.5        | 8         | 3.1               | 8         | 22.2       | 8         |
| 23                | 10.0       | 6         | 2.3               | 6         | 25.0       | 6         |
| 24                | 10.0       | 45        | 2.3               | 45        | 25.0       | 45        |
| 25                | 12.5       | 12        | 2.0               | 12        | 26.4       | 12        |
| 26                | 10.0       | 56        | 2.0               | 56        | 20.0       | 56        |
| 27                | 10.0       | 37        | 2.0               | 37        | 20.0       | 37        |
| 28                | 10.0       | 14        | 2.4               | 14        | 20.0       | 14        |
| 29                | 7.3        | 20        | 2.0               | 20        | 15.0       | 20        |
| 30                | 5.0        | 92        | 2.3               | 92        | 15.0       | 93        |
| 31                | 8.5        | 20        | 2.4               | 20        | 15.0       | 20        |
| Not Given         | 6.0        | 210       | 2.0               | 210       | 14.4       | 209       |
| Statewide         | 7.0        | 1381      | 2.3               | 1381      | 17.5       | 1380      |

**Table 52: Calendar Year - 2001: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Arm Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 7.0        | 5         | 11.1              | 5         | 30.0       | 5         |
| 2                 | 5.0        | 11        | 2.0               | 11        | 10.4       | 11        |
| 3                 | 5.0        | 30        | 2.0               | 30        | 12.9       | 30        |
| 4                 | 12.5       | 8         | 2.2               | 8         | 29.8       | 8         |
| 5                 | 8.0        | 7         | 2.5               | 7         | 12.5       | 7         |
| 6                 | 5.0        | 73        | 2.8               | 73        | 12.0       | 73        |
| 7                 | 7.5        | 30        | 4.0               | 30        | 30.5       | 30        |
| 8                 | 10.0       | 17        | 3.0               | 17        | 30.0       | 17        |
| 9                 | 7.5        | 4         | 3.4               | 4         | 22.8       | 4         |
| 10                | 10.0       | 32        | 2.6               | 32        | 22.5       | 32        |
| 11                | 5.0        | 82        | 2.2               | 82        | 13.9       | 82        |
| 12                | 10.0       | 20        | 3.2               | 20        | 21.5       | 20        |
| 13                | 5.0        | 27        | 3.3               | 27        | 20.0       | 27        |
| 14                | 7.5        | 3         | 3.1               | 3         | 21.0       | 3         |
| 15                | 9.0        | 15        | 3.0               | 15        | 23.3       | 15        |
| 16                | 5.0        | 99        | 2.8               | 99        | 13.5       | 99        |
| 17                | 8.5        | 16        | 2.5               | 16        | 16.9       | 16        |
| 18                | 5.0        | 9         | 3.5               | 9         | 20.0       | 9         |
| 19                | 8.3        | 13        | 3.0               | 13        | 26.0       | 13        |
| 20                | 5.0        | 254       | 2.5               | 254       | 15.0       | 254       |
| 21                | 6.5        | 2         | 2.5               | 2         | 18.0       | 2         |
| 22                | 8.3        | 21        | 2.0               | 21        | 15.0       | 21        |
| 23                | 9.0        | 9         | 2.6               | 9         | 22.5       | 9         |
| 24                | 10.0       | 50        | 2.3               | 50        | 25.0       | 50        |
| 25                | 10.0       | 19        | 2.3               | 19        | 24.5       | 19        |
| 26                | 10.0       | 48        | 2.2               | 48        | 21.0       | 48        |
| 27                | 10.0       | 32        | 2.0               | 32        | 15.0       | 32        |
| 28                | 13.0       | 27        | 2.3               | 27        | 25.0       | 27        |
| 29                | 10.0       | 21        | 2.1               | 21        | 20.3       | 21        |
| 30                | 7.0        | 67        | 2.5               | 67        | 20.0       | 66        |
| 31                | 11.5       | 13        | 2.0               | 13        | 23.0       | 13        |
| Not Given         | 5.0        | 222       | 2.2               | 222       | 12.5       | 224       |
| Statewide         | 6.0        | 1286      | 2.5               | 1286      | 16.0       | 1287      |

## **ARM INJURIES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT**

### **PERMANENT PARTIAL IMPAIRMENT RATINGS**

The average PPI ratings for calendar year 2000 arm cases in which the employee did not return to work for the pre-injury employer are listed in Table 53. The data ranges from 5.0% PPI to the arm in Judicial Districts 18 and 8 to 38.8% in Judicial District 4 with a statewide mean of 13.0%. For the same data set in 2001, the statewide mean is 11.6% to the arm with a range of 6.3% in Judicial District 14 to 29.5% in Judicial District 1. Table 54 lists the remaining 2001 PPI rating data for no return to work arm cases. Due to the small number of cases (or none at all) in each district, significance tests comparing judicial district averages were not performed on any of the data sets for no return to work arm cases. (Note: while there were some judicial districts in which none of these type of cases were reported, they could be included in the 26 cases in which a county (judicial district) was not indicated by the filing party on the SD-1 form.) Also due to the small number of cases, the ranges can appear more extreme, thus the reader is encouraged to look at the number of cases that comprise district averages before making too broad of a comparison.

**Table 53: Calendar Year - 2000: Permanent Partial Impairment - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 2         | 5.5  | 5.5    | 5.0            |
| 2                 | 2         | 16.0 | 16.0   | 12.7           |
| 3                 | 9         | 31.2 | 27.0   | 26.9           |
| 4                 | 2         | 38.8 | 38.8   | 40.7           |
| 5                 |           |      |        |                |
| 6                 | 10        | 12.5 | 8.0    | 11.9           |
| 7                 | 2         | 11.5 | 11.5   | 12.0           |
| 8                 | 1         | 5.0  |        |                |
| 9                 | 4         | 12.9 | 12.0   | 5.5            |
| 10                | 6         | 21.5 | 22.0   | 15.2           |
| 11                | 17        | 14.0 | 10.0   | 23.0           |
| 12                | 6         | 7.7  | 7.5    | 2.1            |
| 13                | 7         | 14.6 | 10.0   | 10.6           |
| 14                | 3         | 8.7  | 10.0   | 2.3            |
| 15                | 8         | 9.6  | 10.0   | 5.0            |
| 16                | 15        | 11.5 | 10.0   | 6.1            |
| 17                | 6         | 8.6  | 9.5    | 2.0            |
| 18                | 2         | 5.0  | 5.0    | 4.2            |
| 19                | 4         | 8.0  | 7.5    | 5.0            |
| 20                | 37        | 10.9 | 10.0   | 7.2            |
| 21                |           |      |        |                |
| 22                | 4         | 10.5 | 8.5    | 6.7            |
| 23                | 3         | 20.3 | 10.0   | 24.2           |
| 24                | 9         | 12.2 | 10.0   | 7.1            |
| 25                | 3         | 26.1 | 31.7   | 14.2           |
| 26                | 7         | 13.1 | 10.0   | 5.4            |
| 27                | 4         | 13.1 | 10.5   | 5.6            |
| 28                | 6         | 14.8 | 11.0   | 8.2            |
| 29                | 3         | 14.0 | 20.0   | 10.4           |
| 30                | 18        | 13.1 | 9.0    | 11.1           |
| 31                | 1         | 10.0 |        |                |
| Not Given         | 26        | 8.7  | 6.0    | 5.8            |
| Statewide         | 227       | 12.9 | 10.0   | 12.5           |

**Table 54: Calendar Year - 2001: Permanent Partial Impairment - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 29.5 | 34.0   | 13.8           |
| 2                 | 1         | 20.0 |        |                |
| 3                 | 6         | 10.3 | 10.0   | 7.3            |
| 4                 | 3         | 16.3 | 10.0   | 11.0           |
| 5                 | 2         | 27.0 | 27.0   | 32.5           |
| 6                 | 20        | 10.9 | 9.5    | 9.9            |
| 7                 | 3         | 7.5  | 6.5    | 4.1            |
| 8                 | 2         | 10.0 |        | 0.0            |
| 9                 | 3         | 7.5  | 7.5    | 2.5            |
| 10                | 6         | 25.3 | 23.8   | 23.4           |
| 11                | 31        | 9.2  | 7.0    | 8.5            |
| 12                | 8         | 13.5 | 14.0   | 7.2            |
| 13                | 7         | 11.9 | 10.0   | 11.6           |
| 14                | 4         | 6.3  | 5.0    | 2.5            |
| 15                | 7         | 12.3 | 12.0   | 6.9            |
| 16                | 21        | 7.0  | 8.0    | 4.2            |
| 17                | 5         | 10.1 | 10.0   | 4.1            |
| 18                | 4         | 17.4 | 16.5   | 1.8            |
| 19                | 4         | 7.3  | 7.0    | 2.6            |
| 20                | 53        | 10.1 | 6.0    | 10.1           |
| 21                | 0         |      |        |                |
| 22                | 6         | 21.0 | 12.5   | 25.6           |
| 23                | 0         |      |        |                |
| 24                | 15        | 11.7 | 10.0   | 5.7            |
| 25                | 4         | 8.8  | 10.0   | 2.5            |
| 26                | 14        | 16.6 | 12.5   | 11.3           |
| 27                | 4         | 10.3 | 7.5    | 7.5            |
| 28                | 9         | 13.2 | 16.0   | 7.3            |
| 29                | 6         | 9.2  | 10.0   | 2.0            |
| 30                | 19        | 14.1 | 13.0   | 9.0            |
| 31                | 3         | 13.3 | 10.0   | 5.8            |
| Not Given         | 33        | 8.6  | 5.0    | 8.7            |
| Statewide         | 308       | 11.6 | 10.0   | 10.3           |

## PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 55 lists the average PPD multipliers for no return to work arm cases for those that concluded in 2000. The statewide mean multiplier is 3.2 with a range of 1.5 in Judicial District 27 to 7.1 in Judicial District 1. For 2001 cases, as listed in Table 56, the mean multiplier is 3.3 with range of 1.2 in Judicial District 2 to 7.0 in Judicial District 9.

**Table 55: Calendar Year - 2000: Permanent Partial Disability Multipliers - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 2         | 7.1  | 7.1    | 3.0            |
| 2                 | 2         | 3.0  | 3.0    | 0.0            |
| 3                 | 9         | 2.8  | 2.5    | 2.6            |
| 4                 | 2         | 2.1  | 2.1    | 1.6            |
| 5                 | 0         |      |        |                |
| 6                 | 10        | 3.4  | 2.6    | 2.4            |
| 7                 | 2         | 3.4  | 3.4    | 2.3            |
| 8                 | 1         | 6.7  |        |                |
| 9                 | 4         | 3.9  | 3.8    | 1.7            |
| 10                | 6         | 2.8  | 2.7    | 1.4            |
| 11                | 17        | 3.6  | 3.5    | 1.9            |
| 12                | 6         | 3.6  | 3.4    | 1.4            |
| 13                | 7         | 3.7  | 4.0    | 0.9            |
| 14                | 3         | 3.0  | 2.9    | 0.3            |
| 15                | 7         | 3.8  | 3.6    | 1.5            |
| 16                | 15        | 2.8  | 2.9    | 0.8            |
| 17                | 6         | 2.9  | 2.9    | 1.8            |
| 18                | 2         | 5.9  | 5.9    | 4.1            |
| 19                | 4         | 4.8  | 4.6    | 2.5            |
| 20                | 37        | 2.5  | 2.5    | 1.3            |
| 21                | 0         |      |        |                |
| 22                | 4         | 3.1  | 3.0    | 0.6            |
| 23                | 3         | 3.9  | 3.0    | 2.4            |
| 24                | 9         | 2.5  | 2.9    | 1.2            |
| 25                | 3         | 4.4  | 3.8    | 2.2            |
| 26                | 7         | 2.8  | 2.5    | 1.1            |
| 27                | 4         | 1.5  | 1.5    | 0.6            |
| 28                | 6         | 2.0  | 1.9    | 0.5            |
| 29                | 3         | 2.3  | 1.1    | 2.2            |
| 30                | 18        | 3.7  | 3.8    | 1.4            |
| 31                | 1         | 3.0  |        |                |
| Not Given         | 26        | 3.2  | 3.0    | 1.4            |
| Statewide         | 226       | 3.2  | 3.0    | 1.7            |

**Table 56: Calendar Year - 2001: Permanent Partial Disability Multipliers - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 4.1  | 4.5    | 1.8            |
| 2                 | 1         | 1.2  |        |                |
| 3                 | 6         | 3.9  | 2.8    | 2.7            |
| 4                 | 3         | 4.3  | 3.4    | 1.9            |
| 5                 | 2         | 3.0  | 3.0    | 1.4            |
| 6                 | 20        | 4.0  | 2.9    | 3.4            |
| 7                 | 3         | 4.4  | 5.0    | 2.7            |
| 8                 | 2         | 4.3  | 4.3    | 1.2            |
| 9                 | 3         | 7.0  | 7.0    | 2.0            |
| 10                | 6         | 4.8  | 3.8    | 3.4            |
| 11                | 31        | 3.5  | 3.5    | 1.7            |
| 12                | 8         | 3.0  | 3.1    | 1.2            |
| 13                | 6         | 4.7  | 4.6    | 1.5            |
| 14                | 4         | 2.6  | 3.0    | 0.9            |
| 15                | 7         | 5.1  | 2.8    | 3.8            |
| 16                | 21        | 3.6  | 3.4    | 1.9            |
| 17                | 5         | 2.4  | 3.0    | 1.5            |
| 18                | 4         | 2.3  | 2.6    | 0.7            |
| 19                | 4         | 5.6  | 6.0    | 1.1            |
| 20                | 52        | 2.7  | 2.8    | 1.1            |
| 21                |           |      |        |                |
| 22                | 6         | 3.0  | 2.7    | 1.7            |
| 23                |           |      |        |                |
| 24                | 15        | 2.5  | 2.5    | 1.3            |
| 25                | 4         | 2.4  | 2.0    | 1.1            |
| 26                | 14        | 2.6  | 2.6    | 1.3            |
| 27                | 4         | 4.5  | 5.0    | 3.1            |
| 28                | 9         | 2.7  | 2.4    | 1.5            |
| 29                | 6         | 3.1  | 3.0    | 1.5            |
| 30                | 19        | 2.2  | 2.0    | 1.2            |
| 31                | 3         | 2.5  | 2.2    | 1.3            |
| Not Given         | 33        | 3.3  | 3.0    | 1.7            |
| Statewide         | 306       | 3.3  | 3.0    | 2.0            |

#### PERMANENT PARTIAL DISABILITY PERCENTAGE

Average PPD percentages for cases that involved arm injuries where the worker did not return to work for the pre-injury employer are listed in Tables 57 and 58 for cases closed in 2000 and 2001 respectively. The mean PPD percentage for 2000 is 30.2% to the arm (60.4 weeks) with a range of 16.5% in Judicial District 29 to 50.0% in Judicial District 4. The statewide mean PPD percentage for no return to work arm cases in 2001 is 28.5% (57 weeks) with a range of 14.4 in Judicial District 14 to 65.0 in Judicial District 4.

