



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1254

Introduced 1/28/2025, by Rep. Dan Ugaste

#### SYNOPSIS AS INTRODUCED:

820 ILCS 305/8

from Ch. 48, par. 138.8

Amends the Workers' Compensation Act. Makes changes to the compensation periods for accidental injuries resulting in the loss of or the permanent and complete loss of use of the thumb, fingers, or toes; the amputation of an arm, foot, or leg; the enucleation of an eye; and other injuries to reduce the compensation to the amounts in effect for injuries occurring before February 1, 2006. Effective immediately.

LRB104 03226 SPS 13248 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Workers' Compensation Act is amended by  
5 changing Section 8 as follows:

6 (820 ILCS 305/8) (from Ch. 48, par. 138.8)

7 (Text of Section before amendment by P.A. 103-721)

8 Sec. 8. The amount of compensation which shall be paid to  
9 the employee for an accidental injury not resulting in death  
10 is:

11 (a) The employer shall provide and pay the negotiated  
12 rate, if applicable, or the lesser of the health care  
13 provider's actual charges or according to a fee schedule,  
14 subject to Section 8.2, in effect at the time the service was  
15 rendered for all the necessary first aid, medical and surgical  
16 services, and all necessary medical, surgical and hospital  
17 services thereafter incurred, limited, however, to that which  
18 is reasonably required to cure or relieve from the effects of  
19 the accidental injury, even if a health care provider sells,  
20 transfers, or otherwise assigns an account receivable for  
21 procedures, treatments, or services covered under this Act. If  
22 the employer does not dispute payment of first aid, medical,  
23 surgical, and hospital services, the employer shall make such

1 payment to the provider on behalf of the employee. The  
2 employer shall also pay for treatment, instruction and  
3 training necessary for the physical, mental and vocational  
4 rehabilitation of the employee, including all maintenance  
5 costs and expenses incidental thereto. If as a result of the  
6 injury the employee is unable to be self-sufficient the  
7 employer shall further pay for such maintenance or  
8 institutional care as shall be required.

9 The employee may at any time elect to secure his own  
10 physician, surgeon and hospital services at the employer's  
11 expense, or,

12 Upon agreement between the employer and the employees, or  
13 the employees' exclusive representative, and subject to the  
14 approval of the Illinois Workers' Compensation Commission, the  
15 employer shall maintain a list of physicians, to be known as a  
16 Panel of Physicians, who are accessible to the employees. The  
17 employer shall post this list in a place or places easily  
18 accessible to his employees. The employee shall have the right  
19 to make an alternative choice of physician from such Panel if  
20 he is not satisfied with the physician first selected. If, due  
21 to the nature of the injury or its occurrence away from the  
22 employer's place of business, the employee is unable to make a  
23 selection from the Panel, the selection process from the Panel  
24 shall not apply. The physician selected from the Panel may  
25 arrange for any consultation, referral or other specialized  
26 medical services outside the Panel at the employer's expense.

1     Provided that, in the event the Commission shall find that a  
2     doctor selected by the employee is rendering improper or  
3     inadequate care, the Commission may order the employee to  
4     select another doctor certified or qualified in the medical  
5     field for which treatment is required. If the employee refuses  
6     to make such change the Commission may relieve the employer of  
7     his obligation to pay the doctor's charges from the date of  
8     refusal to the date of compliance.

9     Any vocational rehabilitation counselors who provide  
10    service under this Act shall have appropriate certifications  
11    which designate the counselor as qualified to render opinions  
12    relating to vocational rehabilitation. Vocational  
13    rehabilitation may include, but is not limited to, counseling  
14    for job searches, supervising a job search program, and  
15    vocational retraining including education at an accredited  
16    learning institution. The employee or employer may petition to  
17    the Commission to decide disputes relating to vocational  
18    rehabilitation and the Commission shall resolve any such  
19    dispute, including payment of the vocational rehabilitation  
20    program by the employer.

21    The maintenance benefit shall not be less than the  
22    temporary total disability rate determined for the employee.  
23    In addition, maintenance shall include costs and expenses  
24    incidental to the vocational rehabilitation program.

25    When the employee is working light duty on a part-time  
26    basis or full-time basis and earns less than he or she would be

1     earning if employed in the full capacity of the job or jobs,  
2     then the employee shall be entitled to temporary partial  
3     disability benefits. Temporary partial disability benefits  
4     shall be equal to two-thirds of the difference between the  
5     average amount that the employee would be able to earn in the  
6     full performance of his or her duties in the occupation in  
7     which he or she was engaged at the time of accident and the  
8     gross amount which he or she is earning in the modified job  
9     provided to the employee by the employer or in any other job  
10    that the employee is working.

11       Every hospital, physician, surgeon or other person  
12    rendering treatment or services in accordance with the  
13    provisions of this Section shall upon written request furnish  
14    full and complete reports thereof to, and permit their records  
15    to be copied by, the employer, the employee or his dependents,  
16    as the case may be, or any other party to any proceeding for  
17    compensation before the Commission, or their attorneys.

18       Notwithstanding the foregoing, the employer's liability to  
19    pay for such medical services selected by the employee shall  
20    be limited to:

21           (1) all first aid and emergency treatment; plus

22           (2) all medical, surgical and hospital services  
23    provided by the physician, surgeon or hospital initially  
24    chosen by the employee or by any other physician,  
25    consultant, expert, institution or other provider of  
26    services recommended by said initial service provider or

1 any subsequent provider of medical services in the chain  
2 of referrals from said initial service provider; plus

3 (3) all medical, surgical and hospital services  
4 provided by any second physician, surgeon or hospital  
5 subsequently chosen by the employee or by any other  
6 physician, consultant, expert, institution or other  
7 provider of services recommended by said second service  
8 provider or any subsequent provider of medical services in  
9 the chain of referrals from said second service provider.  
10 Thereafter the employer shall select and pay for all  
11 necessary medical, surgical and hospital treatment and the  
12 employee may not select a provider of medical services at  
13 the employer's expense unless the employer agrees to such  
14 selection. At any time the employee may obtain any medical  
15 treatment he desires at his own expense. This paragraph  
16 shall not affect the duty to pay for rehabilitation  
17 referred to above.

18 (4) The following shall apply for injuries occurring  
19 on or after June 28, 2011 (the effective date of Public Act  
20 97-18) and only when an employer has an approved preferred  
21 provider program pursuant to Section 8.1a on the date the  
22 employee sustained his or her accidental injuries:

23 (A) The employer shall, in writing, on a form  
24 promulgated by the Commission, inform the employee of  
25 the preferred provider program;

26 (B) Subsequent to the report of an injury by an

1 employee, the employee may choose in writing at any  
2 time to decline the preferred provider program, in  
3 which case that would constitute one of the two  
4 choices of medical providers to which the employee is  
5 entitled under subsection (a)(2) or (a)(3); and

6 (C) Prior to the report of an injury by an  
7 employee, when an employee chooses non-emergency  
8 treatment from a provider not within the preferred  
9 provider program, that would constitute the employee's  
10 one choice of medical providers to which the employee  
11 is entitled under subsection (a)(2) or (a)(3).

12 When an employer and employee so agree in writing, nothing  
13 in this Act prevents an employee whose injury or disability  
14 has been established under this Act, from relying in good  
15 faith, on treatment by prayer or spiritual means alone, in  
16 accordance with the tenets and practice of a recognized church  
17 or religious denomination, by a duly accredited practitioner  
18 thereof, and having nursing services appropriate therewith,  
19 without suffering loss or diminution of the compensation  
20 benefits under this Act. However, the employee shall submit to  
21 all physical examinations required by this Act. The cost of  
22 such treatment and nursing care shall be paid by the employee  
23 unless the employer agrees to make such payment.

24 Where the accidental injury results in the amputation of  
25 an arm, hand, leg or foot, or the enucleation of an eye, or the  
26 loss of any of the natural teeth, the employer shall furnish an

1 artificial of any such members lost or damaged in accidental  
2 injury arising out of and in the course of employment, and  
3 shall also furnish the necessary braces in all proper and  
4 necessary cases. In cases of the loss of a member or members by  
5 amputation, the employer shall, whenever necessary, maintain  
6 in good repair, refit or replace the artificial limbs during  
7 the lifetime of the employee. Where the accidental injury  
8 accompanied by physical injury results in damage to a denture,  
9 eye glasses or contact eye lenses, or where the accidental  
10 injury results in damage to an artificial member, the employer  
11 shall replace or repair such denture, glasses, lenses, or  
12 artificial member.

13 The furnishing by the employer of any such services or  
14 appliances is not an admission of liability on the part of the  
15 employer to pay compensation.

16 The furnishing of any such services or appliances or the  
17 servicing thereof by the employer is not the payment of  
18 compensation.

19 (b) If the period of temporary total incapacity for work  
20 lasts more than 3 working days, weekly compensation as  
21 hereinafter provided shall be paid beginning on the 4th day of  
22 such temporary total incapacity and continuing as long as the  
23 total temporary incapacity lasts. In cases where the temporary  
24 total incapacity for work continues for a period of 14 days or  
25 more from the day of the accident compensation shall commence  
26 on the day after the accident.



1           1. The compensation rate for temporary total  
2           incapacity under this paragraph (b) of this Section shall  
3           be equal to 66 2/3% of the employee's average weekly wage  
4           computed in accordance with Section 10, provided that it  
5           shall be not less than 66 2/3% of the sum of the Federal  
6           minimum wage under the Fair Labor Standards Act, or the  
7           Illinois minimum wage under the Minimum Wage Law,  
8           whichever is more, multiplied by 40 hours. This percentage  
9           rate shall be increased by 10% for each spouse and child,  
10          not to exceed 100% of the total minimum wage calculation,  
11          nor exceed the employee's average weekly wage computed in  
12          accordance with the provisions of Section 10, whichever is  
13          less.

14          2. The compensation rate in all cases other than for  
15          temporary total disability under this paragraph (b), and  
16          other than for serious and permanent disfigurement under  
17          paragraph (c) and other than for permanent partial  
18          disability under subparagraph (2) of paragraph (d) or  
19          under paragraph (e), of this Section shall be equal to 66  
20          2/3% of the employee's average weekly wage computed in  
21          accordance with the provisions of Section 10, provided  
22          that it shall be not less than 66 2/3% of the sum of the  
23          Federal minimum wage under the Fair Labor Standards Act,  
24          or the Illinois minimum wage under the Minimum Wage Law,  
25          whichever is more, multiplied by 40 hours. This percentage  
26          rate shall be increased by 10% for each spouse and child,

1 not to exceed 100% of the total minimum wage calculation,  
2 nor exceed the employee's average weekly wage computed in  
3 accordance with the provisions of Section 10, whichever is  
4 less.

5 2.1. The compensation rate in all cases of serious and  
6 permanent disfigurement under paragraph (c) and of  
7 permanent partial disability under subparagraph (2) of  
8 paragraph (d) or under paragraph (e) of this Section shall  
9 be equal to 60% of the employee's average weekly wage  
10 computed in accordance with the provisions of Section 10,  
11 provided that it shall be not less than 66 2/3% of the sum  
12 of the Federal minimum wage under the Fair Labor Standards  
13 Act, or the Illinois minimum wage under the Minimum Wage  
14 Law, whichever is more, multiplied by 40 hours. This  
15 percentage rate shall be increased by 10% for each spouse  
16 and child, not to exceed 100% of the total minimum wage  
17 calculation, nor exceed the employee's average weekly wage  
18 computed in accordance with the provisions of Section 10,  
19 whichever is less.

20 3. As used in this Section the term "child" means a  
21 child of the employee including any child legally adopted  
22 before the accident or whom at the time of the accident the  
23 employee was under legal obligation to support or to whom  
24 the employee stood in loco parentis, and who at the time of  
25 the accident was under 18 years of age and not  
26 emancipated. The term "children" means the plural of

1 "child".

2 4. All weekly compensation rates provided under  
3 subparagraphs 1, 2 and 2.1 of this paragraph (b) of this  
4 Section shall be subject to the following limitations:

5 The maximum weekly compensation rate from July 1,  
6 1975, except as hereinafter provided, shall be 100% of the  
7 State's average weekly wage in covered industries under  
8 the Unemployment Insurance Act, that being the wage that  
9 most closely approximates the State's average weekly wage.

