



Rep. Michael J. Madigan

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09900HB1287ham002

LRB099 05153 WGH 35827 a

1 AMENDMENT TO HOUSE BILL 1287

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1287, AS AMENDED, by  
3 inserting the following in its proper numeric sequence in the  
4 bill:

5 "Section 10. The Workers' Compensation Act is amended by  
6 changing Section 8.1b as follows:

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 objective findings in  
15 the treating medical records and independent medical  
16 examinations. ~~No single enumerated factor shall be the sole~~  
17 ~~determinant of disability.~~ In determining the level of  
18 disability, the relevance and weight of any factors used in  
19 addition to the level of impairment as reported by the  
20 physician must be explained in a written order.

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