**Table 57: Calendar Year - 2000: Percentage Awarded for Permanent Partial Disability Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 2         | 46.5 | 46.5   | 51.6           |
| 2                 | 2         | 48.1 | 48.1   | 38.1           |
| 3                 | 9         | 35.8 | 40.0   | 12.9           |
| 4                 | 2         | 50.0 | 50.0   | 24.7           |
| 5                 | 0         |      |        |                |
| 6                 | 10        | 31.2 | 29.3   | 18.0           |
| 7                 | 2         | 24.5 | 24.5   | 13.4           |
| 8                 | 1         | 33.6 |        |                |
| 9                 | 4         | 45.6 | 48.0   | 15.5           |
| 10                | 6         | 31.0 | 27.3   | 16.7           |
| 11                | 17        | 31.0 | 25.0   | 20.4           |
| 12                | 6         | 25.8 | 24.2   | 8.1            |
| 13                | 7         | 34.2 | 35.0   | 11.5           |
| 14                | 3         | 25.3 | 28.0   | 5.7            |
| 15                | 8         | 41.7 | 36.5   | 15.3           |
| 16                | 15        | 29.1 | 22.5   | 13.7           |
| 17                | 6         | 26.7 | 24.1   | 19.5           |
| 18                | 2         | 20.8 | 20.8   | 4.6            |
| 19                | 4         | 30.2 | 26.0   | 10.0           |
| 20                | 37        | 24.0 | 22.0   | 15.1           |
| 21                | 0         |      |        |                |
| 22                | 4         | 31.5 | 30.5   | 16.3           |
| 23                | 3         | 50.0 | 30.0   | 43.6           |
| 24                | 9         | 24.9 | 23.0   | 11.3           |
| 25                | 3         | 39.3 | 25.0   | 24.8           |
| 26                | 7         | 34.7 | 30.0   | 13.6           |
| 27                | 4         | 17.8 | 20.0   | 5.8            |
| 28                | 6         | 26.2 | 23.9   | 7.9            |
| 29                | 3         | 16.5 | 17.5   | 6.6            |
| 30                | 18        | 39.0 | 29.8   | 26.1           |
| 31                | 1         | 30.0 |        |                |
| Not Given         | 26        | 24.3 | 22.5   | 14.2           |
| Statewide         | 227       | 30.2 | 25.3   | 17.7           |

**Table 58: Calendar Year - 2001: Percentage Awarded for Permanent Partial Disability Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 58.4 | 48.9   | 27.9           |
| 2                 | 1         | 23.0 |        |                |
| 3                 | 6         | 31.6 | 32.9   | 15.9           |
| 4                 | 3         | 65.0 | 65.0   | 35.0           |
| 5                 | 2         | 58.0 | 58.0   | 59.4           |
| 6                 | 20        | 28.4 | 17.5   | 24.0           |
| 7                 | 3         | 25.8 | 27.0   | 7.3            |
| 8                 | 2         | 42.7 | 42.7   | 12.3           |
| 9                 | 3         | 48.3 | 50.0   | 12.6           |
| 10                | 6         | 24.6 | 25.0   | 10.8           |
| 11                | 31        | 25.8 | 21.0   | 14.6           |
| 12                | 8         | 38.7 | 36.0   | 24.1           |
| 13                | 7         | 44.0 | 35.0   | 19.5           |
| 14                | 4         | 14.4 | 15.0   | 1.3            |
| 15                | 7         | 31.8 | 25.0   | 13.7           |
| 16                | 21        | 22.0 | 23.5   | 13.2           |
| 17                | 5         | 23.3 | 30.0   | 14.8           |
| 18                | 4         | 37.5 | 42.5   | 11.9           |
| 19                | 4         | 42.3 | 44.5   | 20.3           |
| 20                | 53        | 24.0 | 20.0   | 18.8           |
| 21                |           |      |        |                |
| 22                | 6         | 44.1 | 37.5   | 33.4           |
| 23                |           |      |        |                |
| 24                | 15        | 22.6 | 25.0   | 6.3            |
| 25                | 4         | 16.5 | 17.5   | 5.1            |
| 26                | 14        | 36.6 | 33.0   | 20.1           |
| 27                | 4         | 35.3 | 35.8   | 20.3           |
| 28                | 9         | 29.3 | 25.0   | 15.3           |
| 29                | 6         | 27.3 | 20.4   | 14.2           |
| 30                | 19        | 23.3 | 18.0   | 14.2           |
| 31                | 3         | 32.8 | 39.6   | 15.5           |
| Not Given         | 33        | 24.0 | 17.5   | 20.8           |
| Statewide         | 308       | 28.5 | 23.8   | 19.6           |

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Tables 59 and 60 display average PPD monetary benefits paid for no return to work arm cases concluded in 2000 and 2001 respectively. The mean dollar amount paid in 2000 is \$20,188.79 with a range of \$0.00 in Judicial District 5 to \$38,400.00 in Judicial District 8. It should be noted that Judicial Districts 5 and 8 have only one no return to work arm case and for the case in Judicial District 5, the party filing the SD-1 form indicated zero dollars paid. The statewide mean for this type of case in 2001 is \$19,696.23, slightly less than in calendar year 2000, with a range of \$8,525.24 in Judicial District 14 to \$58,413.40 in Judicial District 18.

**Table 59: Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 3         | \$34,254.40 | \$49,257.00 | \$26,631.31    |
| 2                 | 2         | \$15,049.50 | \$15,049.50 | \$21,283.21    |
| 3                 | 11        | \$17,167.74 | \$16,028.80 | \$19,548.23    |
| 4                 | 2         | \$7,823.80  | \$7,823.80  | \$7,320.25     |
| 5                 | 1         | \$0.00      |             |                |
| 6                 | 13        | \$19,085.54 | \$12,655.20 | \$21,337.38    |
| 7                 | 2         | \$15,207.45 | \$15,207.45 | \$15,781.99    |
| 8                 | 1         | \$38,400.00 |             |                |
| 9                 | 5         | \$28,185.42 | \$25,130.40 | \$21,036.50    |
| 10                | 7         | \$7,266.71  | \$7,000.00  | \$7,344.51     |
| 11                | 17        | \$25,429.11 | \$15,680.28 | \$30,950.73    |
| 12                | 6         | \$19,143.33 | \$17,799.50 | \$15,338.49    |
| 13                | 7         | \$10,189.96 | \$5,866.80  | \$12,592.71    |
| 14                | 3         | \$15,701.90 | \$11,652.75 | \$8,074.70     |
| 15                | 9         | \$28,645.00 | \$25,382.00 | \$15,846.89    |
| 16                | 17        | \$20,573.79 | \$10,070.89 | \$26,062.70    |
| 17                | 6         | \$12,071.74 | \$4,356.31  | \$15,518.54    |
| 18                | 2         | \$11,207.59 | \$11,207.59 | \$6,032.60     |
| 19                | 5         | \$35,830.74 | \$43,492.00 | \$15,321.85    |
| 20                | 40        | \$16,637.89 | \$13,000.40 | \$15,347.66    |
| 21                | 0         |             |             |                |
| 22                | 6         | \$32,444.58 | \$22,195.70 | \$26,800.61    |
| 23                | 3         | \$25,036.80 | \$25,202.40 | \$14,454.71    |
| 24                | 9         | \$20,568.90 | \$20,781.60 | \$13,639.91    |
| 25                | 3         | \$20,706.00 | \$27,249.00 | \$18,332.21    |
| 26                | 9         | \$18,171.22 | \$18,671.04 | \$15,054.07    |
| 27                | 5         | \$11,698.35 | \$8,000.00  | \$10,086.58    |
| 28                | 7         | \$16,245.91 | \$16,400.00 | \$10,812.63    |
| 29                | 4         | \$14,027.00 | \$11,004.30 | \$9,673.65     |
| 30                | 21        | \$27,911.39 | \$18,388.00 | \$25,921.21    |
| 31                | 1         | \$30,442.80 |             |                |
| Not Given         | 31        | \$20,145.36 | \$9,880.80  | \$52,764.59    |
| Statewide         | 258       | \$20,188.79 | \$14,344.75 | \$25,886.12    |

**Table 60: Calendar Year - 2001: Permanent Partial Disability - Monetary Benefits - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 5         | \$35,390.96 | \$39,258.00 | \$11,644.79    |
| 2                 | 1         | \$20,143.40 |             |                |
| 3                 | 9         | \$16,456.13 | \$8,412.48  | \$15,174.37    |
| 4                 | 4         | \$36,989.65 | \$33,607.30 | \$20,301.61    |
| 5                 | 2         | \$25,606.00 | \$25,606.00 | \$12,815.60    |
| 6                 | 25        | \$14,706.41 | \$8,000.00  | \$14,859.74    |
| 7                 | 3         | \$46,135.33 | \$11,394.00 | \$61,374.49    |
| 8                 | 2         | \$32,738.40 | \$32,738.40 | \$19,572.15    |
| 9                 | 5         | \$30,382.04 | \$13,295.10 | \$28,526.35    |
| 10                | 10        | \$15,395.92 | \$11,586.20 | \$15,065.47    |
| 11                | 34        | \$22,309.43 | \$13,651.20 | \$22,741.16    |
| 12                | 8         | \$28,346.08 | \$21,729.90 | \$27,038.78    |
| 13                | 7         | \$44,570.46 | \$29,618.40 | \$39,934.75    |
| 14                | 4         | \$8,525.24  | \$8,718.63  | \$2,156.86     |
| 15                | 8         | \$18,921.75 | \$21,250.00 | \$16,024.99    |
| 16                | 26        | \$23,200.04 | \$13,992.00 | \$28,580.48    |
| 17                | 5         | \$17,128.65 | \$14,149.06 | \$14,643.23    |
| 18                | 4         | \$58,413.40 | \$69,283.20 | \$21,739.60    |
| 19                | 6         | \$20,585.11 | \$12,217.27 | \$18,184.03    |
| 20                | 55        | \$13,946.13 | \$11,142.40 | \$13,471.68    |
| 21                |           |             |             |                |
| 22                | 7         | \$30,806.97 | \$42,500.00 | \$23,502.26    |
| 23                |           |             |             |                |
| 24                | 15        | \$11,882.41 | \$10,886.75 | \$9,650.24     |
| 25                | 4         | \$10,984.40 | \$8,830.80  | \$6,453.31     |
| 26                | 16        | \$28,270.93 | \$22,967.10 | \$22,130.48    |
| 27                | 4         | \$18,740.07 | \$22,480.14 | \$7,493.40     |
| 28                | 11        | \$11,348.04 | \$8,330.50  | \$8,092.52     |
| 29                | 6         | \$23,519.20 | \$20,140.00 | \$14,339.91    |
| 30                | 24        | \$18,998.01 | \$9,874.16  | \$27,505.01    |
| 31                | 3         | \$22,666.03 | \$30,000.00 | \$14,920.32    |
| Not Given         | 38        | \$11,599.33 | \$6,147.30  | \$11,852.47    |
| Statewide         | 351       | \$19,696.23 | \$13,023.78 | \$20,968.69    |

#### ARM INJURIES- NO RETURN TO WORK SUMMARY

Tables 61 and 62 display the median PPI, median PPD multiplier and median PPD percentage for 2000 and 2001 no return to work arm cases respectively. This data is provided as a summary of previous tables given.

**Table 61: Calendar Year - 2000: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 5.5        | 2         | 7.1               | 2         | 46.5       | 2         |
| 2                 | 16.0       | 2         | 3.0               | 2         | 48.1       | 2         |
| 3                 | 27.0       | 9         | 2.5               | 9         | 40.0       | 9         |
| 4                 | 38.8       | 2         | 2.1               | 2         | 50.0       | 2         |
| 5                 |            | 0         |                   | 0         |            | 0         |
| 6                 | 8.0        | 10        | 2.6               | 10        | 29.3       | 10        |
| 7                 | 11.5       | 2         | 3.4               | 2         | 24.5       | 2         |
| 8                 |            | 1         |                   | 1         |            | 1         |
| 9                 | 12.0       | 4         | 3.8               | 4         | 48.0       | 4         |
| 10                | 22.0       | 6         | 2.7               | 6         | 27.3       | 6         |
| 11                | 10.0       | 17        | 3.5               | 17        | 25.0       | 17        |
| 12                | 7.5        | 6         | 3.4               | 6         | 24.2       | 6         |
| 13                | 10.0       | 7         | 4.0               | 7         | 35.0       | 7         |
| 14                | 10.0       | 3         | 2.9               | 3         | 28.0       | 3         |
| 15                | 10.0       | 7         | 3.6               | 7         | 36.5       | 8         |
| 16                | 10.0       | 15        | 2.9               | 15        | 22.5       | 15        |
| 17                | 9.5        | 6         | 2.9               | 6         | 24.1       | 6         |
| 18                | 5.0        | 2         | 5.9               | 2         | 20.8       | 2         |
| 19                | 7.5        | 4         | 4.6               | 4         | 26.0       | 4         |
| 20                | 10.0       | 37        | 2.5               | 37        | 22.0       | 37        |
| 21                |            | 0         |                   | 0         |            | 0         |
| 22                | 8.5        | 4         | 3.0               | 4         | 30.5       | 4         |
| 23                | 10.0       | 3         | 3.0               | 3         | 30.0       | 3         |
| 24                | 10.0       | 9         | 2.9               | 9         | 23.0       | 9         |
| 25                | 31.7       | 3         | 3.8               | 3         | 25.0       | 3         |
| 26                | 10.0       | 7         | 2.5               | 7         | 30.0       | 7         |
| 27                | 10.5       | 4         | 1.5               | 4         | 20.0       | 4         |
| 28                | 11.0       | 6         | 1.9               | 6         | 23.9       | 6         |
| 29                | 20.0       | 3         | 1.1               | 3         | 17.5       | 3         |
| 30                | 9.0        | 18        | 3.8               | 18        | 29.8       | 18        |
| 31                |            | 1         |                   | 1         |            | 1         |
| Not Given         | 6.0        | 26        | 3.0               | 26        | 22.5       | 26        |
| Statewide         | 10.0       | 226       | 3.0               | 226       | 25.3       | 227       |

**Table 62: Calendar Year - 2001: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Arm Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 34.0       | 5         | 4.5               | 5         | 48.9       | 5         |
| 2                 |            | 1         |                   | 1         |            | 1         |
| 3                 | 10.0       | 6         | 2.8               | 6         | 32.9       | 6         |
| 4                 | 10.0       | 3         | 3.4               | 3         | 65.0       | 3         |
| 5                 | 27.0       | 2         | 3.0               | 2         | 58.0       | 2         |
| 6                 | 9.5        | 20        | 2.9               | 20        | 17.5       | 20        |
| 7                 | 6.5        | 3         | 5.0               | 3         | 27.0       | 3         |
| 8                 |            | 2         | 4.3               | 2         | 42.7       | 2         |
| 9                 | 7.5        | 3         | 7.0               | 3         | 50.0       | 3         |
| 10                | 23.8       | 6         | 3.8               | 6         | 25.0       | 6         |
| 11                | 7.0        | 31        | 3.5               | 31        | 21.0       | 31        |
| 12                | 14.0       | 8         | 3.1               | 8         | 36.0       | 8         |
| 13                | 10.0       | 6         | 4.6               | 6         | 35.0       | 7         |
| 14                | 5.0        | 4         | 3.0               | 4         | 15.0       | 4         |
| 15                | 12.0       | 7         | 2.8               | 7         | 25.0       | 7         |
| 16                | 8.0        | 21        | 3.4               | 21        | 23.5       | 21        |
| 17                | 10.0       | 5         | 3.0               | 5         | 30.0       | 5         |
| 18                | 16.5       | 4         | 2.6               | 4         | 42.5       | 4         |
| 19                | 7.0        | 4         | 6.0               | 4         | 44.5       | 4         |
| 20                | 6.0        | 52        | 2.8               | 52        | 20.0       | 53        |
| 21                |            |           |                   |           |            |           |
| 22                | 12.5       | 6         | 2.7               | 6         | 37.5       | 6         |
| 23                |            |           |                   |           |            |           |
| 24                | 10.0       | 15        | 2.5               | 15        | 25.0       | 15        |
| 25                | 10.0       | 4         | 2.0               | 4         | 17.5       | 4         |
| 26                | 12.5       | 14        | 2.6               | 14        | 33.0       | 14        |
| 27                | 7.5        | 4         | 5.0               | 4         | 35.8       | 4         |
| 28                | 16.0       | 9         | 2.4               | 9         | 25.0       | 9         |
| 29                | 10.0       | 6         | 3.0               | 6         | 20.4       | 6         |
| 30                | 13.0       | 19        | 2.0               | 19        | 18.0       | 19        |
| 31                | 10.0       | 3         | 2.2               | 3         | 39.6       | 3         |
| Not Given         | 5.0        | 33        | 3.0               | 33        | 17.5       | 33        |
| Statewide         | 10.0       | 306       | 3.0               | 306       | 23.8       | 308       |