10 The maximum weekly compensation rate, for the period  
11 July 1, 1984, through June 30, 1987, except as hereinafter  
12 provided, shall be \$293.61. Effective July 1, 1987 and on  
13 July 1 of each year thereafter the maximum weekly  
14 compensation rate, except as hereinafter provided, shall  
15 be determined as follows: if during the preceding 12 month  
16 period there shall have been an increase in the State's  
17 average weekly wage in covered industries under the  
18 Unemployment Insurance Act, the weekly compensation rate  
19 shall be proportionately increased by the same percentage  
20 as the percentage of increase in the State's average  
21 weekly wage in covered industries under the Unemployment  
22 Insurance Act during such period.

23 The maximum weekly compensation rate, for the period  
24 January 1, 1981 through December 31, 1983, except as  
25 hereinafter provided, shall be 100% of the State's average  
26 weekly wage in covered industries under the Unemployment

1 Insurance Act in effect on January 1, 1981. Effective  
2 January 1, 1984 and on January 1, of each year thereafter  
3 the maximum weekly compensation rate, except as  
4 hereinafter provided, shall be determined as follows: if  
5 during the preceding 12 month period there shall have been  
6 an increase in the State's average weekly wage in covered  
7 industries under the Unemployment Insurance Act, the  
8 weekly compensation rate shall be proportionately  
9 increased by the same percentage as the percentage of  
10 increase in the State's average weekly wage in covered  
11 industries under the Unemployment Insurance Act during  
12 such period.

13 From July 1, 1977 and thereafter such maximum weekly  
14 compensation rate in death cases under Section 7, and  
15 permanent total disability cases under paragraph (f) or  
16 subparagraph 18 of paragraph (3) of this Section and for  
17 temporary total disability under paragraph (b) of this  
18 Section and for amputation of a member or enucleation of  
19 an eye under paragraph (e) of this Section shall be  
20 increased to 133-1/3% of the State's average weekly wage  
21 in covered industries under the Unemployment Insurance  
22 Act.

23 For injuries occurring on or after February 1, 2006,  
24 the maximum weekly benefit under paragraph (d)1 of this  
25 Section shall be 100% of the State's average weekly wage  
26 in covered industries under the Unemployment Insurance

1 Act.

2 4.1. Any provision herein to the contrary  
3 notwithstanding, the weekly compensation rate for  
4 compensation payments under subparagraph 18 of paragraph  
5 (e) of this Section and under paragraph (f) of this  
6 Section and under paragraph (a) of Section 7 and for  
7 amputation of a member or enucleation of an eye under  
8 paragraph (e) of this Section, shall in no event be less  
9 than 50% of the State's average weekly wage in covered  
10 industries under the Unemployment Insurance Act.

11 4.2. Any provision to the contrary notwithstanding,  
12 the total compensation payable under Section 7 shall not  
13 exceed the greater of \$500,000 or 25 years.

14 5. For the purpose of this Section this State's  
15 average weekly wage in covered industries under the  
16 Unemployment Insurance Act on July 1, 1975 is hereby fixed  
17 at \$228.16 per week and the computation of compensation  
18 rates shall be based on the aforesaid average weekly wage  
19 until modified as hereinafter provided.

20 6. The Department of Employment Security of the State  
21 shall on or before the first day of December, 1977, and on  
22 or before the first day of June, 1978, and on the first day  
23 of each December and June of each year thereafter, publish  
24 the State's average weekly wage in covered industries  
25 under the Unemployment Insurance Act and the Illinois  
26 Workers' Compensation Commission shall on the 15th day of

1 January, 1978 and on the 15th day of July, 1978 and on the  
2 15th day of each January and July of each year thereafter,  
3 post and publish the State's average weekly wage in  
4 covered industries under the Unemployment Insurance Act as  
5 last determined and published by the Department of  
6 Employment Security. The amount when so posted and  
7 published shall be conclusive and shall be applicable as  
8 the basis of computation of compensation rates until the  
9 next posting and publication as aforesaid.

10 7. The payment of compensation by an employer or his  
11 insurance carrier to an injured employee shall not  
12 constitute an admission of the employer's liability to pay  
13 compensation.

14 (c) For any serious and permanent disfigurement to the  
15 hand, head, face, neck, arm, leg below the knee or the chest  
16 above the axillary line, the employee is entitled to  
17 compensation for such disfigurement, the amount determined by  
18 agreement at any time or by arbitration under this Act, at a  
19 hearing not less than 6 months after the date of the accidental  
20 injury, which amount shall not exceed 150 weeks (if the  
21 accidental injury occurs on or after the effective date of  
22 this amendatory Act of the 94th General Assembly but before  
23 February 1, 2006) or 162 weeks (if the accidental injury  
24 occurs on or after February 1, 2006) at the applicable rate  
25 provided in subparagraph 2.1 of paragraph (b) of this Section.

26 No compensation is payable under this paragraph where

1 compensation is payable under paragraphs (d), (e) or (f) of  
2 this Section.

3 A duly appointed member of a fire department in a city, the  
4 population of which exceeds 500,000 according to the last  
5 federal or State census, is eligible for compensation under  
6 this paragraph only where such serious and permanent  
7 disfigurement results from burns.

8 (d) 1. If, after the accidental injury has been sustained,  
9 the employee as a result thereof becomes partially  
10 incapacitated from pursuing his usual and customary line of  
11 employment, he shall, except in cases compensated under the  
12 specific schedule set forth in paragraph (e) of this Section,  
13 receive compensation for the duration of his disability,  
14 subject to the limitations as to maximum amounts fixed in  
15 paragraph (b) of this Section, equal to 66-2/3% of the  
16 difference between the average amount which he would be able  
17 to earn in the full performance of his duties in the occupation  
18 in which he was engaged at the time of the accident and the  
19 average amount which he is earning or is able to earn in some  
20 suitable employment or business after the accident. For  
21 accidental injuries that occur on or after September 1, 2011,  
22 an award for wage differential under this subsection shall be  
23 effective only until the employee reaches the age of 67 or 5  
24 years from the date the award becomes final, whichever is  
25 later.

26 2. If, as a result of the accident, the employee sustains

1 serious and permanent injuries not covered by paragraphs (c)  
2 and (e) of this Section or having sustained injuries covered  
3 by the aforesaid paragraphs (c) and (e), he shall have  
4 sustained in addition thereto other injuries which injuries do  
5 not incapacitate him from pursuing the duties of his  
6 employment but which would disable him from pursuing other  
7 suitable occupations, or which have otherwise resulted in  
8 physical impairment; or if such injuries partially  
9 incapacitate him from pursuing the duties of his usual and  
10 customary line of employment but do not result in an  
11 impairment of earning capacity, or having resulted in an  
12 impairment of earning capacity, the employee elects to waive  
13 his right to recover under the foregoing subparagraph 1 of  
14 paragraph (d) of this Section then in any of the foregoing  
15 events, he shall receive in addition to compensation for  
16 temporary total disability under paragraph (b) of this  
17 Section, compensation at the rate provided in subparagraph 2.1  
18 of paragraph (b) of this Section for that percentage of 500  
19 weeks that the partial disability resulting from the injuries  
20 covered by this paragraph bears to total disability. If the  
21 employee shall have sustained a fracture of one or more  
22 vertebra or fracture of the skull, the amount of compensation  
23 allowed under this Section shall be not less than 6 weeks for a  
24 fractured skull and 6 weeks for each fractured vertebra, and  
25 in the event the employee shall have sustained a fracture of  
26 any of the following facial bones: nasal, lachrymal, vomer,



1     zygoma, maxilla, palatine or mandible, the amount of  
2     compensation allowed under this Section shall be not less than  
3     2 weeks for each such fractured bone, and for a fracture of  
4     each transverse process not less than 3 weeks. In the event  
5     such injuries shall result in the loss of a kidney, spleen or  
6     lung, the amount of compensation allowed under this Section  
7     shall be not less than 10 weeks for each such organ.  
8     Compensation awarded under this subparagraph 2 shall not take  
9     into consideration injuries covered under paragraphs (c) and  
10    (e) of this Section and the compensation provided in this  
11    paragraph shall not affect the employee's right to  
12    compensation payable under paragraphs (b), (c) and (e) of this  
13    Section for the disabilities therein covered.

14       (e) For accidental injuries in the following schedule, the  
15    employee shall receive compensation for the period of  
16    temporary total incapacity for work resulting from such  
17    accidental injury, under subparagraph 1 of paragraph (b) of  
18    this Section, and shall receive in addition thereto  
19    compensation for a further period for the specific loss herein  
20    mentioned, but shall not receive any compensation under any  
21    other provisions of this Act. The following listed amounts  
22    apply to either the loss of or the permanent and complete loss  
23    of use of the member specified, such compensation for the  
24    length of time as follows:

25           1. Thumb-

26                 70 weeks if the accidental injury occurs on or

1 after the effective date of this amendatory Act of the  
2 94th General Assembly but before February 1, 2006.

3 76 weeks if the accidental injury occurs on or  
4 after February 1, 2006.

5 70 weeks if the accidental injury occurs on or  
6 after the effective date of this amendatory Act of the  
7 104th General Assembly.

8 2. First, or index finger-

9 40 weeks if the accidental injury occurs on or  
10 after the effective date of this amendatory Act of the  
11 94th General Assembly but before February 1, 2006.

12 43 weeks if the accidental injury occurs on or  
13 after February 1, 2006.

14 40 weeks if the accidental injury occurs on or  
15 after the effective date of this amendatory Act of the  
16 104th General Assembly.

17 3. Second, or middle finger-

18 35 weeks if the accidental injury occurs on or  
19 after the effective date of this amendatory Act of the  
20 94th General Assembly but before February 1, 2006.

21 38 weeks if the accidental injury occurs on or  
22 after February 1, 2006 , but before the effective date  
23 of this amendatory Act of the 104th General Assembly..

24 35 weeks if the accidental injury occurs on or  
25 after the effective date of this amendatory Act of the  
26 104th General Assembly

1           4. Third, or ring finger-

2               25 weeks if the accidental injury occurs on or  
3 after the effective date of this amendatory Act of the  
4 94th General Assembly but before February 1, 2006.

5               27 weeks if the accidental injury occurs on or  
6 after February 1, 2006, but before the effective date  
7 of this amendatory Act of the 104th General Assembly..

8               25 weeks if the accidental injury occurs on or  
9 after the effective date of this amendatory Act of the  
10 104th General Assembly.

11          5. Fourth, or little finger-

12               20 weeks if the accidental injury occurs on or  
13 after the effective date of this amendatory Act of the  
14 94th General Assembly but before February 1, 2006.

15               22 weeks if the accidental injury occurs on or  
16 after February 1, 2006, but before the effective date  
17 of this amendatory Act of the 104th General Assembly.

18               20 weeks if the accidental injury occurs on or  
19 after the effective date of this amendatory Act of the  
20 104th General Assembly.

21          6. Great toe-

22               35 weeks if the accidental injury occurs on or  
23 after the effective date of this amendatory Act of the  
24 94th General Assembly but before February 1, 2006.

25               38 weeks if the accidental injury occurs on or  
26 after February 1, 2006, but before the effective date

1 of this amendatory Act of the 104th General Assembly.

2 35 weeks if the accidental injury occurs on or  
3 after the effective date of this amendatory Act of the  
4 104th General Assembly.

5 7. Each toe other than great toe-

6 12 weeks if the accidental injury occurs on or  
7 after the effective date of this amendatory Act of the  
8 94th General Assembly but before February 1, 2006.

9 13 weeks if the accidental injury occurs on or  
10 after February 1, 2006, but before the effective date  
11 of this amendatory Act of the 104th General Assembly.

12 12 weeks if the accidental injury occurs on or  
13 after the effective date of this amendatory Act of the  
14 104th General Assembly.

