



Sen. Kwame Raoul

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LRB100 04917 KTG 26558 a

1 AMENDMENT TO SENATE BILL 198

2 AMENDMENT NO. _____. Amend Senate Bill 198, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1 as follows:

5 by replacing line 8 on page 48 through line 20 on page 49 with
6 the following:

7 "(820 ILCS 305/8.1b)

8 Sec. 8.1b. Determination of permanent partial disability.
9 For accidental injuries that occur on or after September 1,
10 2011, permanent partial disability shall be established using
11 the following criteria:

12 (a) A physician licensed to practice medicine in all of its
13 branches preparing a permanent partial disability impairment
14 report shall report the level of impairment in writing. The
15 report shall include an evaluation of medically defined and
16 professionally appropriate measurements of impairment that

1 include, but are not limited to: loss of range of motion; loss
2 of strength; measured atrophy of tissue mass consistent with
3 the injury; and any other measurements that establish the
4 nature and extent of the impairment. The most current edition
5 of the American Medical Association's "Guides to the Evaluation
6 of Permanent Impairment" shall be used by the physician in
7 determining the level of impairment.

8 (b) In determining the level of permanent partial
9 disability, the Commission shall base its determination on the
10 following factors: (i) the reported level of impairment
11 pursuant to subsection (a); (ii) the occupation of the injured
12 employee; (iii) the age of the employee at the time of the
13 injury; (iv) the employee's future earning capacity; and (v)
14 evidence of disability corroborated by the treating medical
15 records. No single enumerated factor shall be the sole
16 determinant of disability. In determining the level of
17 disability, the relevance and weight of any factors used in
18 addition to the level of impairment as reported by the
19 physician must be explained in a written order.

20 (c) A report of impairment prepared pursuant to subsection
21 (a), if none is offered, is not required for an arbitrator or
22 the Commission to make an award for permanent partial
23 disability or permanent total disability benefits or any award
24 for benefits under subsection (c) of Section 8 or subsection
25 (d) of Section 8 of this Act or to approve a Settlement
26 Contract Lump Sum Petition.

1 (Source: P.A. 97-18, eff. 6-28-11.)".