## LEG INJURIES - EMPLOYEE RETURNED TO PRE-INJURY EMPLOYMENT

### PERMANENT PARTIAL IMPAIRMENT RATINGS

Average highest PPI ratings for 2000 cases involving a leg injury where the employee returned to work for the pre-injury employer are listed in Table 63. The statewide mean PPI rating is 9.7% to the leg with a range of 5.8% in Judicial District 17 to 22.3% in Judicial District 21. Calendar year 2001 average return to work leg injury PPI ratings are listed in Table 64. The 2001 data ranges from 5.5% in Judicial District 19 to 17.2% in Judicial District 24 with a statewide mean of 9.2% to the leg. Differences between judicial districts are statistically significant for both years.<sup>23</sup>

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<sup>23</sup>  $p < .01$  Kruskal Wallis Test

**Table 63: Calendar Year - 2000: Permanent Partial Impairment - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 10        | 7.5  | 5.5    | 7.4            |
| 2                 | 16        | 8.9  | 7.5    | 5.7            |
| 3                 | 15        | 19.5 | 10.0   | 26.7           |
| 4                 | 14        | 11.1 | 8.0    | 9.1            |
| 5                 | 4         | 17.8 | 6.0    | 24.2           |
| 6                 | 104       | 8.3  | 7.0    | 6.7            |
| 7                 | 24        | 11.9 | 8.5    | 10.4           |
| 8                 | 10        | 14.8 | 12.5   | 8.6            |
| 9                 | 14        | 6.4  | 6.0    | 4.0            |
| 10                | 24        | 10.3 | 7.0    | 12.3           |
| 11                | 83        | 11.7 | 9.0    | 10.1           |
| 12                | 16        | 9.9  | 7.0    | 12.8           |
| 13                | 16        | 8.3  | 8.0    | 5.0            |
| 14                | 6         | 6.7  | 5.5    | 3.7            |
| 15                | 12        | 9.8  | 8.5    | 6.2            |
| 16                | 57        | 8.2  | 7.0    | 10.4           |
| 17                | 12        | 5.8  | 5.0    | 2.7            |
| 18                | 11        | 10.2 | 7.0    | 7.2            |
| 19                | 14        | 10.2 | 7.5    | 4.9            |
| 20                | 228       | 8.4  | 7.0    | 7.5            |
| 21                | 2         | 22.3 | 22.3   | 21.6           |
| 22                | 16        | 11.2 | 7.3    | 13.6           |
| 23                | 5         | 13.9 | 17.5   | 7.8            |
| 24                | 18        | 12.9 | 13.5   | 5.0            |
| 25                | 11        | 19.4 | 7.0    | 28.3           |
| 26                | 28        | 12.3 | 8.0    | 10.3           |
| 27                | 29        | 14.7 | 9.0    | 15.6           |
| 28                | 5         | 13.2 | 12.0   | 12.8           |
| 29                | 3         | 14.7 | 13.0   | 10.6           |
| 30                | 152       | 9.0  | 7.0    | 9.3            |
| 31                | 6         | 9.4  | 9.5    | 6.6            |
| Not Given         | 216       | 8.9  | 7.0    | 8.1            |
| Statewide         | 1181      | 9.7  | 7.0    | 9.8            |

**Table 64: Calendar Year - 2001: Permanent Partial Impairment - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 11        | 11.5 | 7.0    | 11.7           |
| 2                 | 14        | 8.6  | 7.0    | 5.8            |
| 3                 | 15        | 16.0 | 9.0    | 16.6           |
| 4                 | 19        | 9.6  | 8.5    | 6.3            |
| 5                 | 7         | 5.7  | 5.0    | 4.2            |
| 6                 | 65        | 8.2  | 7.0    | 6.6            |
| 7                 | 19        | 8.6  | 7.0    | 8.5            |
| 8                 | 10        | 12.4 | 9.5    | 6.5            |
| 9                 | 12        | 14.3 | 8.0    | 15.7           |
| 10                | 24        | 12.1 | 8.0    | 10.2           |
| 11                | 102       | 11.4 | 8.5    | 10.9           |
| 12                | 7         | 8.9  | 7.0    | 8.5            |
| 13                | 15        | 9.5  | 7.0    | 11.7           |
| 14                | 5         | 12.4 | 12.0   | 6.1            |
| 15                | 20        | 11.2 | 10.0   | 5.1            |
| 16                | 64        | 9.0  | 7.0    | 6.7            |
| 17                | 8         | 9.0  | 9.0    | 4.5            |
| 18                | 10        | 10.9 | 8.0    | 5.6            |
| 19                | 12        | 5.5  | 5.0    | 4.7            |
| 20                | 278       | 8.4  | 7.0    | 8.3            |
| 21                | 3         | 8.3  | 10.0   | 2.9            |
| 22                | 16        | 6.3  | 3.0    | 5.8            |
| 23                | 2         | 13.5 | 13.5   | 2.1            |
| 24                | 5         | 17.2 | 15.0   | 14.6           |
| 25                | 7         | 6.3  | 5.0    | 4.1            |
| 26                | 43        | 10.6 | 8.0    | 8.8            |
| 27                | 19        | 10.3 | 10.0   | 7.0            |
| 28                | 3         | 6.7  | 8.0    | 4.2            |
| 29                | 8         | 10.6 | 8.5    | 7.0            |
| 30                | 103       | 8.5  | 7.0    | 7.5            |
| 31                | 4         | 10.8 | 10.0   | 7.0            |
| Not Given         | 242       | 8.1  | 7.0    | 7.9            |
| Statewide         | 1172      | 9.2  | 7.0    | 8.5            |

## PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 65 lists the average PPD multipliers for 2000 return to work leg injury cases. Only cases in which the PPI rating and the PPD percentage were attributable to the leg are included in the analysis. The statewide mean PPD multiplier for 2000 return to work leg cases is 2.7 with a range of 2.1 in Judicial District 21 to 4.1 in Judicial District 8. Table 66 lists the same data but for calendar year 2001 cases. The statewide PPD multiplier for return to work leg cases is also 2.7, but the range varied from 1.8 in Judicial District 28 to 3.7 in Judicial District 9. Differences between judicial districts for both years are statistically significant.<sup>24</sup>

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<sup>24</sup>  $p < .01$  Kruskal Wallis Test

**Table 65: Calendar Year - 2000: Permanent Partial Disability Multipliers - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 10        | 3.0  | 2.9    | 1.2            |
| 2                 | 16        | 2.3  | 2.3    | 0.9            |
| 3                 | 15        | 2.5  | 2.5    | 1.6            |
| 4                 | 14        | 2.8  | 2.9    | 0.9            |
| 5                 | 4         | 3.0  | 2.9    | 1.8            |
| 6                 | 104       | 2.7  | 2.5    | 1.3            |
| 7                 | 24        | 2.6  | 2.6    | 1.0            |
| 8                 | 10        | 4.1  | 2.8    | 4.1            |
| 9                 | 14        | 3.7  | 3.3    | 1.8            |
| 10                | 24        | 2.7  | 2.1    | 2.7            |
| 11                | 83        | 2.3  | 2.0    | 1.1            |
| 12                | 16        | 3.2  | 3.1    | 1.7            |
| 13                | 16        | 3.3  | 3.0    | 1.1            |
| 14                | 6         | 2.8  | 2.8    | 0.8            |
| 15                | 12        | 3.5  | 3.3    | 1.6            |
| 16                | 57        | 3.2  | 2.8    | 1.5            |
| 17                | 12        | 2.9  | 2.8    | 0.9            |
| 18                | 11        | 2.3  | 2.3    | 0.8            |
| 19                | 14        | 3.5  | 2.9    | 2.1            |
| 20                | 227       | 2.6  | 2.0    | 1.9            |
| 21                | 2         | 2.1  | 2.1    | 0.1            |
| 22                | 16        | 3.6  | 3.0    | 1.6            |
| 23                | 5         | 2.5  | 2.4    | 0.9            |
| 24                | 18        | 2.2  | 2.1    | 0.7            |
| 25                | 11        | 2.9  | 2.9    | 2.1            |
| 26                | 28        | 2.4  | 2.3    | 1.1            |
| 27                | 29        | 2.8  | 2.0    | 2.0            |
| 28                | 5         | 3.0  | 1.5    | 3.9            |
| 29                | 3         | 2.5  | 2.0    | 1.3            |
| 30                | 152       | 2.7  | 2.5    | 1.8            |
| 31                | 6         | 3.8  | 4.1    | 1.2            |
| Not Given         | 214       | 2.3  | 2.0    | 1.1            |
| Statewide         | 1178      | 2.7  | 2.4    | 1.6            |

**Table 66: Calendar Year - 2001: Permanent Partial Disability Multipliers - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 11        | 2.4  | 2.0    | 1.1            |
| 2                 | 14        | 2.2  | 2.0    | 1.2            |
| 3                 | 15        | 2.1  | 2.0    | 0.8            |
| 4                 | 19        | 3.2  | 3.0    | 1.0            |
| 5                 | 7         | 3.6  | 2.0    | 2.2            |
| 6                 | 65        | 2.6  | 2.5    | 1.1            |
| 7                 | 19        | 3.4  | 2.9    | 1.5            |
| 8                 | 10        | 2.8  | 2.4    | 1.2            |
| 9                 | 12        | 3.7  | 2.8    | 2.3            |
| 10                | 24        | 2.3  | 2.0    | 1.2            |
| 11                | 102       | 2.4  | 2.2    | 1.2            |
| 12                | 7         | 3.4  | 3.5    | 1.9            |
| 13                | 15        | 3.0  | 3.1    | 1.4            |
| 14                | 5         | 2.2  | 2.3    | 0.7            |
| 15                | 20        | 3.3  | 3.5    | 0.8            |
| 16                | 64        | 2.7  | 2.4    | 1.2            |
| 17                | 8         | 2.1  | 2.0    | 0.8            |
| 18                | 10        | 2.6  | 2.5    | 1.0            |
| 19                | 12        | 3.1  | 3.0    | 1.6            |
| 20                | 277       | 2.8  | 2.5    | 1.8            |
| 21                | 4         | 2.3  | 2.6    | 1.5            |
| 22                | 16        | 3.2  | 2.3    | 2.0            |
| 23                | 2         | 2.3  | 2.3    | 0.4            |
| 24                | 5         | 3.2  | 2.8    | 1.9            |
| 25                | 7         | 2.5  | 2.4    | 1.0            |
| 26                | 43        | 2.7  | 2.4    | 1.1            |
| 27                | 19        | 2.4  | 2.0    | 1.5            |
| 28                | 3         | 1.8  | 2.0    | 0.3            |
| 29                | 8         | 3.0  | 2.9    | 1.2            |
| 30                | 103       | 2.7  | 2.5    | 1.2            |
| 31                | 4         | 2.6  | 2.3    | 1.6            |
| Not Given         | 240       | 2.5  | 2.2    | 1.2            |
| Statewide         | 1170      | 2.7  | 2.5    | 1.4            |

## PERMANENT PARTIAL DISABILITY PERCENTAGE

The data for average PPD percentage for judgments and settlements for 2000 return to work leg injury cases range from 17.9% to the leg in Judicial District 17 to 45.0% in Judicial District 21. The statewide mean is 21.9% to the leg (43.8 weeks). The mean for the same data set for 2001 cases dropped slightly to 21.4% (42.8 weeks) with a range of 11.7% in Judicial District 28 to 40.5% in Judicial District 24. Tables 67 and 68 display this data for cases closed in 2000 and 2001 respectively. Differences between judicial districts are statistically significant for both years.<sup>25</sup>

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<sup>25</sup>  $p < .01$  Kruskal Wallis Test

**Table 67: Calendar Year - 2000: Percentage Awarded for Permanent Partial Disability Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 10        | 20.6 | 12.3   | 16.6           |
| 2                 | 16        | 23.0 | 15.0   | 20.2           |
| 3                 | 15        | 29.2 | 14.0   | 29.5           |
| 4                 | 14        | 29.4 | 25.0   | 18.7           |
| 5                 | 4         | 39.7 | 27.5   | 40.6           |
| 6                 | 104       | 19.2 | 15.0   | 14.0           |
| 7                 | 24        | 27.4 | 20.0   | 22.0           |
| 8                 | 10        | 38.5 | 35.5   | 24.4           |
| 9                 | 14        | 20.0 | 15.8   | 10.9           |
| 10                | 24        | 19.4 | 15.0   | 13.5           |
| 11                | 83        | 24.9 | 16.0   | 21.4           |
| 12                | 16        | 24.1 | 23.1   | 17.2           |
| 13                | 16        | 26.9 | 23.0   | 18.6           |
| 14                | 6         | 18.3 | 17.5   | 10.3           |
| 15                | 12        | 32.7 | 31.0   | 19.4           |
| 16                | 57        | 20.2 | 18.0   | 14.4           |
| 17                | 12        | 17.9 | 13.8   | 10.9           |
| 18                | 11        | 21.6 | 13.7   | 16.0           |
| 19                | 14        | 32.6 | 35.0   | 14.6           |
| 20                | 227       | 19.1 | 14.0   | 17.0           |
| 21                | 2         | 45.0 | 45.0   | 42.4           |
| 22                | 16        | 28.3 | 21.0   | 22.3           |
| 23                | 5         | 39.7 | 35.9   | 26.9           |
| 24                | 18        | 27.5 | 26.5   | 10.3           |
| 25                | 11        | 28.7 | 25.0   | 21.4           |
| 26                | 28        | 25.6 | 16.3   | 20.9           |
| 27                | 29        | 28.3 | 20.0   | 22.6           |
| 28                | 5         | 18.0 | 20.0   | 10.1           |
| 29                | 3         | 28.0 | 26.0   | 9.2            |
| 30                | 152       | 20.8 | 16.1   | 17.2           |
| 31                | 6         | 35.6 | 26.0   | 25.5           |
| Not Given         | 215       | 18.6 | 12.0   | 17.5           |
| Statewide         | 1179      | 21.9 | 16.0   | 18.2           |

**Table 68: Calendar Year - 2001: Percentage Awarded for Permanent Partial Disability Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 11        | 25.4 | 20.0   | 20.0           |
| 2                 | 14        | 15.9 | 13.0   | 11.5           |
| 3                 | 15        | 28.4 | 20.0   | 24.5           |
| 4                 | 19        | 28.2 | 25.0   | 13.9           |
| 5                 | 7         | 18.1 | 18.0   | 13.0           |
| 6                 | 65        | 20.6 | 15.0   | 17.1           |
| 7                 | 19        | 26.1 | 20.0   | 21.8           |
| 8                 | 10        | 29.9 | 27.3   | 11.7           |
| 9                 | 12        | 31.7 | 27.2   | 24.0           |
| 10                | 24        | 26.7 | 18.8   | 23.5           |
| 11                | 102       | 24.7 | 18.1   | 20.9           |
| 12                | 7         | 20.6 | 21.0   | 14.9           |
| 13                | 15        | 23.2 | 22.0   | 17.1           |
| 14                | 5         | 28.0 | 24.0   | 16.5           |
| 15                | 20        | 35.5 | 32.9   | 13.4           |
| 16                | 64        | 21.4 | 17.3   | 15.3           |
| 17                | 8         | 17.4 | 16.5   | 9.0            |
| 18                | 10        | 29.1 | 23.0   | 18.8           |
| 19                | 12        | 16.8 | 15.0   | 12.4           |
| 20                | 277       | 19.8 | 14.0   | 17.2           |
| 21                | 4         | 28.0 | 33.5   | 12.1           |
| 22                | 16        | 17.7 | 13.8   | 18.9           |
| 23                | 2         | 30.0 |        | 0.0            |
| 24                | 5         | 40.5 | 32.5   | 18.1           |
| 25                | 7         | 15.9 | 15.0   | 9.8            |
| 26                | 43        | 26.5 | 20.0   | 22.0           |
| 27                | 19        | 21.3 | 17.5   | 16.8           |
| 28                | 3         | 11.7 | 15.0   | 6.7            |
| 29                | 8         | 29.9 | 23.0   | 20.1           |
| 30                | 103       | 19.4 | 15.0   | 15.5           |
| 31                | 4         | 34.0 | 17.5   | 41.5           |
| Not Given         | 241       | 17.6 | 14.0   | 13.9           |
| Statewide         | 1171      | 21.4 | 17.5   | 17.4           |

#### PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

The statewide mean PPD monetary amount paid for 2000 return to work leg injury cases is \$13,645.39 with a range of \$9,542.06 in Judicial District 1 to \$26,523.96 in Judicial District 5. The average PPD monetary payments for all judicial districts for 2000 return to work leg injury cases are listed in Table 69. Table 70 lists the same data set for calendar year 2001 cases. The statewide mean amount paid for 2001 return to work leg injury cases is \$14,086.62 with a range of \$7,134.67 in Judicial District 28 to \$29,311.80 in Judicial District 23.