15 8. The loss of the first or distal phalanx of the thumb  
16 or of any finger or toe shall be considered to be equal to  
17 the loss of one-half of such thumb, finger or toe and the  
18 compensation payable shall be one-half of the amount above  
19 specified. The loss of more than one phalanx shall be  
20 considered as the loss of the entire thumb, finger or toe.  
21 In no case shall the amount received for more than one  
22 finger exceed the amount provided in this schedule for the  
23 loss of a hand.

24 9. Hand-

25 190 weeks if the accidental injury occurs on or  
26 after the effective date of this amendatory Act of the

94th General Assembly but before February 1, 2006.

205 weeks if the accidental injury occurs on or after February 1, 2006, but before the effective date of this amendatory Act of the 104th General Assembly.

190 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 104th General Assembly.

190 weeks if the accidental injury occurs on or after June 28, 2011 (the effective date of Public Act 97-18) and if the accidental injury involves carpal tunnel syndrome due to repetitive or cumulative trauma, in which case the permanent partial disability shall not exceed 15% loss of use of the hand, except for cause shown by clear and convincing evidence and in which case the award shall not exceed 30% loss of use of the hand.

The loss of 2 or more digits, or one or more phalanges of 2 or more digits, of a hand may be compensated on the basis of partial loss of use of a hand, provided, further, that the loss of 4 digits, or the loss of use of 4 digits, in the same hand shall constitute the complete loss of a hand.

10. Arm-

235 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

1           253 weeks if the accidental injury occurs on or  
2           after February 1, 2006, but before the effective date  
3           of this amendatory Act of the 104th General Assembly.

4           235 weeks if the accidental injury occurs on or  
5           after the effective date of this amendatory Act of the  
6           104th General Assembly.

7           Where an accidental injury results in the amputation  
8           of an arm below the elbow, such injury shall be  
9           compensated as a loss of an arm. Where an accidental  
10          injury results in the amputation of an arm above the  
11          elbow, compensation for an additional 15 weeks (if the  
12          accidental injury occurs on or after the effective date of  
13          this amendatory Act of the 94th General Assembly but  
14          before February 1, 2006, but before the effective date of  
15          this amendatory Act of the 104th General Assembly) or an  
16          additional 15 weeks (if the accidental injury occurs on or  
17          after the effective date of this amendatory Act of the  
18          104th General Assembly) or an additional 17 weeks (if the  
19          accidental injury occurs on or after February 1, 2006)  
20          shall be paid, except where the accidental injury results  
21          in the amputation of an arm at the shoulder joint, or so  
22          close to shoulder joint that an artificial arm cannot be  
23          used, or results in the disarticulation of an arm at the  
24          shoulder joint, in which case compensation for an  
25          additional 65 weeks (if the accidental injury occurs on or  
26          after the effective date of this amendatory Act of the

1 94th General Assembly but before February 1, 2006) or an  
2 additional 70 weeks (if the accidental injury occurs on or  
3 after February 1, 2006, but before the effective date of  
4 this amendatory Act of the 104th General Assembly) or an  
5 additional 65 weeks (if the accidental injury occurs on or  
6 after the effective date of this amendatory Act of the  
7 104th General Assembly) shall be paid.

8 11. Foot-

9 155 weeks if the accidental injury occurs on or  
10 after the effective date of this amendatory Act of the  
11 94th General Assembly but before February 1, 2006.

12 167 weeks if the accidental injury occurs on or  
13 after February 1, 2006, but before the effective date  
14 of this amendatory Act of the 104th General Assembly.

15 155 weeks if the accidental injury occurs on or  
16 after the effective date of this amendatory Act of the  
17 104th General Assembly.

18 12. Leg-

19 200 weeks if the accidental injury occurs on or  
20 after the effective date of this amendatory Act of the  
21 94th General Assembly but before February 1, 2006.

22 215 weeks if the accidental injury occurs on or  
23 after February 1, 2006, but before the effective date  
24 of this amendatory Act of the 104th General Assembly.

25 200 weeks if the accidental injury occurs on or  
26 after the effective date of this amendatory Act of the

1           104th General Assembly.

2           Where an accidental injury results in the amputation  
3           of a leg below the knee, such injury shall be compensated  
4           as loss of a leg. Where an accidental injury results in the  
5           amputation of a leg above the knee, compensation for an  
6           additional 25 weeks (if the accidental injury occurs on or  
7           after the effective date of this amendatory Act of the  
8           94th General Assembly but before February 1, 2006) or an  
9           additional 27 weeks (if the accidental injury occurs on or  
10          after February 1, 2006, but before the effective date of  
11          this amendatory Act of the 104th General Assembly) or an  
12          additional 25 weeks (if the accidental injury occurs on or  
13          after the effective date of this amendatory Act of the  
14          104th General Assembly) shall be paid, except where the  
15          accidental injury results in the amputation of a leg at  
16          the hip joint, or so close to the hip joint that an  
17          artificial leg cannot be used, or results in the  
18          disarticulation of a leg at the hip joint, in which case  
19          compensation for an additional 75 weeks (if the accidental  
20          injury occurs on or after the effective date of this  
21          amendatory Act of the 94th General Assembly but before  
22          February 1, 2006) or an additional 81 weeks (if the  
23          accidental injury occurs on or after February 1, 2006, but  
24          before the effective date of this amendatory Act of the  
25          104th General Assembly) or an additional 75 weeks (if the  
26          accidental injury occurs on or after the effective date of



1       this amendatory Act of the 104th General Assembly) shall  
2       be paid.

3           13. Eye-

4               150 weeks if the accidental injury occurs on or  
5               after the effective date of this amendatory Act of the  
6               94th General Assembly but before February 1, 2006.

7               162 weeks if the accidental injury occurs on or  
8               after February 1, 2006, but before the effective date  
9               of this amendatory Act of the 104th General Assembly.

10              150 weeks if the accidental injury occurs on or  
11              after the effective date of this amendatory Act of the  
12              104th General Assembly.

13           Where an accidental injury results in the enucleation  
14           of an eye, compensation for an additional 10 weeks (if the  
15           accidental injury occurs on or after the effective date of  
16           this amendatory Act of the 94th General Assembly but  
17           before February 1, 2006) or an additional 11 weeks (if the  
18           accidental injury occurs on or after February 1, 2006, but  
19           before the effective date of this amendatory Act of the  
20           104th General Assembly) or an additional 10 weeks (if the  
21           accidental injury occurs on or after the effective date of  
22           this amendatory Act of the 104th General Assembly)) shall  
23           be paid.

24           14. Loss of hearing of one ear-

25               50 weeks if the accidental injury occurs on or  
26               after the effective date of this amendatory Act of the

94th General Assembly but before February 1, 2006.

54 weeks if the accidental injury occurs on or after February 1, 2006, but before the effective date of this amendatory Act of the 104th General Assembly.

50 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 104th General Assembly.

Total and permanent loss of hearing of both ears-

200 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

215 weeks if the accidental injury occurs on or after February 1, 2006, but before the effective date of this amendatory Act of the 104th General Assembly.

200 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 104th General Assembly.

15. Testicle-

50 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the 94th General Assembly but before February 1, 2006.

54 weeks if the accidental injury occurs on or after February 1, 2006, but before the effective date of this amendatory Act of the 104th General Assembly.

50 weeks if the accidental injury occurs on or after the effective date of this amendatory Act of the

1           104th General Assembly.

2           Both testicles-

3                 150 weeks if the accidental injury occurs on or  
4                 after the effective date of this amendatory Act of the  
5                 94th General Assembly but before February 1, 2006.

6                 162 weeks if the accidental injury occurs on or  
7                 after February 1, 2006, but before the effective date  
8                 of this amendatory Act of the 104th General Assembly.

9                 150 weeks if the accidental injury occurs on or  
10                after the effective date of this amendatory Act of the  
11                104th General Assembly.

12           16. For the permanent partial loss of use of a member  
13           or sight of an eye, or hearing of an ear, compensation  
14           during that proportion of the number of weeks in the  
15           foregoing schedule provided for the loss of such member or  
16           sight of an eye, or hearing of an ear, which the partial  
17           loss of use thereof bears to the total loss of use of such  
18           member, or sight of eye, or hearing of an ear.

19                 (a) Loss of hearing for compensation purposes  
20                 shall be confined to the frequencies of 1,000, 2,000  
21                 and 3,000 cycles per second. Loss of hearing ability  
22                 for frequency tones above 3,000 cycles per second are  
23                 not to be considered as constituting disability for  
24                 hearing.

25                 (b) The percent of hearing loss, for purposes of  
26                 the determination of compensation claims for

1 occupational deafness, shall be calculated as the  
2 average in decibels for the thresholds of hearing for  
3 the frequencies of 1,000, 2,000 and 3,000 cycles per  
4 second. Pure tone air conduction audiometric  
5 instruments, approved by nationally recognized  
6 authorities in this field, shall be used for measuring  
7 hearing loss. If the losses of hearing average 30  
8 decibels or less in the 3 frequencies, such losses of  
9 hearing shall not then constitute any compensable  
10 hearing disability. If the losses of hearing average  
11 85 decibels or more in the 3 frequencies, then the same  
12 shall constitute and be total or 100% compensable  
13 hearing loss.

14 (c) In measuring hearing impairment, the lowest  
15 measured losses in each of the 3 frequencies shall be  
16 added together and divided by 3 to determine the  
17 average decibel loss. For every decibel of loss  
18 exceeding 30 decibels an allowance of 1.82% shall be  
19 made up to the maximum of 100% which is reached at 85  
20 decibels.

21 (d) If a hearing loss is established to have  
22 existed on July 1, 1975 by audiometric testing the  
23 employer shall not be liable for the previous loss so  
24 established nor shall he be liable for any loss for  
25 which compensation has been paid or awarded.

26 (e) No consideration shall be given to the

1 question of whether or not the ability of an employee  
2 to understand speech is improved by the use of a  
3 hearing aid.

4 (f) No claim for loss of hearing due to industrial  
5 noise shall be brought against an employer or allowed  
6 unless the employee has been exposed for a period of  
7 time sufficient to cause permanent impairment to noise  
8 levels in excess of the following:

9 Sound Level DBA

10 Slow Response	Hours Per Day
11 90	8
12 92	6
13 95	4
14 97	3
15 100	2
16 102	1-1/2
17 105	1
18 110	1/2
19 115	1/4

20 This subparagraph (f) shall not be applied in cases of  
21 hearing loss resulting from trauma or explosion.

22 17. In computing the compensation to be paid to any  
23 employee who, before the accident for which he claims  
24 compensation, had before that time sustained an injury  
25 resulting in the loss by amputation or partial loss by  
26 amputation of any member, including hand, arm, thumb or

1        fingers, leg, foot or any toes, such loss or partial loss  
2        of any such member shall be deducted from any award made  
3        for the subsequent injury. For the permanent loss of use  
4        or the permanent partial loss of use of any such member or  
5        the partial loss of sight of an eye, for which  
6        compensation has been paid, then such loss shall be taken  
7        into consideration and deducted from any award for the  
8        subsequent injury.

9        18. The specific case of loss of both hands, both  
10       arms, or both feet, or both legs, or both eyes, or of any  
11       two thereof, or the permanent and complete loss of the use  
12       thereof, constitutes total and permanent disability, to be  
13       compensated according to the compensation fixed by  
14       paragraph (f) of this Section. These specific cases of  
15       total and permanent disability do not exclude other cases.

16       Any employee who has previously suffered the loss or  
17       permanent and complete loss of the use of any of such  
18       members, and in a subsequent independent accident loses  
19       another or suffers the permanent and complete loss of the  
20       use of any one of such members the employer for whom the  
21       injured employee is working at the time of the last  
22       independent accident is liable to pay compensation only  
23       for the loss or permanent and complete loss of the use of  
24       the member occasioned by the last independent accident.

25       19. In a case of specific loss and the subsequent  
26       death of such injured employee from other causes than such

1 injury leaving a widow, widower, or dependents surviving  
2 before payment or payment in full for such injury, then  
3 the amount due for such injury is payable to the widow or  
4 widower and, if there be no widow or widower, then to such  
5 dependents, in the proportion which such dependency bears  
6 to total dependency.

7 Beginning July 1, 1980, and every 6 months thereafter, the  
8 Commission shall examine the Second Injury Fund and when,  
9 after deducting all advances or loans made to such Fund, the  
10 amount therein is \$500,000 then the amount required to be paid  
11 by employers pursuant to paragraph (f) of Section 7 shall be  
12 reduced by one-half. When the Second Injury Fund reaches the  
13 sum of \$600,000 then the payments shall cease entirely.  
14 However, when the Second Injury Fund has been reduced to  
15 \$400,000, payment of one-half of the amounts required by  
16 paragraph (f) of Section 7 shall be resumed, in the manner  
17 herein provided, and when the Second Injury Fund has been  
18 reduced to \$300,000, payment of the full amounts required by  
19 paragraph (f) of Section 7 shall be resumed, in the manner  
20 herein provided. The Commission shall make the changes in  
21 payment effective by general order, and the changes in payment  
22 become immediately effective for all cases coming before the  
23 Commission thereafter either by settlement agreement or final  
24 order, irrespective of the date of the accidental injury.

25 On August 1, 1996 and on February 1 and August 1 of each  
26 subsequent year, the Commission shall examine the special fund

1 designated as the "Rate Adjustment Fund" and when, after  
2 deducting all advances or loans made to said fund, the amount  
3 therein is \$4,000,000, the amount required to be paid by  
4 employers pursuant to paragraph (f) of Section 7 shall be  
5 reduced by one-half. When the Rate Adjustment Fund reaches the  
6 sum of \$5,000,000 the payment therein shall cease entirely.  
7 However, when said Rate Adjustment Fund has been reduced to  
8 \$3,000,000 the amounts required by paragraph (f) of Section 7  
9 shall be resumed in the manner herein provided.

10 (f) In case of complete disability, which renders the  
11 employee wholly and permanently incapable of work, or in the  
12 specific case of total and permanent disability as provided in  
13 subparagraph 18 of paragraph (e) of this Section, compensation  
14 shall be payable at the rate provided in subparagraph 2 of  
15 paragraph (b) of this Section for life.

16 An employee entitled to benefits under paragraph (f) of  
17 this Section shall also be entitled to receive from the Rate  
18 Adjustment Fund provided in paragraph (f) of Section 7 of the  
19 supplementary benefits provided in paragraph (g) of this  
20 Section 8.

21 If any employee who receives an award under this paragraph  
22 afterwards returns to work or is able to do so, and earns or is  
23 able to earn as much as before the accident, payments under  
24 such award shall cease. If such employee returns to work, or is  
25 able to do so, and earns or is able to earn part but not as  
26 much as before the accident, such award shall be modified so as



1 to conform to an award under paragraph (d) of this Section. If  
2 such award is terminated or reduced under the provisions of  
3 this paragraph, such employees have the right at any time  
4 within 30 months after the date of such termination or  
5 reduction to file petition with the Commission for the purpose  
6 of determining whether any disability exists as a result of  
7 the original accidental injury and the extent thereof.

8 Disability as enumerated in subdivision 18, paragraph (e)  
9 of this Section is considered complete disability.

10 If an employee who had previously incurred loss or the  
11 permanent and complete loss of use of one member, through the  
12 loss or the permanent and complete loss of the use of one hand,  
13 one arm, one foot, one leg, or one eye, incurs permanent and  
14 complete disability through the loss or the permanent and  
15 complete loss of the use of another member, he shall receive,  
16 in addition to the compensation payable by the employer and  
17 after such payments have ceased, an amount from the Second  
18 Injury Fund provided for in paragraph (f) of Section 7, which,  
19 together with the compensation payable from the employer in  
20 whose employ he was when the last accidental injury was  
21 incurred, will equal the amount payable for permanent and  
22 complete disability as provided in this paragraph of this  
23 Section.

24 The custodian of the Second Injury Fund provided for in  
25 paragraph (f) of Section 7 shall be joined with the employer as  
26 a party respondent in the application for adjustment of claim.

1 The application for adjustment of claim shall state briefly  
2 and in general terms the approximate time and place and manner  
3 of the loss of the first member.

4 In its award the Commission or the Arbitrator shall  
5 specifically find the amount the injured employee shall be  
6 weekly paid, the number of weeks compensation which shall be  
7 paid by the employer, the date upon which payments begin out of  
8 the Second Injury Fund provided for in paragraph (f) of  
9 Section 7 of this Act, the length of time the weekly payments  
10 continue, the date upon which the pension payments commence  
11 and the monthly amount of the payments. The Commission shall  
12 30 days after the date upon which payments out of the Second  
13 Injury Fund have begun as provided in the award, and every  
14 month thereafter, prepare and submit to the State Comptroller  
15 a voucher for payment for all compensation accrued to that  
16 date at the rate fixed by the Commission. The State  
17 Comptroller shall draw a warrant to the injured employee along  
18 with a receipt to be executed by the injured employee and  
19 returned to the Commission. The endorsed warrant and receipt  
20 is a full and complete acquittance to the Commission for the  
21 payment out of the Second Injury Fund. No other appropriation  
22 or warrant is necessary for payment out of the Second Injury  
23 Fund. The Second Injury Fund is appropriated for the purpose  
24 of making payments according to the terms of the awards.

25 As of July 1, 1980 to July 1, 1982, all claims against and  
26 obligations of the Second Injury Fund shall become claims

1 against and obligations of the Rate Adjustment Fund to the  
2 extent there is insufficient money in the Second Injury Fund  
3 to pay such claims and obligations. In that case, all  
4 references to "Second Injury Fund" in this Section shall also  
5 include the Rate Adjustment Fund.

6 (g) Every award for permanent total disability entered by  
7 the Commission on and after July 1, 1965 under which  
8 compensation payments shall become due and payable after the  
9 effective date of this amendatory Act, and every award for  
10 death benefits or permanent total disability entered by the  
11 Commission on and after the effective date of this amendatory  
12 Act shall be subject to annual adjustments as to the amount of  
13 the compensation rate therein provided. Such adjustments shall  
14 first be made on July 15, 1977, and all awards made and entered  
15 prior to July 1, 1975 and on July 15 of each year thereafter.  
16 In all other cases such adjustment shall be made on July 15 of  
17 the second year next following the date of the entry of the  
18 award and shall further be made on July 15 annually  
19 thereafter. If during the intervening period from the date of  
20 the entry of the award, or the last periodic adjustment, there  
21 shall have been an increase in the State's average weekly wage  
22 in covered industries under the Unemployment Insurance Act,  
23 the weekly compensation rate shall be proportionately  
24 increased by the same percentage as the percentage of increase  
25 in the State's average weekly wage in covered industries under  
26 the Unemployment Insurance Act. The increase in the

1 compensation rate under this paragraph shall in no event bring  
2 the total compensation rate to an amount greater than the  
3 prevailing maximum rate at the time that the annual adjustment  
4 is made. Such increase shall be paid in the same manner as  
5 herein provided for payments under the Second Injury Fund to  
6 the injured employee, or his dependents, as the case may be,  
7 out of the Rate Adjustment Fund provided in paragraph (f) of  
8 Section 7 of this Act. Payments shall be made at the same  
9 intervals as provided in the award or, at the option of the  
10 Commission, may be made in quarterly payment on the 15th day of  
11 January, April, July and October of each year. In the event of  
12 a decrease in such average weekly wage there shall be no change  
13 in the then existing compensation rate. The within paragraph  
14 shall not apply to cases where there is disputed liability and  
15 in which a compromise lump sum settlement between the employer  
16 and the injured employee, or his dependents, as the case may  
17 be, has been duly approved by the Illinois Workers'  
18 Compensation Commission.

19        Provided, that in cases of awards entered by the  
20 Commission for injuries occurring before July 1, 1975, the  
21 increases in the compensation rate adjusted under the  
22 foregoing provision of this paragraph (g) shall be limited to  
23 increases in the State's average weekly wage in covered  
24 industries under the Unemployment Insurance Act occurring  
25 after July 1, 1975.

26        For every accident occurring on or after July 20, 2005 but

1 before the effective date of this amendatory Act of the 94th  
2 General Assembly (Senate Bill 1283 of the 94th General  
3 Assembly), the annual adjustments to the compensation rate in  
4 awards for death benefits or permanent total disability, as  
5 provided in this Act, shall be paid by the employer. The  
6 adjustment shall be made by the employer on July 15 of the  
7 second year next following the date of the entry of the award  
8 and shall further be made on July 15 annually thereafter. If  
9 during the intervening period from the date of the entry of the  
10 award, or the last periodic adjustment, there shall have been  
11 an increase in the State's average weekly wage in covered  
12 industries under the Unemployment Insurance Act, the employer  
13 shall increase the weekly compensation rate proportionately by  
14 the same percentage as the percentage of increase in the  
15 State's average weekly wage in covered industries under the  
16 Unemployment Insurance Act. The increase in the compensation  
17 rate under this paragraph shall in no event bring the total  
18 compensation rate to an amount greater than the prevailing  
19 maximum rate at the time that the annual adjustment is made. In  
20 the event of a decrease in such average weekly wage there shall  
21 be no change in the then existing compensation rate. Such  
22 increase shall be paid by the employer in the same manner and  
23 at the same intervals as the payment of compensation in the  
24 award. This paragraph shall not apply to cases where there is  
25 disputed liability and in which a compromise lump sum  
26 settlement between the employer and the injured employee, or

1 his or her dependents, as the case may be, has been duly  
2 approved by the Illinois Workers' Compensation Commission.

3 The annual adjustments for every award of death benefits  
4 or permanent total disability involving accidents occurring  
5 before July 20, 2005 and accidents occurring on or after the  
6 effective date of this amendatory Act of the 94th General  
7 Assembly (Senate Bill 1283 of the 94th General Assembly) shall  
8 continue to be paid from the Rate Adjustment Fund pursuant to  
9 this paragraph and Section 7(f) of this Act.

10 (h) In case death occurs from any cause before the total  
11 compensation to which the employee would have been entitled  
12 has been paid, then in case the employee leaves any widow,  
13 widower, child, parent (or any grandchild, grandparent or  
14 other lineal heir or any collateral heir dependent at the time  
15 of the accident upon the earnings of the employee to the extent  
16 of 50% or more of total dependency) such compensation shall be  
17 paid to the beneficiaries of the deceased employee and  
18 distributed as provided in paragraph (g) of Section 7.

19 (h-1) In case an injured employee is under legal  
20 disability at the time when any right or privilege accrues to  
21 him or her under this Act, a guardian may be appointed pursuant  
22 to law, and may, on behalf of such person under legal  
23 disability, claim and exercise any such right or privilege  
24 with the same effect as if the employee himself or herself had  
25 claimed or exercised the right or privilege. No limitations of  
26 time provided by this Act run so long as the employee who is

1 under legal disability is without a conservator or guardian.

2 (i) In case the injured employee is under 16 years of age  
3 at the time of the accident and is illegally employed, the  
4 amount of compensation payable under paragraphs (b), (c), (d),  
5 (e) and (f) of this Section is increased 50%.

6 However, where an employer has on file an employment  
7 certificate issued pursuant to the Child Labor Law or work  
8 permit issued pursuant to the Federal Fair Labor Standards  
9 Act, as amended, or a birth certificate properly and duly  
10 issued, such certificate, permit or birth certificate is  
11 conclusive evidence as to the age of the injured minor  
12 employee for the purposes of this Section.

13 Nothing herein contained repeals or amends the provisions  
14 of the Child Labor Law relating to the employment of minors  
15 under the age of 16 years.

16 (j) 1. In the event the injured employee receives  
17 benefits, including medical, surgical or hospital benefits  
18 under any group plan covering non-occupational disabilities  
19 contributed to wholly or partially by the employer, which  
20 benefits should not have been payable if any rights of  
21 recovery existed under this Act, then such amounts so paid to  
22 the employee from any such group plan as shall be consistent  
23 with, and limited to, the provisions of paragraph 2 hereof,  
24 shall be credited to or against any compensation payment for  
25 temporary total incapacity for work or any medical, surgical  
26 or hospital benefits made or to be made under this Act. In such

1 event, the period of time for giving notice of accidental  
2 injury and filing application for adjustment of claim does not  
3 commence to run until the termination of such payments. This  
4 paragraph does not apply to payments made under any group plan  
5 which would have been payable irrespective of an accidental  
6 injury under this Act. Any employer receiving such credit  
7 shall keep such employee safe and harmless from any and all  
8 claims or liabilities that may be made against him by reason of  
9 having received such payments only to the extent of such  
10 credit.