**Table 69: Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 11        | \$9,542.06  | \$6,272.50  | \$9,042.47     |
| 2                 | 16        | \$12,629.31 | \$8,703.55  | \$10,067.17    |
| 3                 | 16        | \$21,773.37 | \$9,643.40  | \$23,863.65    |
| 4                 | 14        | \$18,928.56 | \$15,249.25 | \$15,102.08    |
| 5                 | 5         | \$26,523.96 | \$26,119.80 | \$24,530.04    |
| 6                 | 115       | \$11,118.57 | \$8,713.95  | \$9,482.80     |
| 7                 | 25        | \$23,842.94 | \$17,642.10 | \$21,827.16    |
| 8                 | 11        | \$17,272.27 | \$16,250.00 | \$11,245.58    |
| 9                 | 14        | \$11,669.96 | \$11,678.00 | \$10,199.19    |
| 10                | 26        | \$12,942.26 | \$13,150.00 | \$8,558.29     |
| 11                | 89        | \$14,530.88 | \$7,804.96  | \$15,961.66    |
| 12                | 19        | \$13,381.05 | \$10,500.00 | \$14,836.97    |
| 13                | 17        | \$15,949.23 | \$14,085.60 | \$14,188.77    |
| 14                | 6         | \$9,817.38  | \$9,916.68  | \$4,853.17     |
| 15                | 15        | \$21,896.19 | \$17,512.00 | \$22,398.68    |
| 16                | 58        | \$15,724.82 | \$14,420.00 | \$11,043.46    |
| 17                | 14        | \$12,761.14 | \$9,443.44  | \$12,569.19    |
| 18                | 13        | \$19,194.11 | \$10,000.00 | \$19,188.44    |
| 19                | 18        | \$20,137.76 | \$16,244.97 | \$25,107.02    |
| 20                | 247       | \$12,081.94 | \$7,872.00  | \$12,495.41    |
| 21                | 5         | \$12,929.90 | \$6,500.00  | \$14,927.27    |
| 22                | 18        | \$16,801.14 | \$10,688.00 | \$15,649.94    |
| 23                | 6         | \$14,511.17 | \$16,762.35 | \$10,336.02    |
| 24                | 21        | \$13,676.96 | \$14,366.40 | \$7,591.61     |
| 25                | 12        | \$15,495.16 | \$9,376.45  | \$15,861.15    |
| 26                | 34        | \$15,279.03 | \$10,000.00 | \$16,975.58    |
| 27                | 32        | \$15,491.65 | \$10,000.00 | \$15,496.14    |
| 28                | 5         | \$10,475.38 | \$7,000.00  | \$9,576.13     |
| 29                | 3         | \$20,148.04 | \$15,000.12 | \$13,705.76    |
| 30                | 162       | \$13,329.45 | \$9,648.11  | \$14,707.03    |
| 31                | 6         | \$20,178.49 | \$11,084.31 | \$19,165.01    |
| Not Given         | 230       | \$11,016.17 | \$6,705.30  | \$13,670.57    |
| Statewide         | 1283      | \$13,546.39 | \$9,200.50  | \$14,244.24    |

**Table 70: Calendar Year - 2001: Permanent Partial Disability - Monetary Benefits - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 11        | \$15,771.45 | \$8,960.20  | \$15,641.53    |
| 2                 | 15        | \$11,492.61 | \$6,000.00  | \$9,782.34     |
| 3                 | 17        | \$12,914.18 | \$11,193.84 | \$10,664.92    |
| 4                 | 20        | \$14,324.54 | \$13,338.35 | \$11,652.65    |
| 5                 | 7         | \$12,346.13 | \$15,310.62 | \$8,875.06     |
| 6                 | 71        | \$13,607.15 | \$10,464.44 | \$11,131.63    |
| 7                 | 20        | \$19,223.86 | \$14,297.10 | \$17,476.14    |
| 8                 | 13        | \$21,108.28 | \$23,870.70 | \$21,007.83    |
| 9                 | 14        | \$27,051.86 | \$23,120.74 | \$24,007.34    |
| 10                | 25        | \$15,844.20 | \$6,000.00  | \$18,486.95    |
| 11                | 106       | \$15,066.58 | \$8,308.90  | \$19,122.88    |
| 12                | 10        | \$9,945.77  | \$6,930.21  | \$9,599.79     |
| 13                | 18        | \$12,560.29 | \$11,269.20 | \$7,270.46     |
| 14                | 5         | \$17,853.63 | \$16,448.16 | \$12,651.02    |
| 15                | 20        | \$22,177.35 | \$18,881.73 | \$12,093.12    |
| 16                | 69        | \$16,357.42 | \$12,000.00 | \$14,271.87    |
| 17                | 9         | \$14,339.49 | \$16,254.60 | \$9,060.16     |
| 18                | 11        | \$16,092.69 | \$11,000.00 | \$16,267.19    |
| 19                | 16        | \$10,851.12 | \$10,992.18 | \$8,923.39     |
| 20                | 293       | \$12,259.04 | \$9,500.00  | \$10,918.49    |
| 21                | 4         | \$12,768.65 | \$12,627.30 | \$1,714.27     |
| 22                | 19        | \$10,273.04 | \$5,667.20  | \$11,513.80    |
| 23                | 2         | \$29,311.80 | \$29,311.80 | \$6,234.14     |
| 24                | 5         | \$22,410.78 | \$24,274.90 | \$16,951.56    |
| 25                | 8         | \$7,248.80  | \$4,375.51  | \$6,109.27     |
| 26                | 46        | \$17,000.41 | \$15,687.28 | \$11,772.05    |
| 27                | 21        | \$21,383.66 | \$13,469.50 | \$22,458.63    |
| 28                | 3         | \$7,134.67  | \$7,806.08  | \$4,270.01     |
| 29                | 8         | \$23,752.30 | \$18,364.59 | \$22,436.93    |
| 30                | 107       | \$14,662.36 | \$10,500.00 | \$12,752.29    |
| 31                | 4         | \$19,430.94 | \$18,740.00 | \$13,909.98    |
| Not Given         | 265       | \$12,148.96 | \$9,712.50  | \$10,967.45    |
| Statewide         | 1262      | \$14,086.62 | \$10,595.20 | \$13,392.73    |

## LEG- RETURN TO WORK SUMMARY

Tables 71 and 72 display the median PPI, median PPD multiplier and median PPD percentage for 2000 and 2001 return to work leg cases respectively. This data is provided as a summary of previous tables given.

**Table 71: Calendar Year - 2000: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 5.5        | 10        | 2.9               | 10        | 12.3       | 10        |
| 2                 | 7.5        | 16        | 2.3               | 16        | 15.0       | 16        |
| 3                 | 10.0       | 15        | 2.5               | 15        | 14.0       | 15        |
| 4                 | 8.0        | 14        | 2.9               | 14        | 25.0       | 14        |
| 5                 | 6.0        | 4         | 2.9               | 4         | 27.5       | 4         |
| 6                 | 7.0        | 104       | 2.5               | 104       | 15.0       | 104       |
| 7                 | 8.5        | 24        | 2.6               | 24        | 20.0       | 24        |
| 8                 | 12.5       | 10        | 2.8               | 10        | 35.5       | 10        |
| 9                 | 6.0        | 14        | 3.3               | 14        | 15.8       | 14        |
| 10                | 7.0        | 24        | 2.1               | 24        | 15.0       | 24        |
| 11                | 9.0        | 83        | 2.0               | 83        | 16.0       | 83        |
| 12                | 7.0        | 16        | 3.1               | 16        | 23.1       | 16        |
| 13                | 8.0        | 16        | 3.0               | 16        | 23.0       | 16        |
| 14                | 5.5        | 6         | 2.8               | 6         | 17.5       | 6         |
| 15                | 8.5        | 12        | 3.3               | 12        | 31.0       | 12        |
| 16                | 7.0        | 57        | 2.8               | 57        | 18.0       | 57        |
| 17                | 5.0        | 12        | 2.8               | 12        | 13.8       | 12        |
| 18                | 7.0        | 11        | 2.3               | 11        | 13.7       | 11        |
| 19                | 7.5        | 14        | 2.9               | 14        | 35.0       | 14        |
| 20                | 7.0        | 227       | 2.0               | 227       | 14.0       | 227       |
| 21                | 22.3       | 2         | 2.1               | 2         | 45.0       | 2         |
| 22                | 7.3        | 16        | 3.0               | 16        | 21.0       | 16        |
| 23                | 17.5       | 5         | 2.4               | 5         | 35.9       | 5         |
| 24                | 13.5       | 18        | 2.1               | 18        | 26.5       | 18        |
| 25                | 7.0        | 11        | 2.9               | 11        | 25.0       | 11        |
| 26                | 8.0        | 28        | 2.3               | 28        | 16.3       | 28        |
| 27                | 9.0        | 29        | 2.0               | 29        | 20.0       | 29        |
| 28                | 12.0       | 5         | 1.5               | 5         | 20.0       | 5         |
| 29                | 13.0       | 3         | 2.0               | 3         | 26.0       | 3         |
| 30                | 7.0        | 152       | 2.5               | 152       | 16.1       | 152       |
| 31                | 9.5        | 6         | 4.1               | 6.0       | 26.0       | 6         |
| Not Given         | 7.0        | 214       | 2.0               | 214       | 12.0       | 215       |
| Statewide         | 7.0        | 1178      | 2.4               | 1178      | 16.0       | 1179      |

**Table 72: Calendar Year - 2001: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Leg Injuries - Employee Returned to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 7.0        | 11        | 2.0               | 11        | 20.0       | 11        |
| 2                 | 7.0        | 14        | 2.0               | 14        | 13.0       | 14        |
| 3                 | 9.0        | 15        | 2.0               | 15        | 20.0       | 15        |
| 4                 | 8.5        | 19        | 3.0               | 19        | 25.0       | 19        |
| 5                 | 5.0        | 7         | 2.0               | 7         | 18.0       | 7         |
| 6                 | 7.0        | 65        | 2.5               | 65        | 15.0       | 65        |
| 7                 | 7.0        | 19        | 2.9               | 19        | 20.0       | 19        |
| 8                 | 9.5        | 10        | 2.4               | 10        | 27.3       | 10        |
| 9                 | 8.0        | 12        | 2.8               | 12        | 27.2       | 12        |
| 10                | 8.0        | 24        | 2.0               | 24        | 18.8       | 24        |
| 11                | 8.5        | 102       | 2.2               | 102       | 18.1       | 102       |
| 12                | 7.0        | 7         | 3.5               | 7         | 21.0       | 7         |
| 13                | 7.0        | 15        | 3.1               | 15        | 22.0       | 15        |
| 14                | 12.0       | 5         | 2.3               | 5         | 24.0       | 5         |
| 15                | 10.0       | 20        | 3.5               | 20        | 32.9       | 20        |
| 16                | 7.0        | 64        | 2.4               | 64        | 17.3       | 64        |
| 17                | 9.0        | 8         | 2.0               | 8         | 16.5       | 8         |
| 18                | 8.0        | 10        | 2.5               | 10        | 23.0       | 10        |
| 19                | 5.0        | 12        | 3.0               | 12        | 15.0       | 12        |
| 20                | 7.0        | 277       | 2.5               | 277       | 14.0       | 277       |
| 21                | 10.0       | 4         | 2.6               | 4         | 33.5       | 4         |
| 22                | 3.0        | 16        | 2.3               | 16        | 13.8       | 16        |
| 23                | 13.5       | 2         | 2.3               | 2         |            | 2         |
| 24                | 15.0       | 5         | 2.8               | 5         | 32.5       | 5         |
| 25                | 5.0        | 7         | 2.4               | 7         | 15.0       | 7         |
| 26                | 8.0        | 43        | 2.4               | 43        | 20.0       | 43        |
| 27                | 10.0       | 19        | 2.0               | 19        | 17.5       | 19        |
| 28                | 8.0        | 3         | 2.0               | 3         | 15.0       | 3         |
| 29                | 8.5        | 8         | 2.9               | 8         | 23.0       | 8         |
| 30                | 7.0        | 103       | 2.5               | 103       | 15.0       | 103       |
| 31                | 10.0       | 4         | 2.3               | 4         | 17.5       | 4         |
| Not Given         | 7.0        | 240       | 2.2               | 240       | 14.0       | 241       |
| Statewide         | 7.0        | 1170      | 2.5               | 1170      | 17.5       | 1171      |

## **LEG INJURIES - EMPLOYEE DID NOT RETURN TO PRE-INJURY EMPLOYMENT**

### **PERMANENT PARTIAL IMPAIRMENT RATINGS**

The average highest PPI ratings for leg injury cases where the injured worker did not return to work for the pre-injury employer for cases concluded in 2000 and 2001 are listed in Tables 73 and 74 respectively. The statewide mean PPI rating for no return to work leg cases in 2000 is 15.5% to the leg with a range of 2.0% in Judicial District 4 to 36.4% in Judicial District 7. The mean PPI rating for 2001 cases is slightly lower at 14.6% to the leg with a range of 2.0% in Judicial District 14 to 55.0% in judicial district 31. As in the no return to work arm cases, due to the small number of cases per judicial district, significance tests for differences between judicial districts were not performed.