11 Any excess benefits paid to or on behalf of a State  
12 employee by the State Employees' Retirement System under  
13 Article 14 of the Illinois Pension Code on a death claim or  
14 disputed disability claim shall be credited against any  
15 payments made or to be made by the State of Illinois to or on  
16 behalf of such employee under this Act, except for payments  
17 for medical expenses which have already been incurred at the  
18 time of the award. The State of Illinois shall directly  
19 reimburse the State Employees' Retirement System to the extent  
20 of such credit.

21 2. Nothing contained in this Act shall be construed to  
22 give the employer or the insurance carrier the right to credit  
23 for any benefits or payments received by the employee other  
24 than compensation payments provided by this Act, and where the  
25 employee receives payments other than compensation payments,  
26 whether as full or partial salary, group insurance benefits,



1 bonuses, annuities or any other payments, the employer or  
2 insurance carrier shall receive credit for each such payment  
3 only to the extent of the compensation that would have been  
4 payable during the period covered by such payment.

5 3. The extension of time for the filing of an Application  
6 for Adjustment of Claim as provided in paragraph 1 above shall  
7 not apply to those cases where the time for such filing had  
8 expired prior to the date on which payments or benefits  
9 enumerated herein have been initiated or resumed. Provided  
10 however that this paragraph 3 shall apply only to cases  
11 wherein the payments or benefits hereinabove enumerated shall  
12 be received after July 1, 1969.

13 (Source: P.A. 97-18, eff. 6-28-11; 97-268, eff. 8-8-11;  
14 97-813, eff. 7-13-12.)

15 (Text of Section after amendment by P.A. 103-721)

16 Sec. 8. The amount of compensation which shall be paid to  
17 the employee for an accidental injury not resulting in death  
18 is:

19 (a) The employer shall provide and pay the negotiated  
20 rate, if applicable, or the lesser of the health care  
21 provider's actual charges or according to a fee schedule,  
22 subject to Section 8.2, in effect at the time the service was  
23 rendered for all the necessary first aid, medical and surgical  
24 services, and all necessary medical, surgical and hospital  
25 services thereafter incurred, limited, however, to that which

1 is reasonably required to cure or relieve from the effects of  
2 the accidental injury, even if a health care provider sells,  
3 transfers, or otherwise assigns an account receivable for  
4 procedures, treatments, or services covered under this Act. If  
5 the employer does not dispute payment of first aid, medical,  
6 surgical, and hospital services, the employer shall make such  
7 payment to the provider on behalf of the employee. The  
8 employer shall also pay for treatment, instruction and  
9 training necessary for the physical, mental and vocational  
10 rehabilitation of the employee, including all maintenance  
11 costs and expenses incidental thereto. If as a result of the  
12 injury the employee is unable to be self-sufficient the  
13 employer shall further pay for such maintenance or  
14 institutional care as shall be required.

15 The employee may at any time elect to secure his own  
16 physician, surgeon and hospital services at the employer's  
17 expense, or,

18 Upon agreement between the employer and the employees, or  
19 the employees' exclusive representative, and subject to the  
20 approval of the Illinois Workers' Compensation Commission, the  
21 employer shall maintain a list of physicians, to be known as a  
22 Panel of Physicians, who are accessible to the employees. The  
23 employer shall post this list in a place or places easily  
24 accessible to his employees. The employee shall have the right  
25 to make an alternative choice of physician from such Panel if  
26 he is not satisfied with the physician first selected. If, due

1 to the nature of the injury or its occurrence away from the  
2 employer's place of business, the employee is unable to make a  
3 selection from the Panel, the selection process from the Panel  
4 shall not apply. The physician selected from the Panel may  
5 arrange for any consultation, referral or other specialized  
6 medical services outside the Panel at the employer's expense.  
7 Provided that, in the event the Commission shall find that a  
8 doctor selected by the employee is rendering improper or  
9 inadequate care, the Commission may order the employee to  
10 select another doctor certified or qualified in the medical  
11 field for which treatment is required. If the employee refuses  
12 to make such change the Commission may relieve the employer of  
13 his obligation to pay the doctor's charges from the date of  
14 refusal to the date of compliance.

15 Any vocational rehabilitation counselors who provide  
16 service under this Act shall have appropriate certifications  
17 which designate the counselor as qualified to render opinions  
18 relating to vocational rehabilitation. Vocational  
19 rehabilitation may include, but is not limited to, counseling  
20 for job searches, supervising a job search program, and  
21 vocational retraining including education at an accredited  
22 learning institution. The employee or employer may petition to  
23 the Commission to decide disputes relating to vocational  
24 rehabilitation and the Commission shall resolve any such  
25 dispute, including payment of the vocational rehabilitation  
26 program by the employer.

1       The maintenance benefit shall not be less than the  
2       temporary total disability rate determined for the employee.  
3       In addition, maintenance shall include costs and expenses  
4       incidental to the vocational rehabilitation program.

5       When the employee is working light duty on a part-time  
6       basis or full-time basis and earns less than he or she would be  
7       earning if employed in the full capacity of the job or jobs,  
8       then the employee shall be entitled to temporary partial  
9       disability benefits. Temporary partial disability benefits  
10      shall be equal to two-thirds of the difference between the  
11      average amount that the employee would be able to earn in the  
12      full performance of his or her duties in the occupation in  
13      which he or she was engaged at the time of accident and the  
14      gross amount which he or she is earning in the modified job  
15      provided to the employee by the employer or in any other job  
16      that the employee is working.

17      Every hospital, physician, surgeon or other person  
18      rendering treatment or services in accordance with the  
19      provisions of this Section shall upon written request furnish  
20      full and complete reports thereof to, and permit their records  
21      to be copied by, the employer, the employee or his dependents,  
22      as the case may be, or any other party to any proceeding for  
23      compensation before the Commission, or their attorneys.

24      Notwithstanding the foregoing, the employer's liability to  
25      pay for such medical services selected by the employee shall  
26      be limited to:

1           (1) all first aid and emergency treatment; plus

2           (2) all medical, surgical and hospital services  
3 provided by the physician, surgeon or hospital initially  
4 chosen by the employee or by any other physician,  
5 consultant, expert, institution or other provider of  
6 services recommended by said initial service provider or  
7 any subsequent provider of medical services in the chain  
8 of referrals from said initial service provider; plus

9           (3) all medical, surgical and hospital services  
10 provided by any second physician, surgeon or hospital  
11 subsequently chosen by the employee or by any other  
12 physician, consultant, expert, institution or other  
13 provider of services recommended by said second service  
14 provider or any subsequent provider of medical services in  
15 the chain of referrals from said second service provider.  
16 Thereafter the employer shall select and pay for all  
17 necessary medical, surgical and hospital treatment and the  
18 employee may not select a provider of medical services at  
19 the employer's expense unless the employer agrees to such  
20 selection. At any time the employee may obtain any medical  
21 treatment he desires at his own expense. This paragraph  
22 shall not affect the duty to pay for rehabilitation  
23 referred to above.

24           (4) The following shall apply for injuries occurring  
25 on or after June 28, 2011 (the effective date of Public Act  
26 97-18) and only when an employer has an approved preferred

1 provider program pursuant to Section 8.1a on the date the  
2 employee sustained his or her accidental injuries:

3 (A) The employer shall, in writing, on a form  
4 promulgated by the Commission, inform the employee of  
5 the preferred provider program;

6 (B) Subsequent to the report of an injury by an  
7 employee, the employee may choose in writing at any  
8 time to decline the preferred provider program, in  
9 which case that would constitute one of the two  
10 choices of medical providers to which the employee is  
11 entitled under subsection (a)(2) or (a)(3); and

12 (C) Prior to the report of an injury by an  
13 employee, when an employee chooses non-emergency  
14 treatment from a provider not within the preferred  
15 provider program, that would constitute the employee's  
16 one choice of medical providers to which the employee  
17 is entitled under subsection (a)(2) or (a)(3).

18 When an employer and employee so agree in writing, nothing  
19 in this Act prevents an employee whose injury or disability  
20 has been established under this Act, from relying in good  
21 faith, on treatment by prayer or spiritual means alone, in  
22 accordance with the tenets and practice of a recognized church  
23 or religious denomination, by a duly accredited practitioner  
24 thereof, and having nursing services appropriate therewith,  
25 without suffering loss or diminution of the compensation  
26 benefits under this Act. However, the employee shall submit to

1 all physical examinations required by this Act. The cost of  
2 such treatment and nursing care shall be paid by the employee  
3 unless the employer agrees to make such payment.

4 Where the accidental injury results in the amputation of  
5 an arm, hand, leg or foot, or the enucleation of an eye, or the  
6 loss of any of the natural teeth, the employer shall furnish an  
7 artificial of any such members lost or damaged in accidental  
8 injury arising out of and in the course of employment, and  
9 shall also furnish the necessary braces in all proper and  
10 necessary cases. In cases of the loss of a member or members by  
11 amputation, the employer shall, whenever necessary, maintain  
12 in good repair, refit or replace the artificial limbs during  
13 the lifetime of the employee. Where the accidental injury  
14 accompanied by physical injury results in damage to a denture,  
15 eye glasses or contact eye lenses, or where the accidental  
16 injury results in damage to an artificial member, the employer  
17 shall replace or repair such denture, glasses, lenses, or  
18 artificial member.

19 The furnishing by the employer of any such services or  
20 appliances is not an admission of liability on the part of the  
21 employer to pay compensation.

22 The furnishing of any such services or appliances or the  
23 servicing thereof by the employer is not the payment of  
24 compensation.

25 (b) If the period of temporary total incapacity for work  
26 lasts more than 3 working days, weekly compensation as

1 hereinafter provided shall be paid beginning on the 4th day of  
2 such temporary total incapacity and continuing as long as the  
3 total temporary incapacity lasts. In cases where the temporary  
4 total incapacity for work continues for a period of 14 days or  
5 more from the day of the accident compensation shall commence  
6 on the day after the accident.

7 1. The compensation rate for temporary total  
8 incapacity under this paragraph (b) of this Section shall  
9 be equal to 66 2/3% of the employee's average weekly wage  
10 computed in accordance with Section 10, provided that it  
11 shall be not less than 66 2/3% of the sum of the Federal  
12 minimum wage under the Fair Labor Standards Act, or the  
13 Illinois minimum wage under the Minimum Wage Law,  
14 whichever is more, multiplied by 40 hours. This percentage  
15 rate shall be increased by 10% for each spouse and child,  
16 not to exceed 100% of the total minimum wage calculation,  
17 nor exceed the employee's average weekly wage computed in  
18 accordance with the provisions of Section 10, whichever is  
19 less.

20 2. The compensation rate in all cases other than for  
21 temporary total disability under this paragraph (b), and  
22 other than for serious and permanent disfigurement under  
23 paragraph (c) and other than for permanent partial  
24 disability under subparagraph (2) of paragraph (d) or  
25 under paragraph (e), of this Section shall be equal to 66  
26 2/3% of the employee's average weekly wage computed in



1       accordance with the provisions of Section 10, provided  
2       that it shall be not less than 66 2/3% of the sum of the  
3       Federal minimum wage under the Fair Labor Standards Act,  
4       or the Illinois minimum wage under the Minimum Wage Law,  
5       whichever is more, multiplied by 40 hours. This percentage  
6       rate shall be increased by 10% for each spouse and child,  
7       not to exceed 100% of the total minimum wage calculation,  
8       nor exceed the employee's average weekly wage computed in  
9       accordance with the provisions of Section 10, whichever is  
10      less.