**Table 73: Calendar Year - 2000: Permanent Partial Impairment - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 21.6 | 14.0   | 18.8           |
| 2                 | 6         | 20.6 | 10.0   | 23.6           |
| 3                 | 2         | 5.0  |        | 0.0            |
| 4                 | 1         | 2.0  |        |                |
| 5                 | 3         | 22.7 | 25.0   | 15.6           |
| 6                 | 21        | 15.6 | 10.0   | 17.1           |
| 7                 | 5         | 36.4 | 15.0   | 38.0           |
| 8                 | 3         | 9.7  | 12.0   | 5.9            |
| 9                 | 4         | 18.8 | 14.5   | 12.4           |
| 10                | 7         | 20.7 | 19.0   | 12.5           |
| 11                | 22        | 18.6 | 15.5   | 17.1           |
| 12                | 3         | 18.5 | 24.0   | 14.6           |
| 13                | 1         | 10.0 |        |                |
| 14                |           |      |        |                |
| 15                | 3         | 21.2 | 10.5   | 18.5           |
| 16                | 7         | 10.6 | 7.0    | 9.1            |
| 17                | 3         | 22.3 | 10.0   | 24.0           |
| 18                | 2         | 10.5 | 10.5   | 6.4            |
| 19                | 1         | 10.0 |        |                |
| 20                | 35        | 13.6 | 10.0   | 11.1           |
| 21                |           |      |        |                |
| 22                | 2         | 10.0 | 10.0   | 7.1            |
| 23                | 1         | 30.0 |        |                |
| 24                | 2         | 14.3 | 14.3   | 1.1            |
| 25                | 2         | 9.0  | 9.0    | 1.4            |
| 26                | 5         | 22.0 | 10.0   | 22.7           |
| 27                |           |      |        |                |
| 28                | 2         | 13.5 | 13.5   | 2.1            |
| 29                |           |      |        |                |
| 30                | 15        | 10.1 | 7.0    | 8.9            |
| 31                | 1         | 10.0 |        |                |
| Not Given         | 32        | 11.8 | 9.5    | 9.8            |
| Statewide         | 196       | 15.5 | 10.0   | 14.8           |

**Table 74: Calendar Year - 2001: Permanent Partial Impairment - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 15.3 | 8.5    | 12.0           |
| 2                 | 2         | 6.0  | 6.0    | 5.7            |
| 3                 | 9         | 16.2 | 13.0   | 14.7           |
| 4                 | 4         | 8.8  | 6.0    | 9.0            |
| 5                 | 3         | 18.8 | 17.5   | 2.8            |
| 6                 | 16        | 12.8 | 10.0   | 12.1           |
| 7                 |           |      |        |                |
| 8                 | 3         | 21.7 | 25.0   | 7.6            |
| 9                 | 4         | 13.3 | 12.0   | 5.7            |
| 10                | 7         | 25.3 | 15.0   | 20.4           |
| 11                | 21        | 16.7 | 10.0   | 15.4           |
| 12                | 5         | 23.6 | 12.0   | 29.2           |
| 13                | 3         | 14.0 | 16.0   | 6.2            |
| 14                | 1         | 2.0  |        |                |
| 15                | 5         | 12.6 | 10.0   | 7.1            |
| 16                | 6         | 28.6 | 20.0   | 21.1           |
| 17                | 3         | 26.3 | 5.0    | 37.8           |
| 18                |           |      |        |                |
| 19                | 5         | 12.1 | 10.0   | 9.9            |
| 20                | 66        | 11.0 | 7.0    | 10.3           |
| 21                | 2         | 14.0 | 14.0   | 7.1            |
| 22                | 5         | 35.9 | 25.0   | 21.0           |
| 23                |           |      |        |                |
| 24                | 6         | 25.2 | 18.5   | 15.0           |
| 25                |           |      |        |                |
| 26                | 3         | 11.3 | 12.0   | 1.2            |
| 27                |           |      |        |                |
| 28                | 2         | 17.0 | 17.0   | 2.8            |
| 29                | 2         | 13.0 | 13.0   | 14.1           |
| 30                | 23        | 14.2 | 10.0   | 13.3           |
| 31                | 1         | 55.0 |        |                |
|                   |           |      |        |                |
| Not Given         | 61        | 11.9 | 7.0    | 11.9           |
|                   |           |      |        |                |
| Statewide         | 273       | 14.6 | 10.0   | 14.0           |

## PERMANENT PARTIAL DISABILITY MULTIPLIERS

Table 75 lists the average PPD multipliers for 2000 no return to work leg injury cases. The statewide mean multiplier for no return to work leg injury cases is 3.3 with a range of 1.0 in Judicial District 13 to 6.7 in Judicial District 16. Table 76 lists average PPD multiplier data for 2001 no return to work leg injury cases. The statewide mean is also 3.3 with a range of 1.6 in Judicial District 24 to 8.2 in Judicial District 4.

**Table 75: Calendar Year - 2000: Permanent Partial Disability Multipliers - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 3.5  | 3.6    | 0.8            |
| 2                 | 6         | 3.2  | 3.3    | 2.1            |
| 3                 | 2         | 4.5  | 4.5    | 2.1            |
| 4                 | 1         | 4.0  |        |                |
| 5                 | 3         | 5.2  | 4.0    | 3.2            |
| 6                 | 21        | 2.6  | 2.5    | 1.3            |
| 7                 | 5         | 2.6  | 1.1    | 2.1            |
| 8                 | 3         | 5.4  | 4.7    | 3.6            |
| 9                 | 4         | 3.8  | 3.7    | 2.5            |
| 10                | 7         | 3.7  | 3.2    | 2.3            |
| 11                | 22        | 3.1  | 3.2    | 1.4            |
| 12                | 3         | 2.6  | 2.1    | 1.0            |
| 13                | 1         | 1.0  |        |                |
| 14                | 0         |      |        |                |
| 15                | 3         | 2.0  | 1.9    | 0.1            |
| 16                | 7         | 6.7  | 2.9    | 6.4            |
| 17                | 3         | 2.7  | 2.6    | 0.8            |
| 18                | 2         | 3.6  | 3.6    | 0.4            |
| 19                | 1         | 2.0  |        |                |
| 20                | 35        | 3.5  | 3.0    | 2.0            |
| 21                | 0         |      |        |                |
| 22                | 2         | 2.5  | 2.5    | 0.7            |
| 23                | 1         | 2.2  |        |                |
| 24                | 2         | 3.4  | 3.4    | 0.5            |
| 25                | 2         | 1.9  | 1.9    | 1.3            |
| 26                | 5         | 3.0  | 2.7    | 1.6            |
| 27                | 0         |      |        |                |
| 28                | 2         | 2.5  | 2.5    | 0.8            |
| 29                | 0         |      |        |                |
| 30                | 15        | 3.0  | 3.0    | 1.1            |
| 31                | 1         | 2.5  |        |                |
| Not Given         | 32        | 3.4  | 3.0    | 1.5            |
| Statewide         | 196       | 3.3  | 3.0    | 2.1            |

**Table 76: Calendar Year - 2001: Permanent Partial Disability Multipliers - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 3.0  | 3.2    | 0.9            |
| 2                 | 2         | 3.1  | 3.1    | 1.2            |
| 3                 | 9         | 2.7  | 2.3    | 1.4            |
| 4                 | 4         | 8.2  | 7.9    | 4.0            |
| 5                 | 3         | 3.0  | 3.2    | 1.1            |
| 6                 | 16        | 3.3  | 2.8    | 2.2            |
| 7                 |           |      |        |                |
| 8                 | 3         | 2.7  | 2.7    | 1.2            |
| 9                 | 4         | 3.5  | 2.7    | 2.1            |
| 10                | 7         | 3.9  | 3.7    | 2.4            |
| 11                | 21        | 2.6  | 2.4    | 1.1            |
| 12                | 5         | 6.5  | 5.0    | 5.1            |
| 13                | 3         | 3.6  | 3.6    | 0.5            |
| 14                | 1         | 5.0  |        |                |
| 15                | 5         | 2.8  | 3.0    | 1.0            |
| 16                | 6         | 4.1  | 3.8    | 1.3            |
| 17                | 3         | 3.1  | 3.9    | 1.5            |
| 18                |           |      |        |                |
| 19                | 5         | 3.1  | 2.9    | 1.1            |
| 20                | 66        | 3.1  | 3.0    | 1.3            |
| 21                | 2         | 3.2  | 3.2    | 1.2            |
| 22                | 5         | 3.5  | 3.6    | 1.5            |
| 23                |           |      |        |                |
| 24                | 6         | 1.6  | 1.6    | 0.5            |
| 25                |           |      |        |                |
| 26                | 3         | 3.6  | 3.0    | 1.6            |
| 27                |           |      |        |                |
| 28                | 2         | 2.0  | 2.0    | 1.0            |
| 29                | 2         | 1.7  | 1.7    | 0.3            |
| 30                | 23        | 3.7  | 3.3    | 2.3            |
| 31                | 1         | 8.0  |        |                |
| Not Given         | 60        | 3.0  | 2.8    | 1.5            |
| Statewide         | 272       | 3.3  | 3.0    | 1.9            |

## PERMANENT PARTIAL DISABILITY PERCENTAGE

Average PPD percentages for calendar year 2000 cases tried and settled involving leg injuries where the employee did not return to work are listed in Table 77. The statewide mean PPD percentage for 2000 cases is 39.9% PPD to the leg (79.8 weeks) with range of 8.0% in Judicial District 4 to 84.2% in Judicial District 5. Table 78 lists the average PPD percentages for 2001 no return to work leg injury cases. The 2001 statewide mean dropped to 35.9% to the leg (71.8 weeks) with a range of 6.8 % in Judicial District 7 to 80.0% in Judicial District 31. In each of Judicial Districts 7 and 31, there is only one case with PPD percentage information for this data set.

**Table 77: Calendar Year - 2000: Percentage Awarded for Permanent Partial Disability Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 49.0 | 50.0   | 27.0           |
| 2                 | 6         | 41.2 | 44.0   | 29.0           |
| 3                 | 2         | 22.5 | 22.5   | 10.6           |
| 4                 | 1         | 8.0  |        |                |
| 5                 | 3         | 84.2 | 100.0  | 27.4           |
| 6                 | 21        | 33.8 | 20.0   | 30.8           |
| 7                 | 5         | 62.3 | 80.0   | 43.5           |
| 8                 | 3         | 38.0 | 30.0   | 15.6           |
| 9                 | 4         | 62.3 | 67.5   | 40.1           |
| 10                | 7         | 55.8 | 58.0   | 18.4           |
| 11                | 22        | 45.5 | 38.3   | 31.9           |
| 12                | 3         | 47.5 | 50.0   | 38.8           |
| 13                | 1         | 10.0 |        |                |
| 14                | 0         |      |        |                |
| 15                | 3         | 37.8 | 19.3   | 32.2           |
| 16                | 7         | 36.8 | 28.0   | 24.6           |
| 17                | 3         | 51.1 | 35.4   | 43.2           |
| 18                | 2         | 36.3 | 36.3   | 18.3           |
| 19                | 1         | 20.0 |        |                |
| 20                | 35        | 40.5 | 36.0   | 27.6           |
| 21                | 0         |      |        |                |
| 22                | 2         | 22.5 | 22.5   | 10.6           |
| 23                | 1         | 65.0 |        |                |
| 24                | 2         | 60.0 | 60.0   | 21.2           |
| 25                | 2         | 18.0 | 18.0   | 14.1           |
| 26                | 5         | 53.8 | 40.0   | 34.7           |
| 27                | 0         |      |        |                |
| 28                | 2         | 33.4 | 33.4   | 4.8            |
| 29                | 0         |      |        |                |
| 30                | 15        | 27.4 | 21.0   | 21.6           |
| 31                | 1         | 25.0 |        |                |
| Not Given         | 32        | 32.0 | 28.3   | 18.3           |
| Statewide         | 196       | 39.9 | 30.0   | 27.9           |

**Table 78: Calendar Year - 2001: Percentage Awarded for Permanent Partial Disability Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean | Median | Std. Deviation |
|-------------------|-----------|------|--------|----------------|
| 1                 | 5         | 40.1 | 31.6   | 21.8           |
| 2                 | 2         | 15.3 | 15.3   | 10.3           |
| 3                 | 9         | 32.9 | 28.0   | 21.4           |
| 4                 | 4         | 24.9 | 23.0   | 13.5           |
| 5                 | 3         | 55.0 | 55.0   | 13.0           |
| 6                 | 16        | 34.2 | 31.0   | 22.6           |
| 7                 | 1         | 6.8  |        |                |
| 8                 | 3         | 52.5 | 50.0   | 13.9           |
| 9                 | 4         | 42.9 | 43.0   | 22.6           |
| 10                | 7         | 48.7 | 50.0   | 30.9           |
| 11                | 21        | 35.3 | 24.0   | 27.7           |
| 12                | 5         | 53.5 | 60.0   | 17.6           |
| 13                | 3         | 50.1 | 60.0   | 21.9           |
| 14                | 1         | 10.0 |        |                |
| 15                | 5         | 36.0 | 30.0   | 26.4           |
| 16                | 6         | 48.8 | 39.5   | 25.6           |
| 17                | 3         | 45.2 | 19.5   | 47.5           |
| 18                | 2         | 38.0 | 38.0   | 25.5           |
| 19                | 5         | 31.9 | 29.0   | 19.4           |
| 20                | 66        | 30.2 | 24.8   | 24.5           |
| 21                | 2         | 40.5 | 40.5   | 6.4            |
| 22                | 5         | 79.3 | 80.0   | 21.7           |
| 23                |           |      |        |                |
| 24                | 6         | 42.6 | 35.0   | 27.5           |
| 25                | 4         | 36.5 | 30.5   | 20.1           |
| 26                | 3         | 42.0 | 36.0   | 20.7           |
| 27                | 1         | 30.0 |        |                |
| 28                | 2         | 32.5 | 32.5   | 10.6           |
| 29                | 2         | 24.8 | 24.8   | 28.6           |
| 30                | 23        | 39.6 | 33.5   | 27.3           |
| 31                | 1         | 80.0 |        |                |
| Not Given         | 61        | 31.3 | 21.0   | 25.2           |
| Statewide         | 273       | 35.9 | 30.0   | 25.5           |

## PERMANENT PARTIAL DISABILITY MONETARY AMOUNTS

Tables 79 and 80 display average PPD monetary benefits paid for no return to work leg cases concluded in 2000 and 2001 respectively. The mean PPD benefit amount for 2000 is \$24,405.38 with a range of \$1,974.00 in Judicial District 13 to \$73,166.67 in Judicial District 5. The statewide mean for this type of case in 2001 is \$22,939.37, slightly less than 2000, with a range of \$2,000.00 in Judicial District 7 to \$77,812.28 in Judicial District 22.

**Table 79: Calendar Year - 2000: Permanent Partial Disability - Monetary Benefits - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 5         | \$15,704.48 | \$8,352.40  | \$18,522.37    |
| 2                 | 6         | \$9,612.20  | \$7,597.36  | \$9,540.79     |
| 3                 | 2         | \$8,571.20  | \$8,571.20  | \$4,432.43     |
| 4                 | 4         | \$10,091.27 | \$11,432.29 | \$7,331.30     |
| 5                 | 3         | \$73,166.67 | \$86,000.00 | \$36,484.01    |
| 6                 | 24        | \$22,917.59 | \$14,103.75 | \$20,437.24    |
| 7                 | 6         | \$47,784.10 | \$52,032.29 | \$42,682.16    |
| 8                 | 3         | \$19,243.51 | \$10,000.00 | \$16,010.23    |
| 9                 | 4         | \$48,583.90 | \$50,813.80 | \$48,876.81    |
| 10                | 8         | \$35,926.70 | \$38,519.80 | \$29,871.49    |
| 11                | 23        | \$27,093.92 | \$20,543.60 | \$29,406.26    |
| 12                | 5         | \$25,398.70 | \$13,732.00 | \$29,096.16    |
| 13                | 1         | \$1,974.00  |             |                |
| 14                | 0         |             |             |                |
| 15                | 4         | \$45,657.43 | \$45,657.43 | \$21,636.29    |
| 16                | 8         | \$29,800.24 | \$28,416.50 | \$27,986.84    |
| 17                | 3         | \$33,839.00 | \$20,000.00 | \$27,942.29    |
| 18                | 2         | \$28,112.03 | \$28,112.03 | \$31,271.13    |
| 19                | 1         | \$21,611.20 |             |                |
| 20                | 40        | \$26,315.86 | \$19,408.05 | \$28,653.28    |
| 21                | 0         |             |             |                |
| 22                | 2         | \$2,317.50  | \$2,317.50  | \$3,277.44     |
| 23                | 1         | \$21,459.51 |             |                |
| 24                | 2         | \$32,571.00 | \$32,571.00 | \$46,062.35    |
| 25                | 2         | \$33,024.70 | \$33,024.70 | \$3,858.96     |
| 26                | 7         | \$28,725.86 | \$16,032.02 | \$30,186.53    |
| 27                | 1         | \$3,624.50  |             |                |
| 28                | 2         | \$5,833.50  | \$5,833.50  | \$8,249.81     |
| 29                | 0         |             |             |                |
| 30                | 18        | \$14,313.64 | \$10,612.38 | \$16,263.11    |
| 31                | 1         | \$7,766.00  |             |                |
| Not Given         | 34        | \$17,187.34 | \$15,578.00 | \$12,466.02    |
| Statewide         | 222       | \$24,405.38 | \$15,438.50 | \$25,614.26    |