11       2.1. The compensation rate in all cases of serious and  
12      permanent disfigurement under paragraph (c) and of  
13      permanent partial disability under subparagraph (2) of  
14      paragraph (d) or under paragraph (e) of this Section shall  
15      be equal to 60% of the employee's average weekly wage  
16      computed in accordance with the provisions of Section 10,  
17      provided that it shall be not less than 66 2/3% of the sum  
18      of the Federal minimum wage under the Fair Labor Standards  
19      Act, or the Illinois minimum wage under the Minimum Wage  
20      Law, whichever is more, multiplied by 40 hours. This  
21      percentage rate shall be increased by 10% for each spouse  
22      and child, not to exceed 100% of the total minimum wage  
23      calculation, nor exceed the employee's average weekly wage  
24      computed in accordance with the provisions of Section 10,  
25      whichever is less.

26       3. As used in this Section the term "child" means a

1 child of the employee including any child legally adopted  
2 before the accident or whom at the time of the accident the  
3 employee was under legal obligation to support or to whom  
4 the employee stood in loco parentis, and who at the time of  
5 the accident was under 18 years of age and not  
6 emancipated. The term "children" means the plural of  
7 "child".

8 4. All weekly compensation rates provided under  
9 subparagraphs 1, 2 and 2.1 of this paragraph (b) of this  
10 Section shall be subject to the following limitations:

11 The maximum weekly compensation rate from July 1,  
12 1975, except as hereinafter provided, shall be 100% of the  
13 State's average weekly wage in covered industries under  
14 the Unemployment Insurance Act, that being the wage that  
15 most closely approximates the State's average weekly wage.

16 The maximum weekly compensation rate, for the period  
17 July 1, 1984, through June 30, 1987, except as hereinafter  
18 provided, shall be \$293.61. Effective July 1, 1987 and on  
19 July 1 of each year thereafter the maximum weekly  
20 compensation rate, except as hereinafter provided, shall  
21 be determined as follows: if during the preceding 12 month  
22 period there shall have been an increase in the State's  
23 average weekly wage in covered industries under the  
24 Unemployment Insurance Act, the weekly compensation rate  
25 shall be proportionately increased by the same percentage  
26 as the percentage of increase in the State's average

1 weekly wage in covered industries under the Unemployment  
2 Insurance Act during such period.

3 The maximum weekly compensation rate, for the period  
4 January 1, 1981 through December 31, 1983, except as  
5 hereinafter provided, shall be 100% of the State's average  
6 weekly wage in covered industries under the Unemployment  
7 Insurance Act in effect on January 1, 1981. Effective  
8 January 1, 1984 and on January 1, of each year thereafter  
9 the maximum weekly compensation rate, except as  
10 hereinafter provided, shall be determined as follows: if  
11 during the preceding 12 month period there shall have been  
12 an increase in the State's average weekly wage in covered  
13 industries under the Unemployment Insurance Act, the  
14 weekly compensation rate shall be proportionately  
15 increased by the same percentage as the percentage of  
16 increase in the State's average weekly wage in covered  
17 industries under the Unemployment Insurance Act during  
18 such period.

19 From July 1, 1977 and thereafter such maximum weekly  
20 compensation rate in death cases under Section 7, and  
21 permanent total disability cases under paragraph (f) or  
22 subparagraph 18 of paragraph (3) of this Section and for  
23 temporary total disability under paragraph (b) of this  
24 Section and for amputation of a member or enucleation of  
25 an eye under paragraph (e) of this Section shall be  
26 increased to 133-1/3% of the State's average weekly wage

1 in covered industries under the Unemployment Insurance  
2 Act.

3 For injuries occurring on or after February 1, 2006,  
4 the maximum weekly benefit under paragraph (d)1 of this  
5 Section shall be 100% of the State's average weekly wage  
6 in covered industries under the Unemployment Insurance  
7 Act.

8 4.1. Any provision herein to the contrary  
9 notwithstanding, the weekly compensation rate for  
10 compensation payments under subparagraph 18 of paragraph  
11 (e) of this Section and under paragraph (f) of this  
12 Section and under paragraph (a) of Section 7 and for  
13 amputation of a member or enucleation of an eye under  
14 paragraph (e) of this Section, shall in no event be less  
15 than 50% of the State's average weekly wage in covered  
16 industries under the Unemployment Insurance Act.

17 4.2. Any provision to the contrary notwithstanding,  
18 the total compensation payable under Section 7 shall not  
19 exceed the greater of \$500,000 or 25 years.

20 5. For the purpose of this Section this State's  
21 average weekly wage in covered industries under the  
22 Unemployment Insurance Act on July 1, 1975 is hereby fixed  
23 at \$228.16 per week and the computation of compensation  
24 rates shall be based on the aforesaid average weekly wage  
25 until modified as hereinafter provided.

26 6. The Department of Employment Security of the State

1 shall on or before the first day of December, 1977, and on  
2 or before the first day of June, 1978, and on the first day  
3 of each December and June of each year thereafter, publish  
4 the State's average weekly wage in covered industries  
5 under the Unemployment Insurance Act and the Illinois  
6 Workers' Compensation Commission shall on the 15th day of  
7 January, 1978 and on the 15th day of July, 1978 and on the  
8 15th day of each January and July of each year thereafter,  
9 post and publish the State's average weekly wage in  
10 covered industries under the Unemployment Insurance Act as  
11 last determined and published by the Department of  
12 Employment Security. The amount when so posted and  
13 published shall be conclusive and shall be applicable as  
14 the basis of computation of compensation rates until the  
15 next posting and publication as aforesaid.

16 7. The payment of compensation by an employer or his  
17 insurance carrier to an injured employee shall not  
18 constitute an admission of the employer's liability to pay  
19 compensation.

20 (c) For any serious and permanent disfigurement to the  
21 hand, head, face, neck, arm, leg below the knee or the chest  
22 above the axillary line, the employee is entitled to  
23 compensation for such disfigurement, the amount determined by  
24 agreement at any time or by arbitration under this Act, at a  
25 hearing not less than 6 months after the date of the accidental  
26 injury, which amount shall not exceed 150 weeks (if the

1 accidental injury occurs on or after the effective date of  
2 this amendatory Act of the 94th General Assembly but before  
3 February 1, 2006) or 162 weeks (if the accidental injury  
4 occurs on or after February 1, 2006) at the applicable rate  
5 provided in subparagraph 2.1 of paragraph (b) of this Section.

6 No compensation is payable under this paragraph where  
7 compensation is payable under paragraphs (d), (e) or (f) of  
8 this Section.

9 A duly appointed member of a fire department in a city, the  
10 population of which exceeds 500,000 according to the last  
11 federal or State census, is eligible for compensation under  
12 this paragraph only where such serious and permanent  
13 disfigurement results from burns.

14 (d) 1. If, after the accidental injury has been sustained,  
15 the employee as a result thereof becomes partially  
16 incapacitated from pursuing his usual and customary line of  
17 employment, he shall, except in cases compensated under the  
18 specific schedule set forth in paragraph (e) of this Section,  
19 receive compensation for the duration of his disability,  
20 subject to the limitations as to maximum amounts fixed in  
21 paragraph (b) of this Section, equal to  $66\frac{2}{3}\%$  of the  
22 difference between the average amount which he would be able  
23 to earn in the full performance of his duties in the occupation  
24 in which he was engaged at the time of the accident and the  
25 average amount which he is earning or is able to earn in some  
26 suitable employment or business after the accident. For

1 accidental injuries that occur on or after September 1, 2011,  
2 an award for wage differential under this subsection shall be  
3 effective only until the employee reaches the age of 67 or 5  
4 years from the date the award becomes final, whichever is  
5 later.

6 2. If, as a result of the accident, the employee sustains  
7 serious and permanent injuries not covered by paragraphs (c)  
8 and (e) of this Section or having sustained injuries covered  
9 by the aforesaid paragraphs (c) and (e), he shall have  
10 sustained in addition thereto other injuries which injuries do  
11 not incapacitate him from pursuing the duties of his  
12 employment but which would disable him from pursuing other  
13 suitable occupations, or which have otherwise resulted in  
14 physical impairment; or if such injuries partially  
15 incapacitate him from pursuing the duties of his usual and  
16 customary line of employment but do not result in an  
17 impairment of earning capacity, or having resulted in an  
18 impairment of earning capacity, the employee elects to waive  
19 his right to recover under the foregoing subparagraph 1 of  
20 paragraph (d) of this Section then in any of the foregoing  
21 events, he shall receive in addition to compensation for  
22 temporary total disability under paragraph (b) of this  
23 Section, compensation at the rate provided in subparagraph 2.1  
24 of paragraph (b) of this Section for that percentage of 500  
25 weeks that the partial disability resulting from the injuries  
26 covered by this paragraph bears to total disability. If the

1 employee shall have sustained a fracture of one or more  
2 vertebra or fracture of the skull, the amount of compensation  
3 allowed under this Section shall be not less than 6 weeks for a  
4 fractured skull and 6 weeks for each fractured vertebra, and  
5 in the event the employee shall have sustained a fracture of  
6 any of the following facial bones: nasal, lachrymal, vomer,  
7 zygoma, maxilla, palatine or mandible, the amount of  
8 compensation allowed under this Section shall be not less than  
9 2 weeks for each such fractured bone, and for a fracture of  
10 each transverse process not less than 3 weeks. In the event  
11 such injuries shall result in the loss of a kidney, spleen or  
12 lung, the amount of compensation allowed under this Section  
13 shall be not less than 10 weeks for each such organ.  
14 Compensation awarded under this subparagraph 2 shall not take  
15 into consideration injuries covered under paragraphs (c) and  
16 (e) of this Section and the compensation provided in this  
17 paragraph shall not affect the employee's right to  
18 compensation payable under paragraphs (b), (c) and (e) of this  
19 Section for the disabilities therein covered.

20 (e) For accidental injuries in the following schedule, the  
21 employee shall receive compensation for the period of  
22 temporary total incapacity for work resulting from such  
23 accidental injury, under subparagraph 1 of paragraph (b) of  
24 this Section, and shall receive in addition thereto  
25 compensation for a further period for the specific loss herein  
26 mentioned, but shall not receive any compensation under any



1 other provisions of this Act. The following listed amounts  
2 apply to either the loss of or the permanent and complete loss  
3 of use of the member specified, such compensation for the  
4 length of time as follows:

5 1. Thumb-

6 70 weeks if the accidental injury occurs on or  
7 after the effective date of this amendatory Act of the  
8 94th General Assembly but before February 1, 2006.

9 76 weeks if the accidental injury occurs on or  
10 after February 1, 2006.

11 70 weeks if the accidental injury occurs on or  
12 after the effective date of this amendatory Act of the  
13 104th General Assembly.

14 2. First, or index finger-

15 40 weeks if the accidental injury occurs on or  
16 after the effective date of this amendatory Act of the  
17 94th General Assembly but before February 1, 2006.

18 43 weeks if the accidental injury occurs on or  
19 after February 1, 2006.

20 40 weeks if the accidental injury occurs on or  
21 after the effective date of this amendatory Act of the  
22 104th General Assembly.

23 3. Second, or middle finger-

24 35 weeks if the accidental injury occurs on or  
25 after the effective date of this amendatory Act of the  
26 94th General Assembly but before February 1, 2006.

1           38 weeks if the accidental injury occurs on or  
2 after February 1, 2006, but before the effective date  
3 of this amendatory Act of the 104th General Assembly.

4           35 weeks if the accidental injury occurs on or  
5 after the effective date of this amendatory Act of the  
6 104th General Assembly

7 4. Third, or ring finger-

8           25 weeks if the accidental injury occurs on or  
9 after the effective date of this amendatory Act of the  
10 94th General Assembly but before February 1, 2006.

11           27 weeks if the accidental injury occurs on or  
12 after February 1, 2006, but before the effective date  
13 of this amendatory Act of the 104th General Assembly.

14           25 weeks if the accidental injury occurs on or  
15 after the effective date of this amendatory Act of the  
16 104th General Assembly.

17 5. Fourth, or little finger-

18           20 weeks if the accidental injury occurs on or  
19 after the effective date of this amendatory Act of the  
20 94th General Assembly but before February 1, 2006.

21           22 weeks if the accidental injury occurs on or  
22 after February 1, 2006, but before the effective date  
23 of this amendatory Act of the 104th General Assembly.