**Table 80: Calendar Year - 2001: Permanent Partial Disability - Monetary Benefits - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | Frequency | Mean        | Median      | Std. Deviation |
|-------------------|-----------|-------------|-------------|----------------|
| 1                 | 5         | \$22,513.34 | \$18,000.00 | \$22,422.02    |
| 2                 | 2         | \$5,846.64  | \$5,846.64  | \$1,631.10     |
| 3                 | 9         | \$23,330.07 | \$17,416.00 | \$27,221.42    |
| 4                 | 5         | \$10,769.89 | \$14,500.00 | \$6,762.73     |
| 5                 | 3         | \$37,807.81 | \$27,200.00 | \$23,737.97    |
| 6                 | 19        | \$17,604.07 | \$9,891.00  | \$16,934.58    |
| 7                 | 1         | \$2,000.00  |             |                |
| 8                 | 4         | \$21,891.29 | \$20,615.07 | \$10,955.33    |
| 9                 | 4         | \$28,211.40 | \$24,000.00 | \$18,834.03    |
| 10                | 8         | \$36,217.83 | \$21,190.50 | \$41,346.43    |
| 11                | 23        | \$21,432.07 | \$15,744.00 | \$24,302.77    |
| 12                | 6         | \$23,199.67 | \$24,392.70 | \$15,800.13    |
| 13                | 3         | \$15,235.20 | \$13,000.00 | \$8,340.54     |
| 14                | 1         | \$4,098.60  |             |                |
| 15                | 5         | \$26,003.51 | \$12,228.60 | \$34,152.96    |
| 16                | 7         | \$35,461.91 | \$39,000.00 | \$27,611.44    |
| 17                | 3         | \$27,443.68 | \$10,271.04 | \$31,907.80    |
| 18                | 2         | \$24,426.01 | \$24,426.01 | \$3,897.58     |
| 19                | 6         | \$36,996.24 | \$13,288.00 | \$47,808.64    |
| 20                | 71        | \$23,878.87 | \$12,000.00 | \$53,483.80    |
| 21                | 2         | \$29,992.95 | \$29,992.95 | \$22,051.76    |
| 22                | 5         | \$77,812.28 | \$85,792.00 | \$21,549.96    |
| 23                |           |             |             |                |
| 24                | 6         | \$19,364.34 | \$16,070.00 | \$17,187.91    |
| 25                | 1         | \$15,000.00 | \$16,150.85 | \$14,574.32    |
| 26                | 3         | \$20,079.73 | \$17,301.70 | \$17,576.68    |
| 27                | 1         | \$9,736.20  |             |                |
| 28                | 2         | \$18,512.40 | \$18,512.40 | \$12,038.35    |
| 29                | 2         | \$13,948.52 | \$13,948.52 | \$17,823.74    |
| 30                | 24        | \$19,170.71 | \$9,342.05  | \$20,735.28    |
| 31                | 1         | \$38,110.40 |             |                |
| Not Given         | 66        | \$18,660.43 | \$11,739.96 | \$20,050.68    |
| Statewide         | 300       | \$22,939.37 | \$14,645.92 | \$33,275.84    |

#### LEG - NO RETURN TO WORK SUMMARY

Tables 81 and 82 display the median PPI, median PPD multiplier and median PPD percentage for 2000 and 2001 no return to work leg cases respectively. This data is provided as a summary of previous tables given.

**Table 81: Calendar Year - 2000: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 14.0       | 5         | 3.6               | 5         | 50.0       | 5         |
| 2                 | 10.0       | 6         | 3.3               | 6         | 44.0       | 6         |
| 3                 |            | 2         | 4.5               | 2         | 22.5       | 2         |
| 4                 |            | 1         |                   | 1         |            | 1         |
| 5                 | 25.0       | 3         | 4.0               | 3         | 100.0      | 3         |
| 6                 | 10.0       | 21        | 2.5               | 21        | 20.0       | 21        |
| 7                 | 15.0       | 5         | 1.1               | 5         | 80.0       | 5         |
| 8                 | 12.0       | 3         | 4.7               | 3         | 30.0       | 3         |
| 9                 | 14.5       | 4         | 3.7               | 4         | 67.5       | 4         |
| 10                | 19.0       | 7         | 3.2               | 7         | 58.0       | 7         |
| 11                | 15.5       | 22        | 3.2               | 22        | 38.3       | 22        |
| 12                | 24.0       | 3         | 2.1               | 3         | 50.0       | 3         |
| 13                |            | 1         |                   | 1         |            | 1         |
| 14                |            |           |                   |           |            | 0         |
| 15                | 10.5       | 3         | 1.9               | 3         | 19.3       | 3         |
| 16                | 7.0        | 7         | 2.9               | 7         | 28.0       | 7         |
| 17                | 10.0       | 3         | 2.6               | 3         | 35.4       | 3         |
| 18                | 10.5       | 2         | 3.6               | 2         | 36.3       | 2         |
| 19                |            | 1         |                   | 1         |            | 1         |
| 20                | 10.0       | 35        | 3.0               | 35        | 36.0       | 35        |
| 21                |            |           |                   |           |            | 0         |
| 22                | 10.0       | 2         | 2.5               | 2         | 22.5       | 2         |
| 23                |            | 1         |                   | 1         |            | 1         |
| 24                | 14.3       | 2         | 3.4               | 2         | 60.0       | 2         |
| 25                | 9.0        | 2         | 1.9               | 2         | 18.0       | 2         |
| 26                | 10.0       | 5         | 2.7               | 5         | 40.0       | 5         |
| 27                |            |           |                   |           |            | 0         |
| 28                | 13.5       | 2         | 2.5               | 2         | 33.4       | 2         |
| 29                |            |           |                   |           |            | 0         |
| 30                | 7.0        | 15        | 3.0               | 15        | 21.0       | 15        |
| 31                |            | 1         |                   | 1         |            | 1         |
| Not Given         | 9.5        | 32        | 3.0               | 32        | 28.3       | 32        |
| Statewide         | 10.0       | 196       | 3.0               | 196       | 30.0       | 196       |

**Table 82: Calendar Year - 2001: Composite Table - Permanent Partial Impairment - Multiplier - Permanent Partial Disability - Leg Injuries - Employee Did Not Return to Work for Pre-Injury Employer**

| Judicial District | PPI Rating |           | Median Multiplier |           | Median PPD |           |
|-------------------|------------|-----------|-------------------|-----------|------------|-----------|
|                   | Median     | Frequency | Median            | Frequency | Median     | Frequency |
| 1                 | 8.5        | 5         | 3.2               | 5         | 31.6       | 5         |
| 2                 | 6.0        | 2         | 3.1               | 2         | 15.3       | 2         |
| 3                 | 13.0       | 9         | 2.3               | 9         | 28.0       | 9         |
| 4                 | 6.0        | 4         | 7.9               | 4         | 23.0       | 4         |
| 5                 | 17.5       | 3         | 3.2               | 3         | 55.0       | 3         |
| 6                 | 10.0       | 16        | 2.8               | 16        | 31.0       | 16        |
| 7                 |            |           |                   |           |            | 1         |
| 8                 | 25.0       | 3         | 2.7               | 3         | 50.0       | 3         |
| 9                 | 12.0       | 4         | 2.7               | 4         | 43.0       | 4         |
| 10                | 15.0       | 7         | 3.7               | 7         | 50.0       | 7         |
| 11                | 10.0       | 21        | 2.4               | 21        | 24.0       | 21        |
| 12                | 12.0       | 5         | 5.0               | 5         | 60.0       | 5         |
| 13                | 16.0       | 3         | 3.6               | 3         | 60.0       | 3         |
| 14                |            | 1         |                   | 1         |            | 1         |
| 15                | 10.0       | 5         | 3.0               | 5         | 30.0       | 5         |
| 16                | 20.0       | 6         | 3.8               | 6         | 39.5       | 6         |
| 17                | 5.0        | 3         | 3.9               | 3         | 19.5       | 3         |
| 18                |            |           |                   |           | 38.0       | 2         |
| 19                | 10.0       | 5         | 2.9               | 5         | 29.0       | 5         |
| 20                | 7.0        | 66        | 3.0               | 66        | 24.8       | 66        |
| 21                | 14.0       | 2         | 3.2               | 2         | 40.5       | 2         |
| 22                | 25.0       | 5         | 3.6               | 5         | 80.0       | 5         |
| 23                |            |           |                   |           |            |           |
| 24                | 18.5       | 6         | 1.6               | 6         | 35.0       | 6         |
| 25                |            |           |                   |           | 30.5       | 4         |
| 26                | 12.0       | 3         | 3.0               | 3         | 36.0       | 3         |
| 27                |            |           |                   |           |            | 1         |
| 28                | 17.0       | 2         | 2.0               | 2         | 32.5       | 2         |
| 29                | 13.0       | 2         | 1.7               | 2         | 24.8       | 2         |
| 30                | 10.0       | 23        | 3.3               | 23        | 33.5       | 23        |
| 31                |            | 1         |                   | 1         |            | 1         |
| Not Given         | 7.0        | 60        | 2.8               | 60        | 21.0       | 61        |
| Statewide         | 10.0       | 272       | 3.0               | 272       | 30.0       | 273       |

PSYCHOLOGICAL INJURY

The parties are asked to indicate on each SD-1 form whether a psychological injury was claimed and are asked to indicate whether it was the sole injury claimed. Tables 83 and 84 give that data for cases closed in both calendar years 2000 and 2001.

**Table 83: Workers' Compensation Cases In Which Psychological Injury Was Claimed**

| Judicial District | 2000        |                              |         | 2001        |                              |         |
|-------------------|-------------|------------------------------|---------|-------------|------------------------------|---------|
|                   | Total Cases | Number Claiming Pysch Injury | Percent | Total Cases | Number Claiming Pysch Injury | Percent |
| 1                 | 163         | 8                            | 4.9%    | 116         | 6                            | 5.2%    |
| 2                 | 171         | 9                            | 5.3%    | 128         | 6                            | 4.7%    |
| 3                 | 237         | 11                           | 4.6%    | 220         | 12                           | 5.5%    |
| 4                 | 189         | 7                            | 3.7%    | 150         | 5                            | 3.3%    |
| 5                 | 75          | 3                            | 4.0%    | 71          | 6                            | 8.5%    |
| 6                 | 932         | 19                           | 2.0%    | 681         | 18                           | 2.6%    |
| 7                 | 208         | 10                           | 4.8%    | 163         | 10                           | 6.1%    |
| 8                 | 131         | 17                           | 13.0%   | 159         | 22                           | 13.8%   |
| 9                 | 127         | 3                            | 2.4%    | 113         | 5                            | 4.4%    |
| 10                | 288         | 17                           | 5.9%    | 278         | 14                           | 5.0%    |
| 11                | 811         | 16                           | 2.0%    | 893         | 23                           | 2.6%    |
| 12                | 209         | 2                            | 1.0%    | 202         | 10                           | 5.0%    |
| 13                | 200         | 1                            | 0.5%    | 221         | 3                            | 1.4%    |
| 14                | 73          |                              | 0.0%    | 64          | 1                            | 1.6%    |
| 15                | 165         | 6                            | 3.6%    | 181         | 2                            | 1.1%    |
| 16                | 581         | 16                           | 2.8%    | 560         | 15                           | 2.7%    |
| 17                | 138         | 1                            | 0.7%    | 108         | 3                            | 2.8%    |
| 18                | 101         |                              | 0.0%    | 100         |                              | 0.0%    |
| 19                | 140         | 5                            | 3.6%    | 142         | 7                            | 4.9%    |
| 20                | 2148        | 39                           | 1.8%    | 2050        | 29                           | 1.4%    |
| 21                | 55          |                              | 0.0%    | 60          | 2                            | 3.3%    |
| 22                | 230         | 4                            | 1.7%    | 203         | 4                            | 2.0%    |
| 23                | 59          | 1                            | 1.7%    | 44          |                              | 0.0%    |
| 24                | 209         | 3                            | 1.4%    | 204         | 1                            | 0.5%    |
| 25                | 101         | 2                            | 2.0%    | 97          | 3                            | 3.1%    |
| 26                | 393         | 4                            | 1.0%    | 342         | 4                            | 1.2%    |
| 27                | 218         | 5                            | 2.3%    | 170         | 5                            | 2.9%    |
| 28                | 87          | 3                            | 3.4%    | 104         | 1                            | 1.0%    |
| 29                | 85          | 2                            | 2.4%    | 85          | 3                            | 3.5%    |
| 30                | 1113        | 36                           | 3.2%    | 807         | 23                           | 2.9%    |
| 31                | 104         |                              | 0.0%    | 85          | 1                            | 1.2%    |
| Not Given         | 1684        | 26                           | 1.5%    | 1804        | 17                           | 0.9%    |
| Statewide         | 11425       | 276                          | 2.4%    | 10605       | 261                          | 2.5%    |

**Table 84: Workers' Compensation Cases In Which Psychological Injury Was the Sole Injury Claimed**

| Judicial District | 2000        |                   |         | 2001        |                   |         |
|-------------------|-------------|-------------------|---------|-------------|-------------------|---------|
|                   | Total Cases | Sole Pysch Injury | Percent | Total Cases | Sole Pysch Injury | Percent |
| 1                 | 163         | 1                 | 0.6%    | 116         | 2                 | 1.7%    |
| 2                 | 171         | 4                 | 2.3%    | 128         |                   | 0.0%    |
| 3                 | 237         | 3                 | 1.3%    | 220         |                   | 0.0%    |
| 4                 | 189         |                   | 0.0%    | 150         | 4                 | 2.7%    |
| 5                 | 75          | 1                 | 1.3%    | 71          | 1                 | 1.4%    |
| 6                 | 932         | 6                 | 0.6%    | 681         | 3                 | 0.4%    |
| 7                 | 208         | 1                 | 0.5%    | 163         |                   | 0.0%    |
| 8                 | 131         | 2                 | 1.5%    | 159         | 1                 | 0.6%    |
| 9                 | 127         | 2                 | 1.6%    | 113         | 1                 | 0.9%    |
| 10                | 288         | 5                 | 1.7%    | 278         |                   | 0.0%    |
| 11                | 811         | 3                 | 0.4%    | 893         | 3                 | 0.3%    |
| 12                | 209         | 2                 | 1.0%    | 202         | 2                 | 1.0%    |
| 13                | 200         |                   | 0.0%    | 221         | 3                 | 1.4%    |
| 14                | 73          | 1                 | 1.4%    | 64          |                   | 0.0%    |
| 15                | 165         | 3                 | 1.8%    | 181         |                   | 0.0%    |
| 16                | 581         | 5                 | 0.9%    | 560         | 3                 | 0.5%    |
| 17                | 138         | 1                 | 0.7%    | 108         |                   | 0.0%    |
| 18                | 101         |                   | 0.0%    | 100         |                   | 0.0%    |
| 19                | 140         |                   | 0.0%    | 142         | 2                 | 1.4%    |
| 20                | 2148        | 11                | 0.5%    | 2050        | 16                | 0.8%    |
| 21                | 55          |                   | 0.0%    | 60          |                   | 0.0%    |
| 22                | 230         | 2                 | 0.9%    | 203         | 1                 | 0.5%    |
| 23                | 59          | 1                 | 1.7%    | 44          | 1                 | 2.3%    |
| 24                | 209         |                   | 0.0%    | 204         |                   | 0.0%    |
| 25                | 101         |                   | 0.0%    | 97          | 1                 | 1.0%    |
| 26                | 393         | 2                 | 0.5%    | 342         | 1                 | 0.3%    |
| 27                | 218         | 6                 | 2.8%    | 170         |                   | 0.0%    |
| 28                | 87          |                   | 0.0%    | 104         |                   | 0.0%    |
| 29                | 85          |                   | 0.0%    | 85          | 1                 | 1.2%    |
| 30                | 1113        | 8                 | 0.7%    | 807         | 13                | 1.6%    |
| 31                | 104         |                   | 0.0%    | 85          | 1                 | 1.2%    |
| Not Given         | 1684        | 3                 | 0.2%    | 1804        | 7                 | 0.4%    |
| Statewide         | 11425       | 73                | 0.6%    | 10605       | 67                | 0.6%    |

PERMANENT TOTAL DISABILITY

The method of collecting data on the frequency of permanent total disability (PTD) cases can be done two ways. The SD-1 form allows for the case to be identified as a permanent total disability trial or settlement. The frequencies in which those fields are indicated for 2000 and 2001 cases are displayed in Table 85. For cases concluded in 2000, 171 (1.50%) are indicated as being PTD settlements and 14 (0.12%) are indicated as being PTD trials. For 2001 cases, 117 (1.10%) are indicated as being PTD settlements and 14 (0.13%) are indicated as being PTD trials.