24           20 weeks if the accidental injury occurs on or  
25 after the effective date of this amendatory Act of the  
26 104th General Assembly.

1           6. Great toe-

2                 35 weeks if the accidental injury occurs on or  
3 after the effective date of this amendatory Act of the  
4 94th General Assembly but before February 1, 2006.

5                 38 weeks if the accidental injury occurs on or  
6 after February 1, 2006, but before the effective date  
7 of this amendatory Act of the 104th General Assembly.

8                 35 weeks if the accidental injury occurs on or  
9 after the effective date of this amendatory Act of the  
10 104th General Assembly.

11           7. Each toe other than great toe-

12                 12 weeks if the accidental injury occurs on or  
13 after the effective date of this amendatory Act of the  
14 94th General Assembly but before February 1, 2006.

15                 13 weeks if the accidental injury occurs on or  
16 after February 1, 2006, but before the effective date  
17 of this amendatory Act of the 104th General Assembly.

18                 12 weeks if the accidental injury occurs on or  
19 after the effective date of this amendatory Act of the  
20 104th General Assembly.

21           8. The loss of the first or distal phalanx of the thumb  
22 or of any finger or toe shall be considered to be equal to  
23 the loss of one-half of such thumb, finger or toe and the  
24 compensation payable shall be one-half of the amount above  
25 specified. The loss of more than one phalanx shall be  
26 considered as the loss of the entire thumb, finger or toe.

1 In no case shall the amount received for more than one  
2 finger exceed the amount provided in this schedule for the  
3 loss of a hand.

4 9. Hand-

5 190 weeks if the accidental injury occurs on or  
6 after the effective date of this amendatory Act of the  
7 94th General Assembly but before February 1, 2006.

8 205 weeks if the accidental injury occurs on or  
9 after February 1, 2006, but before the effective date  
10 of this amendatory Act of the 104th General Assembly.

11 190 weeks if the accidental injury occurs on or  
12 after the effective date of this amendatory Act of the  
13 104th General Assembly.

14 190 weeks if the accidental injury occurs on or  
15 after June 28, 2011 (the effective date of Public Act  
16 97-18) and if the accidental injury involves carpal  
17 tunnel syndrome due to repetitive or cumulative  
18 trauma, in which case the permanent partial disability  
19 shall not exceed 15% loss of use of the hand, except  
20 for cause shown by clear and convincing evidence and  
21 in which case the award shall not exceed 30% loss of  
22 use of the hand.

23 The loss of 2 or more digits, or one or more phalanges  
24 of 2 or more digits, of a hand may be compensated on the  
25 basis of partial loss of use of a hand, provided, further,  
26 that the loss of 4 digits, or the loss of use of 4 digits,

1 in the same hand shall constitute the complete loss of a  
2 hand.

3 10. Arm-

4 235 weeks if the accidental injury occurs on or  
5 after the effective date of this amendatory Act of the  
6 94th General Assembly but before February 1, 2006.

7 253 weeks if the accidental injury occurs on or  
8 after February 1, 2006, but before the effective date  
9 of this amendatory Act of the 104th General Assembly.

10 235 weeks if the accidental injury occurs on or  
11 after the effective date of this amendatory Act of the  
12 104th General Assembly.

13 Where an accidental injury results in the amputation  
14 of an arm below the elbow, such injury shall be  
15 compensated as a loss of an arm. Where an accidental  
16 injury results in the amputation of an arm above the  
17 elbow, compensation for an additional 15 weeks (if the  
18 accidental injury occurs on or after the effective date of  
19 this amendatory Act of the 94th General Assembly but  
20 before February 1, 2006, but before the effective date of  
21 this amendatory Act of the 104th General Assembly) or an  
22 additional 15 weeks (if the accidental injury occurs on or  
23 after the effective date of this amendatory Act of the  
24 104th General Assembly) or an additional 17 weeks (if the  
25 accidental injury occurs on or after February 1, 2006)  
26 shall be paid, except where the accidental injury results

1 in the amputation of an arm at the shoulder joint, or so  
2 close to shoulder joint that an artificial arm cannot be  
3 used, or results in the disarticulation of an arm at the  
4 shoulder joint, in which case compensation for an  
5 additional 65 weeks (if the accidental injury occurs on or  
6 after the effective date of this amendatory Act of the  
7 94th General Assembly but before February 1, 2006) or an  
8 additional 70 weeks (if the accidental injury occurs on or  
9 after February 1, 2006, but before the effective date of  
10 this amendatory Act of the 104th General Assembly) or an  
11 additional 65 weeks (if the accidental injury occurs on or  
12 after the effective date of this amendatory Act of the  
13 104th General Assembly) shall be paid.

14 11. Foot-

15 155 weeks if the accidental injury occurs on or  
16 after the effective date of this amendatory Act of the  
17 94th General Assembly but before February 1, 2006.

18 167 weeks if the accidental injury occurs on or  
19 after February 1, 2006, but before the effective date  
20 of this amendatory Act of the 104th General Assembly.

21 155 weeks if the accidental injury occurs on or  
22 after the effective date of this amendatory Act of the  
23 104th General Assembly.

24 12. Leg-

25 200 weeks if the accidental injury occurs on or  
26 after the effective date of this amendatory Act of the

1           94th General Assembly but before February 1, 2006.

2           215 weeks if the accidental injury occurs on or  
3           after February 1, 2006, but before the effective date  
4           of this amendatory Act of the 104th General Assembly.

5           200 weeks if the accidental injury occurs on or  
6           after the effective date of this amendatory Act of the  
7           104th General Assembly.

8           Where an accidental injury results in the amputation  
9           of a leg below the knee, such injury shall be compensated  
10          as loss of a leg. Where an accidental injury results in the  
11          amputation of a leg above the knee, compensation for an  
12          additional 25 weeks (if the accidental injury occurs on or  
13          after the effective date of this amendatory Act of the  
14          94th General Assembly but before February 1, 2006) or an  
15          additional 27 weeks (if the accidental injury occurs on or  
16          after February 1, 2006, but before the effective date of  
17          this amendatory Act of the 104th General Assembly) or an  
18          additional 25 weeks (if the accidental injury occurs on or  
19          after the effective date of this amendatory Act of the  
20          104th General Assembly) shall be paid, except where the  
21          accidental injury results in the amputation of a leg at  
22          the hip joint, or so close to the hip joint that an  
23          artificial leg cannot be used, or results in the  
24          disarticulation of a leg at the hip joint, in which case  
25          compensation for an additional 75 weeks (if the accidental  
26          injury occurs on or after the effective date of this

1       amendatory Act of the 94th General Assembly but before  
2       February 1, 2006) or an additional 81 weeks (if the  
3       accidental injury occurs on or after February 1, 2006, but  
4       before the effective date of this amendatory Act of the  
5       104th General Assembly) or an additional 75 weeks (if the  
6       accidental injury occurs on or after the effective date of  
7       this amendatory Act of the 104th General Assembly) shall  
8       be paid.

9       13. Eye-

10       150 weeks if the accidental injury occurs on or  
11       after the effective date of this amendatory Act of the  
12       94th General Assembly but before February 1, 2006.

13       162 weeks if the accidental injury occurs on or  
14       after February 1, 2006, but before the effective date  
15       of this amendatory Act of the 104th General Assembly..

16       150 weeks if the accidental injury occurs on or  
17       after the effective date of this amendatory Act of the  
18       104th General Assembly.

19       Where an accidental injury results in the enucleation  
20       of an eye, compensation for an additional 10 weeks (if the  
21       accidental injury occurs on or after the effective date of  
22       this amendatory Act of the 94th General Assembly but  
23       before February 1, 2006) or an additional 11 weeks (if the  
24       accidental injury occurs on or after February 1, 2006, but  
25       before the effective date of this amendatory Act of the  
26       104th General Assembly) or an additional 10 weeks (if the



1       accidental injury occurs on or after the effective date of  
2       this amendatory Act of the 104th General Assembly) shall  
3       be paid.

4           14. Loss of hearing of one ear-

5               50 weeks if the accidental injury occurs on or  
6               after the effective date of this amendatory Act of the  
7               94th General Assembly but before February 1, 2006.

8               54 weeks if the accidental injury occurs on or  
9               after February 1, 2006, but before the effective date  
10              of this amendatory Act of the 104th General Assembly..

11              50 weeks if the accidental injury occurs on or  
12              after the effective date of this amendatory Act of the  
13              104th General Assembly.

14           Total and permanent loss of hearing of both ears-

15               200 weeks if the accidental injury occurs on or  
16               after the effective date of this amendatory Act of the  
17               94th General Assembly but before February 1, 2006.

18               215 weeks if the accidental injury occurs on or  
19               after February 1, 2006, but before the effective date  
20               of this amendatory Act of the 104th General Assembly..

21              200 weeks if the accidental injury occurs on or  
22              after the effective date of this amendatory Act of the  
23              104th General Assembly.

24           15. Testicle-

25               50 weeks if the accidental injury occurs on or  
26               after the effective date of this amendatory Act of the

1 94th General Assembly but before February 1, 2006.

2 54 weeks if the accidental injury occurs on or  
3 after February 1, 2006, but before the effective date  
4 of this amendatory Act of the 104th General Assembly..

5 50 weeks if the accidental injury occurs on or  
6 after the effective date of this amendatory Act of the  
7 104th General Assembly.

8 Both testicles-

9 150 weeks if the accidental injury occurs on or  
10 after the effective date of this amendatory Act of the  
11 94th General Assembly but before February 1, 2006.

12 162 weeks if the accidental injury occurs on or  
13 after February 1, 2006.

14 16. For the permanent partial loss of use of a member  
15 or sight of an eye, or hearing of an ear, compensation  
16 during that proportion of the number of weeks in the  
17 foregoing schedule provided for the loss of such member or  
18 sight of an eye, or hearing of an ear, which the partial  
19 loss of use thereof bears to the total loss of use of such  
20 member, or sight of eye, or hearing of an ear.

21 (a) Loss of hearing for compensation purposes  
22 shall be confined to the frequencies of 1,000, 2,000  
23 and 3,000 cycles per second. Loss of hearing ability  
24 for frequency tones above 3,000 cycles per second are  
25 not to be considered as constituting disability for  
26 hearing.

1           (b) The percent of hearing loss, for purposes of  
2           the determination of compensation claims for  
3           occupational deafness, shall be calculated as the  
4           average in decibels for the thresholds of hearing for  
5           the frequencies of 1,000, 2,000 and 3,000 cycles per  
6           second. Pure tone air conduction audiometric  
7           instruments, approved by nationally recognized  
8           authorities in this field, shall be used for measuring  
9           hearing loss. If the losses of hearing average 30  
10          decibels or less in the 3 frequencies, such losses of  
11          hearing shall not then constitute any compensable  
12          hearing disability. If the losses of hearing average  
13          85 decibels or more in the 3 frequencies, then the same  
14          shall constitute and be total or 100% compensable  
15          hearing loss.

16          (c) In measuring hearing impairment, the lowest  
17          measured losses in each of the 3 frequencies shall be  
18          added together and divided by 3 to determine the  
19          average decibel loss. For every decibel of loss  
20          exceeding 30 decibels an allowance of 1.82% shall be  
21          made up to the maximum of 100% which is reached at 85  
22          decibels.

23          (d) If a hearing loss is established to have  
24          existed on July 1, 1975 by audiometric testing the  
25          employer shall not be liable for the previous loss so  
26          established nor shall he be liable for any loss for

1 which compensation has been paid or awarded.

2 (e) No consideration shall be given to the  
3 question of whether or not the ability of an employee  
4 to understand speech is improved by the use of a  
5 hearing aid.