**Table 85: Permanent Total Disability Case Frequencies**

| Year | PTD Settlement |         | PTD Trial |         | Total |
|------|----------------|---------|-----------|---------|-------|
|      | Frequency      | Percent | Frequency | Percent |       |
| 2000 | 171            | 1.50%   | 14        | 0.12%   | 1.62% |
| 2001 | 117            | 1.10%   | 14        | 0.13%   | 1.24% |

The SD-1 form also collects the amounts of different types of monetary benefits that are associated with each workers' compensation case. PTD benefits are one of the benefit types collected. Table 86 displays the number of SD-1 forms in which the reported PTD benefit amount is greater than \$0.00 for calendar year 2000 and 2001 cases. In 211 (1.85%) of 2000 cases PTD settlement benefits are paid, in 13 (0.11%) cases PTD trial benefits are paid and in 46 (0.40%) cases PTD benefits are paid but no conclusion type is indicated. For 2001 cases, 117 (1.10%) of the cases are indicated as being PTD settlements and 14 (0.13%) are indicated as being PTD trials. PTD settlement benefits are paid in 151 (1.42%) of the 2001 cases, PTD trial benefits in 10 (0.09%) of the cases and PTD benefits where the conclusion type is not given in 32 (0.30%) of the cases.

**Table 86: Frequencies of Monetary Permanent Total Disability Benefits Paid**

| Year | PTD Settlement Benefits Paid |         | PTD Trial Benefits Paid |         | PTD Benefits Paid Conclusion Type Missing |         | Total |
|------|------------------------------|---------|-------------------------|---------|-------------------------------------------|---------|-------|
|      | Frequency                    | Percent | Frequency               | Percent | Frequency                                 | Percent |       |
| 2000 | 211                          | 1.85%   | 13                      | 0.11%   | 46                                        | 0.40%   | 2.36% |
| 2001 | 151                          | 1.42%   | 10                      | 0.09%   | 32                                        | 0.30%   | 1.82% |

DEATH CASES

The monetary amount of death benefits paid is also indicated on SD-1 forms. The frequencies of death benefits paid for 2000 and 2001 cases are presented in Table 87. Out of all of 2000 cases, in 57 (0.50%) death settlement benefits are paid, in 5 (0.04%) death trial benefits are paid and in 13 (0.11%) death benefits are paid but no conclusion type is indicated. For calendar year 2001 cases, 40 (0.38%) indicate death settlement benefits are paid, 0 (0.00%) indicate death trail benefits are paid and 11 (0.11%) indicate death benefits are paid, but no conclusion type is given.

**Table 87: Frequencies of Monetary Death Benefits Paid**

| Year | Death Settlement Benefits Paid |         | Death Trial Benefits Paid |         | Death Benefits Paid Conclusion Type Missing |         | Total |
|------|--------------------------------|---------|---------------------------|---------|---------------------------------------------|---------|-------|
|      | Frequency                      | Percent | Frequency                 | Percent | Frequency                                   | Percent |       |
| 2000 | 57                             | 0.50%   | 5                         | 0.04%   | 13                                          | 0.11%   | 0.66% |
| 2001 | 40                             | 0.38%   | 0                         | 0.00%   | 11                                          | 0.10%   | 0.48% |

## APPEALS

After a case has been tried by a court in Tennessee, either party may appeal the court's verdict to the Tennessee Supreme Court. Pursuant to Supreme Court rules, all workers' compensation cases are referred to the Special Workers' Compensation Panel for hearing. It is mandatory for the Appeals Panel to hear the case. After the decision of the Panel has been sent to the parties, either or both of the parties can request the Supreme Court for a Full Court Review of the case. This review is discretionary with the Supreme Court. If the Supreme Court grants a Full Court Review, the case is argued before the entire Supreme Court and an opinion is issued. If a motion for a Full Court Review is not filed, the Supreme Court formally adopts the Panel's opinion. Decisions of both the Appeals Panel and the Supreme Court are published on the Supreme Court's website ([www.tsc.state.tn.us](http://www.tsc.state.tn.us)).

Table 88 contains information regarding workers' compensation appeals that was provided to the Advisory Council by the Administrative Office of the Courts.<sup>26</sup>

**Table 88: Workers' Compensation Appeals**

| Year | Workers' Compensation Appeals | Number of Motions for Full Court Review FILED | Number of Motions for Full Court Review GRANTED | Number of Motions for Full Court Review DENIED |
|------|-------------------------------|-----------------------------------------------|-------------------------------------------------|------------------------------------------------|
| 2000 | 193                           | 60                                            | 14                                              | 48                                             |
| 2001 | 178                           | 68                                            | 10                                              | 59                                             |

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<sup>26</sup> The Administrative Office of the Courts publishes an annual report which contains this information for each *fiscal* year. A special thank-you goes to the AOC for providing the information for *calendar* years 2000 and 2001 so the data could be included in this report. The AOC numbers are based on actual file records accumulated rather than on notices of appeal filed. The numbers may not add up exactly because some cases are filed late in a year and are not reviewed or disposed until the next year.

Table 89 compares the number of trials reported on the Statistical Data Form (*see*, Tables 9 and 10 on pages 53 and 54.) with the number of appeals reported by the AOC.<sup>27</sup>

**Table 89: Comparison of Number of Trials to Number of Appeals Filed**

| Year | Number of Trials Reported on SD-1 forms | Number of Appeals filed with Supreme Court | Percentage of Trial Verdicts Appealed |
|------|-----------------------------------------|--------------------------------------------|---------------------------------------|
| 2000 | 321                                     | 193                                        | 60.1%                                 |
| 2001 | 247                                     | 178                                        | 72.1%                                 |

## CONCLUSION

For several years the stakeholders of the Tennessee workers' compensation system have expressed a desire for Tennessee specific data. It is for this reason the Department of Labor and Workforce Development was granted an increased budget several years ago to develop an integrated workers' compensation computer system. It was also for this reason that the General Assembly, in 1998, enacted a statute that requires the parties to a workers' compensation claim to file a statistical data form (*see, Tennessee Code Annotated* §50-6-244) containing the information necessary for the legislature to determine the effect of the workers' compensation reforms that have been enacted in the last ten years. While there are still areas for improvement in the system for collecting data,<sup>28</sup> this report represents the first time the Advisory Council has been able to report Tennessee specific data for the use of the General Assembly and all interested stakeholders.

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<sup>27</sup> It is quite possible there are more workers' compensation trials conducted in Tennessee annually than the number for which a Statistical Data Form is filed despite the clear language of both the statute and the form indicating an SD-1 form is to be filed when the order is submitted to the trial court. If so, the appeals percentage would be lower. However, at this point it is impossible to determine for certain the number of trials conducted each year.

<sup>28</sup> While the data that is currently available is sufficient to publish this statistical report, there is concern in two areas. First, although the statistical data form has been required since the Fall of 1998, there are too many forms that are incomplete when filed by the attorneys for the employer or insurance carrier. Second, the specific body part injured and the type of injury sustained is unavailable from the statistical data forms because the Department has not been in a position to enter this data in the computer database.

As each reader of this report reflects on its contents, it should be remembered that the Tennessee workers' compensation system is unique. It is a court-based system, not a commission system which the majority of states utilize. As such, each judge has discretion to apply the workers' compensation law to the facts of each individual case. Both case law and statutory law require the court to consider pertinent factors to the individual case: employee's age, education, skills and training; the injury and the permanency of the injury; local job opportunities; and the capacity of the employee to work at types of employment in the employee's disabled condition. Because disability benefits are determined on a case-by-case basis in Tennessee and because the amount of money awarded for disability benefits is dependent on the employee's weekly compensation rate, there will be variances across the state in the amounts of disability benefits awarded for similar injuries. Thus, when these data are reviewed and compared between the judicial districts, the unique nature of Tennessee workers' compensation law should be kept in mind.

With regard to the temporary and permanent partial disability benefits and medical benefits provided to employees, this report combines all types of injuries (body as a whole and scheduled member) and all levels of severity of injuries (strain, break, concussion, amputation). Therefore, these statistics cannot be utilized to compare specific injury types across the state, except to the extent one assumes the types and severity will be spread across the state uniformly. Future statistical reports can address these data when the database includes the type of injury to the specific body part.

This Statistical Report covers only two calendar years of data. Therefore, there can be no consideration of trends at this time. It requires at least three (3) years of data to report valid trends and, in fact, the information becomes more valuable as more years pass. The Advisory Council's Annual Report for 2002 will contain trend information.

The data are of particular interest in several areas. The average statewide length of time from maximum medical improvement to the conclusion of the claim is between seven (7) and eight (8) months. This means the employee has ceased, in the majority of cases, to receive temporary total disability benefits and, if not returned to work, will have no income for a substantial period of time. The majority of claims are settled between the parties without the necessity of a trial, as less than 3.0% of the cases were actually tried by a court.

It is also of interest to note that in calendar years 2000 and 2001 in 74% of the cases, there was only one permanent impairment rating reported. A possible explanation is that the "dueling

doctor” scenario may be more likely in cases in which the injuries are more severe or the issue of compensability is in dispute and cannot be resolved without litigation. It is apparent from the data that the courts and the parties are properly applying the “multiplier cap” which the 1992 Reform Act placed on cases in which the employee returns to the pre-injury employment.

Also, while concern has been expressed about the number of psychological claims being filed in Tennessee, the data from calendar years 2000 and 2001 reflect employees claimed a psychological injury in approximately 2.5% of the closed cases. To determine if this is a growing area in Tennessee will necessitate tracking these claims in successive years. Data are not available to determine what percentage of these claims actually resulted in an award for, or settlement that included, benefits due to a psychological injury.

This Statistical Report is the first of many to follow. It is hoped that it will provide the information needed to determine how the various Reform Acts have affected Tennesseans and to determine the areas which need more detailed analysis. In an effort to provide the reader with a summary of the data, the following is provided.

STATEWIDE DATA for CALENDAR YEARS 2000 & 2001

~ AT A GLANCE ~

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Calendar Year 2000                                                                                                                                                                                                                                                               | Calendar Year 2001                 |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|---------|-----------------------|-------|-------------------|-------|-----------------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------|-----------------------|-------|-------------------|-------|-----------------------|-------|
| Number of Statistical Data Forms Received by the Department of Labor and Workforce Development                                                                                                                                                                                                                                                                                                                                                                                | 11,425                                                                                                                                                                                                                                                                           | 10,605                             |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Number of Workers' Compensation Cases Reported as "Closed" by the Court Clerks to the Administrative Office of the Courts<br><i>-- This number will not include those claims in which the Department approved a settlement in which no complaint had ever been filed.</i>                                                                                                                                                                                                     | 13,548                                                                                                                                                                                                                                                                           | 13,949                             |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Note: The remainder of this chart is based on data reported in the related fields of the Statistical Data Form. The completed fields in each category will not equal to the total number of statistical data forms submitted to the Department of Labor and Workforce Development as many forms were not fully complete and data was not supplied in all the fields. For example, only 7791 out of 11,425 statistical data forms (or only 68.2%) reported the employee's age. |                                                                                                                                                                                                                                                                                  |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Age                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Mean: 41.5<br>Median: 41.0                                                                                                                                                                                                                                                       | Mean: 41.6<br>Median: 41.0         |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Education                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <table border="1"> <thead> <tr> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Less Than High School</td> <td>20.5%</td> </tr> <tr> <td>High School / GED</td> <td>59.4%</td> </tr> <tr> <td>More Than High School</td> <td>20.1%</td> </tr> </tbody> </table> | Number                             | Percent | Less Than High School | 20.5% | High School / GED | 59.4% | More Than High School | 20.1% | <table border="1"> <thead> <tr> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Less Than High School</td> <td>20.8%</td> </tr> <tr> <td>High School / GED</td> <td>59.1%</td> </tr> <tr> <td>More Than High School</td> <td>20.2%</td> </tr> </tbody> </table> | Number | Percent | Less Than High School | 20.8% | High School / GED | 59.1% | More Than High School | 20.2% |
| Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Percent                                                                                                                                                                                                                                                                          |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Less Than High School                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 20.5%                                                                                                                                                                                                                                                                            |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| High School / GED                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 59.4%                                                                                                                                                                                                                                                                            |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| More Than High School                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 20.1%                                                                                                                                                                                                                                                                            |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Percent                                                                                                                                                                                                                                                                          |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Less Than High School                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 20.8%                                                                                                                                                                                                                                                                            |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| High School / GED                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 59.1%                                                                                                                                                                                                                                                                            |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| More Than High School                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 20.2%                                                                                                                                                                                                                                                                            |                                    |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |
| Weekly Compensation Benefit Rate                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mean: \$319.10<br>Median: \$302.05                                                                                                                                                                                                                                               | Mean: \$331.32<br>Median: \$312.79 |         |                       |       |                   |       |                       |       |                                                                                                                                                                                                                                                                                  |        |         |                       |       |                   |       |                       |       |

|                                                                                                                                                                                                                                      | Calendar Year 2000  |         | Calendar Year 2001  |         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------|---------------------|---------|
| <b>Conclusion Types</b>                                                                                                                                                                                                              | Number              | Percent | Number              | Percent |
| Trials                                                                                                                                                                                                                               | 321                 | 2.8%    | 247                 | 2.3%    |
| Settlement, Court Approved-Complaint                                                                                                                                                                                                 | 3281                | 28.7%   | 2868                | 27.0%   |
| Settlement, Court Approved-Jt. Petition                                                                                                                                                                                              | 4163                | 36.4%   | 3443                | 32.5%   |
| Settlement, Department Approved                                                                                                                                                                                                      | 2303                | 20.2%   | 2655                | 25.0%   |
| -----                                                                                                                                                                                                                                | -----               | -----   | -----               | -----   |
| Conclusion Type Not Given                                                                                                                                                                                                            | 1357                | 11.9%   | 1392                | 13.1%   |
| <b>Weeks From Date of Injury to Conclusion</b>                                                                                                                                                                                       | Mean: 83.8          |         | Mean: 85.4          |         |
|                                                                                                                                                                                                                                      | Median: 69.0        |         | Median: 69.9        |         |
| <b>Weeks From Date of Injury to Date of Maximum Medical Improvement</b>                                                                                                                                                              | Mean: 41.6          |         | Mean: 42.5          |         |
|                                                                                                                                                                                                                                      | Median: 31.4        |         | Median: 32.9        |         |
| <b>Weeks From Date of Maximum Medical Improvement to Conclusion</b>                                                                                                                                                                  | Mean: 38.6          |         | Mean: 38.9          |         |
|                                                                                                                                                                                                                                      | Median: 26.0        |         | Median: 25.4        |         |
| <b>Top 5 Injuries [Body Part]</b>                                                                                                                                                                                                    | Number              | Percent | Number              | Percent |
| Body As Whole                                                                                                                                                                                                                        | 4512                | 42.8%   | 4240                | 43.2%   |
| Arm                                                                                                                                                                                                                                  | 2579                | 24.5%   | 2449                | 24.9%   |
| Leg                                                                                                                                                                                                                                  | 1853                | 17.6%   | 1773                | 18.1%   |
| Hand                                                                                                                                                                                                                                 | 530                 | 5.0%    | 419                 | 4.3%    |
| Index Finger                                                                                                                                                                                                                         | 253                 | 2.4%    | 257                 | 2.6%    |
| <b>Number of Weeks - TTD (Temporary Total Disability)</b><br>(includes all cases, body as a whole and scheduled member - calculated by dividing the employee's TTD monetary benefits by the weekly compensation rate then averaging) | Mean: 18.2          |         | Mean: 18.3          |         |
|                                                                                                                                                                                                                                      | Median: 12.6        |         | Median: 12.3        |         |
| <b>TTD Monetary Benefits</b>                                                                                                                                                                                                         | Mean: \$ 6,116.74   |         | Mean: \$6,594.42    |         |
|                                                                                                                                                                                                                                      | Median: \$ 3,679.29 |         | Median: \$3,817.40  |         |
| <b>Medical Expenses</b> (includes all cases, body as a whole and scheduled member)                                                                                                                                                   | Mean: \$14,618.33   |         | Mean: \$15,680.80   |         |
|                                                                                                                                                                                                                                      | Median: \$ 9,357.55 |         | Median: \$10,093.91 |         |
| <b>PPI (Permanent Partial Impairment) ~ BAW (Body as a Whole)-RTW (returned to work for pre-injury employer)</b>                                                                                                                     | Mean: 9.4           |         | Mean: 9.3           |         |
|                                                                                                                                                                                                                                      | Median: 8.0         |         | Median: 8.0         |         |

|                                                                  | Calendar Year 2000                       | Calendar Year 2001                       |
|------------------------------------------------------------------|------------------------------------------|------------------------------------------|
| PPD Multiplier ~ BAW-RTW                                         | Mean: 2.2<br>Median: 2.0                 | Mean: 2.2<br>Median: 2.0                 |
| PPD (Permanent Partial Disability) % ~ BAW-RTW                   | Mean: 18.5 %<br>Median: 15.0 %           | Mean: 18.9 %<br>Median: 15.0 %           |
| Monetary Award ~ BAW-RTW                                         | Mean: \$22,212.91<br>Median: \$17,312.00 | Mean: \$24,457.69<br>Median: \$19,926.00 |
| PPI ~ BAW-NoRTW (did not return to work for pre-injury employer) | Mean: 15.0<br>Median: 10.0               | Mean: 14.2<br>Median: 10.0               |
| PPD Multiplier ~ BAW-NoRTW                                       | Mean: 3.1<br>Median: 2.9                 | Mean: 3.2<br>Median: 3.0                 |
| PPD % ~ BAW-NoRTW                                                | Mean: 32.9 %<br>Median: 25.0 %           | Mean: 34.3 %<br>Median: 30.0 %           |
| Monetary Award ~ BAW-NoRTW                                       | Mean: \$32,849.20<br>Median: \$22,571.50 | Mean: \$38,072.65<br>Median: \$28,269.12 |
|                                                                  |                                          |                                          |
| PPI ~ ARMS-RTW                                                   | Mean: 9.1<br>Median: 7.0                 | Mean: 9.5<br>Median: 6.0                 |
| PPD Multiplier ~ ARMS-RTW                                        | Mean: 2.7<br>Median: 2.3                 | Mean: 2.8<br>Median: 2.5                 |
| PPD% ~ ARMS-RTW                                                  | Mean: 20.6 %<br>Median: 17.5 %           | Mean: 21.1 %<br>Median: 16.0 %           |
| Monetary Award ~ ARMS-RTW                                        | Mean: \$14,739.69<br>Median: \$10,820.00 | Mean: \$16,052.70<br>Median: \$11,516.10 |
| PPI ~ ARMS-NoRTW                                                 | Mean: 13.0<br>Median: 10.0               | Mean: 11.6<br>Median: 10.0               |
| PPD Multiplier ~ ARMS-NoRTW                                      | Mean: 3.2<br>Median: 3.0                 | Mean: 3.3<br>Median: 3.0                 |

|                             | Calendar Year 2000                       | Calendar Year 2001                       |
|-----------------------------|------------------------------------------|------------------------------------------|
| PPD% ~ ARMS-NoRTW           | Mean: 30.2 %<br>Median: 25.3 %           | Mean: 28.5 %<br>Median: 23.8 %           |
| Monetary Award ~ ARMS-NoRTW | Mean: \$20,188.79<br>Median: \$14,344.75 | Mean: \$19,696.23<br>Median: \$13,023.78 |
|                             |                                          |                                          |
| PPI ~ LEGS-RTW              | Mean: 9.7<br>Median: 7.0                 | Mean: 9.3<br>Median: 7.0                 |
| PPD Multiplier ~ LEGS-RTW   | Mean: 2.7<br>Median: 2.4                 | Mean: 2.7<br>Median: 2.5                 |
| PPD% ~ LEGS-RTW             | Mean: 21.9 %<br>Median: 16.0 %           | Mean: 21.4 %<br>Median: 17.5 %           |
| Monetary Award ~ LEGS-RTW   | Mean: \$13,546.39<br>Median: \$ 9,200.50 | Mean: \$14,086.62<br>Median: \$10,595.20 |
| PPI ~ LEGS-NoRTW            | Mean: 15.5<br>Median: 10.0               | Mean: 14.7<br>Median: 10.0               |
| PPD Multiplier ~ LEGS-NoRTW | Mean: 3.3<br>Median: 3.0                 | Mean: 3.3<br>Median: 3.0                 |
| PPD% ~ LEGS-NoRTW           | Mean: 39.9 %<br>Median: 30.0 %           | Mean: 35.9 %<br>Median: 30.0 %           |
| Monetary Award ~ LEGS-NoRTW | Mean: \$24,405.38<br>Median: \$15,438.50 | Mean: \$22,939.37<br>Median: \$14,645.92 |

|                                                                                                                                                                                                                                                                   | Calendar Year 2000             | Calendar Year 2001             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------|
| <b>PTD (Permanent Total Disability) Claims</b><br><i>-- The frequency is based on number of Statistical Data Forms that indicated claim was permanent total, not on the indication of money paid for a permanent total claim.</i>                                 | Settlements: 171<br>Trials: 14 | Settlements: 117<br>Trials: 14 |
| <b>Death Claims</b><br><i>-- The only indication on the original Statistical Data Form that the claim involved a death claim was in the "benefits paid" portion of the form. The revision made in December, 2002 has a field to indicate claim was for death.</i> | Settlements: 57<br>Trials: 5   | Settlements: 40<br>Trials: 0   |
|                                                                                                                                                                                                                                                                   |                                |                                |
| <b>Workers' Compensation Appeals</b>                                                                                                                                                                                                                              | 193                            | 178                            |
| <b>Motions for Full Court Review Filed</b>                                                                                                                                                                                                                        | 60                             | 68                             |
| <b>Motions for Full Court Review Granted</b>                                                                                                                                                                                                                      | 14                             | 10                             |

## APPENDIX 1

### SYNOPSIS OF TENNESSEE WORKERS' COMPENSATION

#### DISABILITY AND MEDICAL BENEFITS - COMPENSABLE CLAIM

In Tennessee, when an employee sustains an injury in the course and scope of his/her employment, the employee is entitled to receive temporary total disability benefits (TTD) if the employee is unable to work for a period of at least seven (7) days. TTD benefits are paid beginning the eighth day unless the employee is unable to work for fourteen (14) days and in that event the employee will receive TTD benefits retroactive to the first day after the injury. *See, TCA §50-6-205, 207.* If the employee returns to work on either a part-time basis or on light duty and does not earn wages equal to the pre-injury wage, then the employee is entitled to temporary partial disability benefits (TPD). *See, TCA §50-6-207.*

The amount of weekly compensation benefits to which the employee is entitled is equal to sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wage for the fifty-two (52) week period preceding the date of injury, subject to a statutory minimum and maximum weekly compensation rate. For example, for injuries occurring between July 1, 2000 and June 30, 2001, the maximum weekly compensation rate is \$562.00.<sup>29</sup> *See, TCA §50-6-102(a)(7) and TCA §50-6-207.*

The employer is required to furnish any medical treatment necessary as a result of a work related injury. The employer must furnish the injured employee with a list of three physicians (panel choice) from which the employee chooses the "attending physician" for the medical treatment. *See, TCA §50-6-204.* The employer is also responsible for medical treatment provided by any medical

<sup>29</sup> Maximum compensation rates for injury dates pertaining to this study

| YEAR              | MAX RATE | YEAR              | MAX RATE |
|-------------------|----------|-------------------|----------|
| 8/1/92 to 6/30/93 | \$318.24 | 7/1/97 to 6/30/98 | \$492.00 |
| 7/1/93 to 6/30/94 | \$355.97 | 7/1/98 to 6/30/99 | \$515.00 |
| 7/1/94 to 6/30/95 | \$382.79 | 7/1/99 to 6/30/00 | \$541.00 |
| 7/1/95 to 6/30/96 | \$415.87 | 7/1/00 to 6/30/01 | \$562.00 |
| 7/1/96 to 6/30/97 | \$453.14 |                   |          |

care provider to whom the “attending physician” refers the employee. After the employee achieves as much healing as possible, i.e. maximum medical improvement (or MMI), the attending physician determines whether the employee’s condition is permanent in nature and if so, states an opinion as to the employee’s “permanent impairment” (PPI rating).

If the employee retains a permanent impairment and has received a PPI rating, the employee is almost always entitled to permanent partial disability benefits (PPD), which is a monetary sum paid by the employer to compensate the employee for the loss of the ability to compete for jobs in the open job market.<sup>30</sup> The amount of PPD benefits which may be awarded by the court to the employee is dependent upon several factors, including type of injury, extent of impairment, age, education, prior work history, job skills, ability to work in the disabled condition and local job opportunities. The award of PPD benefits is also governed by other statutory provisions depending on the type of injury, whether the employer returned the employee to work and other factors. *See, TCA §50-6-207(3); TCA §50-6-241, 242.*

Thus, the first consideration in determining the permanent disability to which the employee may be entitled is to ascertain whether the injury is to the body as a whole (BAW) or to a scheduled member (SM). A scheduled member is a part of the body enumerated in the statute such as finger, arm, hand, toe, foot, leg, eye and hearing. *See, TCA §50-6-207(3)(A)(ii).* All other injuries not specifically provided for in the “schedule” are considered injuries to the body as a whole. Examples of body as a whole injuries include injuries to the back, shoulder, head or a combination of three scheduled member injuries.

If the injury is to a scheduled member, the trial court has full discretion to determine the amount of PPD to which the employee is entitled based on the nature of the injury, the anatomical impairment, the employee’s age, education, prior job experience and job skills. The only limitation on the trial court’s PPD award for a scheduled member is the maximum number of weeks of disability which is set by statute for the specific member. For example, if the injury is to the arm,

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<sup>30</sup> Tennessee law also allows recovery of PPD benefits if there is medical proof the injury is permanent in nature but the provider is unable or refuses to give a PPI rating.

the maximum PPD award is 200 weeks of benefits calculated by using the employee's weekly compensation rate. For an employee who has a weekly compensation rate of \$200 and a PPD of 20% to the arm, the amount of compensation for the injury would be \$8000. If the same employee had lost the arm, the maximum amount of compensation which could be awarded would be \$40,000 (i.e, 200 weeks times \$200 comp rate).

If the injury is to the body, then the amount of PPD to which the employee is entitled will depend first upon whether the employer returned the employee to work earning the same (or greater) pay than the wage being earned at the time of injury. If the employee did return to work under these criteria, then the maximum amount which can be awarded for PPD is two and one-half (2.5) times the impairment rating, as determined by the trial court. The amount of the award is calculated by multiplying the PPD percentage awarded by the Court by 400 weeks, the maximum number of weeks the employee may receive permanent partial disability benefits, and then multiplying that figure by the employee's weekly compensation rate. For example, if an employee whose weekly compensation rate is \$200 sustained a back strain and the only impairment rating given by a doctor was 5%, then the court's award could not exceed 12.5% PPD which equals \$10,000 ( $0.125 \times 400 \text{ weeks} \times \$200$ ), if the employer brought the employee back to work. *See, TCA §50-6-241.*

If the employer does not return the employee to work (earning the same or greater pay), then the maximum amount of PPD which can be awarded by the trial court cannot exceed six (6) times the PPI rating, as determined by the trial court. If the trial court awards a multiplier of five (5) or greater, then the trial court must make specific findings of fact detailing the reasons for the award. The amount of the award is calculated in the same manner as above. For example, if you assume the same type of injury as above, except the employer did not return the employee to work, the maximum PPD which could be awarded would be 30% which equals \$24,000.00 ( $0.30 \times 400 \text{ weeks} \times \$200$ ). *See, TCA §50-6-241.*

If the employer does not return the employee to work at the same or greater pay and the employee meets three of the four following criteria: (1) age 55 or older; (2) no high school diploma or GED or cannot read and write at an eighth grade level; (3) no reasonably transferable job skills;

or (4) no reasonable employment opportunities available locally, the trial court is not limited to a multiplier maximum. However, the PPD award in this situation cannot exceed 400 weeks of benefits. *See, TCA §50-6-242.*

If the employee is totally incapacitated from working at an occupation which brings an income, the employee is considered “permanently totally disabled” and is entitled to permanent total disability benefits (PTD). These PTD benefits are payable until the employee reaches full retirement age, or if the injury occurs after the employee is 60 years old, the employee is entitled to 260 weeks of benefits. Also, Tennessee provides death benefits, in addition to burial expenses and required medical expenses, when an employee dies as a result of a work-related injury. If the employee is unmarried and leaves no dependents, the estate of the employee is entitled to a lump sum of \$20,000.<sup>3</sup> If the employee leaves dependents, compensation is paid at the rate of sixty-six and two-thirds percent (66 2/3 %) of the employee’s average weekly wages, subject to the maximum weekly benefit.

#### PERMANENT DISABILITY RESOLUTION PROCESS

The Tennessee workers’ compensation system is a court based system rather than a commission system. Generally, when an employee is injured in the course and scope of employment, if the parties (employee, employer and/or workers’ compensation insurance carrier) cannot agree upon the compensation to which the employee is entitled for the injury, either of the parties may submit the dispute to the court for determination of the benefits to which the employee is entitled. Although *TCA §50-6-225*<sup>4</sup>, prior to 1998, provided two methods by which the dispute could be determined, as a practical matter, the disputed cases were submitted to either the circuit or chancery courts in the county where the petitioner (the one filing the action) resides or the county in which the accident occurred. In some counties, the criminal court also hears workers’ compensation cases.<sup>5</sup>

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<sup>3</sup> The amount was raised from \$10,000 to \$20,000 by the General Assembly in 1999.

<sup>4</sup> The amount was raised from \$10,000 to \$20,000 by the General Assembly in 1999.

<sup>5</sup> Tennessee law does provide a mediation process [benefit review conference] by which disputed workers’ compensation claims can be resolved without the necessity of a trial. For injuries which occur after January 1, 1997, the benefit review conference is mandatory, unless both the employer and employee (or their representatives) agree to waive the mandatory benefit review conference. *See, TCA §50-6-239.*

If the workers' compensation claim proceeds to trial, the trial court has discretion to accept the opinion of one physician regarding the permanent impairment rating over the opinion of another physician. The trial court is not required to give more weight to the opinion concerning permanent impairment given by the "attending physician". Both the employer and employee are allowed to present expert testimony of an independent medical doctor, i.e. a doctor who is retained to conduct an independent medical examination for the sole purpose of evaluating the extent of permanent impairment.

Thus, in Tennessee, it is possible for there to be expert testimony concerning the permanent impairment by more than one physician. For those cases in which there are multiple opinions of permanent impairment, it is more probable than not that the opinions will not be the same, even though each physician is required to base the PPI opinion on either the most recent edition of the American Medical Association Guides to the Evaluation of Permanent Impairment or the Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment.

As the trial court determines the amount of permanent partial disability to which an employee is entitled, the court not only is required to consider many factors (age, education, job skills, etc.) in addition to the permanent impairment rating but the court is also allowed to select among the various medical impairment ratings which may have been given. This creates the potential for variations in PPD awards to exist--not only among the 31 judicial districts, but also within the same judicial district. Therefore, the reader is encouraged to keep these variables in mind as this report is read and the results interpreted.

## APPENDIX 2

### GLOSSARY OF STATISTICAL TERMS

#### **analysis of variance (ANOVA)**

a study of the effect of a set of qualitative variables on a quantitative response variable, based on a decomposition of the variance of the latter. A significance test used to determine the difference in the data between judicial districts.

#### **Kruskal-Wallis test**

a significance test used to determine the difference in the data between judicial districts. A nonparametric version of the ANOVA.

#### **mean**

1. the sum of all data values divided by their number.
2. the arithmetic average

#### **median**

the value of the middle item when data are arranged in order of size.

#### **standard deviation**

a measure of variability representing an average distance of the data from the mean; its square is the variance.

#### **statistically significant**

1. a description of evidence in which the discrepancies between data sets are too large or improbable to be attributed to chance.
2. the variance within individual data sets (judicial districts) is less than the variance between the sets (judicial districts)



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