6 (f) No claim for loss of hearing due to industrial  
7 noise shall be brought against an employer or allowed  
8 unless the employee has been exposed for a period of  
9 time sufficient to cause permanent impairment to noise  
10 levels in excess of the following:

11 Sound Level DBA

12 Slow Response	Hours Per Day
13 90	8
14 92	6
15 95	4
16 97	3
17 100	2
18 102	1-1/2
19 105	1
20 110	1/2
21 115	1/4

22 This subparagraph (f) shall not be applied in cases of  
23 hearing loss resulting from trauma or explosion.

24 17. In computing the compensation to be paid to any  
25 employee who, before the accident for which he claims  
26 compensation, had before that time sustained an injury

1 resulting in the loss by amputation or partial loss by  
2 amputation of any member, including hand, arm, thumb or  
3 fingers, leg, foot or any toes, such loss or partial loss  
4 of any such member shall be deducted from any award made  
5 for the subsequent injury. For the permanent loss of use  
6 or the permanent partial loss of use of any such member or  
7 the partial loss of sight of an eye, for which  
8 compensation has been paid, then such loss shall be taken  
9 into consideration and deducted from any award for the  
10 subsequent injury.

11 18. The specific case of loss of both hands, both  
12 arms, or both feet, or both legs, or both eyes, or of any  
13 two thereof, or the permanent and complete loss of the use  
14 thereof, constitutes total and permanent disability, to be  
15 compensated according to the compensation fixed by  
16 paragraph (f) of this Section. These specific cases of  
17 total and permanent disability do not exclude other cases.

18 Any employee who has previously suffered the loss or  
19 permanent and complete loss of the use of any of such  
20 members, and in a subsequent independent accident loses  
21 another or suffers the permanent and complete loss of the  
22 use of any one of such members the employer for whom the  
23 injured employee is working at the time of the last  
24 independent accident is liable to pay compensation only  
25 for the loss or permanent and complete loss of the use of  
26 the member occasioned by the last independent accident.

1           19. In a case of specific loss and the subsequent  
2           death of such injured employee from other causes than such  
3           injury leaving a widow, widower, or dependents surviving  
4           before payment or payment in full for such injury, then  
5           the amount due for such injury is payable to the widow or  
6           widower and, if there be no widow or widower, then to such  
7           dependents, in the proportion which such dependency bears  
8           to total dependency.

9           Beginning July 1, 1980, and every 6 months thereafter, the  
10          Commission shall examine the Second Injury Fund and when,  
11          after deducting all advances or loans made to such Fund, the  
12          amount therein is \$500,000 then the amount required to be paid  
13          by employers pursuant to paragraph (f) of Section 7 shall be  
14          reduced by one-half. When the Second Injury Fund reaches the  
15          sum of \$600,000 then the payments shall cease entirely.  
16          However, when the Second Injury Fund has been reduced to  
17          \$400,000, payment of one-half of the amounts required by  
18          paragraph (f) of Section 7 shall be resumed, in the manner  
19          herein provided, and when the Second Injury Fund has been  
20          reduced to \$300,000, payment of the full amounts required by  
21          paragraph (f) of Section 7 shall be resumed, in the manner  
22          herein provided. The Commission shall make the changes in  
23          payment effective by general order, and the changes in payment  
24          become immediately effective for all cases coming before the  
25          Commission thereafter either by settlement agreement or final  
26          order, irrespective of the date of the accidental injury.

1       On August 1, 1996 and on February 1 and August 1 of each  
2       subsequent year, the Commission shall examine the special fund  
3       designated as the "Rate Adjustment Fund" and when, after  
4       deducting all advances or loans made to said fund, the amount  
5       therein is \$4,000,000, the amount required to be paid by  
6       employers pursuant to paragraph (f) of Section 7 shall be  
7       reduced by one-half. When the Rate Adjustment Fund reaches the  
8       sum of \$5,000,000 the payment therein shall cease entirely.  
9       However, when said Rate Adjustment Fund has been reduced to  
10      \$3,000,000 the amounts required by paragraph (f) of Section 7  
11      shall be resumed in the manner herein provided.

12      (f) In case of complete disability, which renders the  
13      employee wholly and permanently incapable of work, or in the  
14      specific case of total and permanent disability as provided in  
15      subparagraph 18 of paragraph (e) of this Section, compensation  
16      shall be payable at the rate provided in subparagraph 2 of  
17      paragraph (b) of this Section for life.

18      An employee entitled to benefits under paragraph (f) of  
19      this Section shall also be entitled to receive from the Rate  
20      Adjustment Fund provided in paragraph (f) of Section 7 of the  
21      supplementary benefits provided in paragraph (g) of this  
22      Section 8.

23      If any employee who receives an award under this paragraph  
24      afterwards returns to work or is able to do so, and earns or is  
25      able to earn as much as before the accident, payments under  
26      such award shall cease. If such employee returns to work, or is

1     able to do so, and earns or is able to earn part but not as  
2     much as before the accident, such award shall be modified so as  
3     to conform to an award under paragraph (d) of this Section. If  
4     such award is terminated or reduced under the provisions of  
5     this paragraph, such employees have the right at any time  
6     within 30 months after the date of such termination or  
7     reduction to file petition with the Commission for the purpose  
8     of determining whether any disability exists as a result of  
9     the original accidental injury and the extent thereof.

10       Disability as enumerated in subdivision 18, paragraph (e)  
11     of this Section is considered complete disability.

12       If an employee who had previously incurred loss or the  
13     permanent and complete loss of use of one member, through the  
14     loss or the permanent and complete loss of the use of one hand,  
15     one arm, one foot, one leg, or one eye, incurs permanent and  
16     complete disability through the loss or the permanent and  
17     complete loss of the use of another member, he shall receive,  
18     in addition to the compensation payable by the employer and  
19     after such payments have ceased, an amount from the Second  
20     Injury Fund provided for in paragraph (f) of Section 7, which,  
21     together with the compensation payable from the employer in  
22     whose employ he was when the last accidental injury was  
23     incurred, will equal the amount payable for permanent and  
24     complete disability as provided in this paragraph of this  
25     Section.

26       The custodian of the Second Injury Fund provided for in



1 paragraph (f) of Section 7 shall be joined with the employer as  
2 a party respondent in the application for adjustment of claim.  
3 The application for adjustment of claim shall state briefly  
4 and in general terms the approximate time and place and manner  
5 of the loss of the first member.

6 In its award the Commission or the Arbitrator shall  
7 specifically find the amount the injured employee shall be  
8 weekly paid, the number of weeks compensation which shall be  
9 paid by the employer, the date upon which payments begin out of  
10 the Second Injury Fund provided for in paragraph (f) of  
11 Section 7 of this Act, the length of time the weekly payments  
12 continue, the date upon which the pension payments commence  
13 and the monthly amount of the payments. The Commission shall  
14 30 days after the date upon which payments out of the Second  
15 Injury Fund have begun as provided in the award, and every  
16 month thereafter, prepare and submit to the State Comptroller  
17 a voucher for payment for all compensation accrued to that  
18 date at the rate fixed by the Commission. The State  
19 Comptroller shall draw a warrant to the injured employee along  
20 with a receipt to be executed by the injured employee and  
21 returned to the Commission. The endorsed warrant and receipt  
22 is a full and complete acquittance to the Commission for the  
23 payment out of the Second Injury Fund. No other appropriation  
24 or warrant is necessary for payment out of the Second Injury  
25 Fund. The Second Injury Fund is appropriated for the purpose  
26 of making payments according to the terms of the awards.

1       As of July 1, 1980 to July 1, 1982, all claims against and  
2 obligations of the Second Injury Fund shall become claims  
3 against and obligations of the Rate Adjustment Fund to the  
4 extent there is insufficient money in the Second Injury Fund  
5 to pay such claims and obligations. In that case, all  
6 references to "Second Injury Fund" in this Section shall also  
7 include the Rate Adjustment Fund.

8       (g) Every award for permanent total disability entered by  
9 the Commission on and after July 1, 1965 under which  
10 compensation payments shall become due and payable after the  
11 effective date of this amendatory Act, and every award for  
12 death benefits or permanent total disability entered by the  
13 Commission on and after the effective date of this amendatory  
14 Act shall be subject to annual adjustments as to the amount of  
15 the compensation rate therein provided. Such adjustments shall  
16 first be made on July 15, 1977, and all awards made and entered  
17 prior to July 1, 1975 and on July 15 of each year thereafter.  
18 In all other cases such adjustment shall be made on July 15 of  
19 the second year next following the date of the entry of the  
20 award and shall further be made on July 15 annually  
21 thereafter. If during the intervening period from the date of  
22 the entry of the award, or the last periodic adjustment, there  
23 shall have been an increase in the State's average weekly wage  
24 in covered industries under the Unemployment Insurance Act,  
25 the weekly compensation rate shall be proportionately  
26 increased by the same percentage as the percentage of increase

1 in the State's average weekly wage in covered industries under  
2 the Unemployment Insurance Act. The increase in the  
3 compensation rate under this paragraph shall in no event bring  
4 the total compensation rate to an amount greater than the  
5 prevailing maximum rate at the time that the annual adjustment  
6 is made. Such increase shall be paid in the same manner as  
7 herein provided for payments under the Second Injury Fund to  
8 the injured employee, or his dependents, as the case may be,  
9 out of the Rate Adjustment Fund provided in paragraph (f) of  
10 Section 7 of this Act. Payments shall be made at the same  
11 intervals as provided in the award or, at the option of the  
12 Commission, may be made in quarterly payment on the 15th day of  
13 January, April, July and October of each year. In the event of  
14 a decrease in such average weekly wage there shall be no change  
15 in the then existing compensation rate. The within paragraph  
16 shall not apply to cases where there is disputed liability and  
17 in which a compromise lump sum settlement between the employer  
18 and the injured employee, or his dependents, as the case may  
19 be, has been duly approved by the Illinois Workers'  
20 Compensation Commission.

21 Provided, that in cases of awards entered by the  
22 Commission for injuries occurring before July 1, 1975, the  
23 increases in the compensation rate adjusted under the  
24 foregoing provision of this paragraph (g) shall be limited to  
25 increases in the State's average weekly wage in covered  
26 industries under the Unemployment Insurance Act occurring

1 after July 1, 1975.

2 For every accident occurring on or after July 20, 2005 but  
3 before the effective date of this amendatory Act of the 94th  
4 General Assembly (Senate Bill 1283 of the 94th General  
5 Assembly), the annual adjustments to the compensation rate in  
6 awards for death benefits or permanent total disability, as  
7 provided in this Act, shall be paid by the employer. The  
8 adjustment shall be made by the employer on July 15 of the  
9 second year next following the date of the entry of the award  
10 and shall further be made on July 15 annually thereafter. If  
11 during the intervening period from the date of the entry of the  
12 award, or the last periodic adjustment, there shall have been  
13 an increase in the State's average weekly wage in covered  
14 industries under the Unemployment Insurance Act, the employer  
15 shall increase the weekly compensation rate proportionately by  
16 the same percentage as the percentage of increase in the  
17 State's average weekly wage in covered industries under the  
18 Unemployment Insurance Act. The increase in the compensation  
19 rate under this paragraph shall in no event bring the total  
20 compensation rate to an amount greater than the prevailing  
21 maximum rate at the time that the annual adjustment is made. In  
22 the event of a decrease in such average weekly wage there shall  
23 be no change in the then existing compensation rate. Such  
24 increase shall be paid by the employer in the same manner and  
25 at the same intervals as the payment of compensation in the  
26 award. This paragraph shall not apply to cases where there is

1     disputed liability and in which a compromise lump sum  
2     settlement between the employer and the injured employee, or  
3     his or her dependents, as the case may be, has been duly  
4     approved by the Illinois Workers' Compensation Commission.

5     The annual adjustments for every award of death benefits  
6     or permanent total disability involving accidents occurring  
7     before July 20, 2005 and accidents occurring on or after the  
8     effective date of this amendatory Act of the 94th General  
9     Assembly (Senate Bill 1283 of the 94th General Assembly) shall  
10    continue to be paid from the Rate Adjustment Fund pursuant to  
11    this paragraph and Section 7(f) of this Act.

12    (h) In case death occurs from any cause before the total  
13    compensation to which the employee would have been entitled  
14    has been paid, then in case the employee leaves any widow,  
15    widower, child, parent (or any grandchild, grandparent or  
16    other lineal heir or any collateral heir dependent at the time  
17    of the accident upon the earnings of the employee to the extent  
18    of 50% or more of total dependency) such compensation shall be  
19    paid to the beneficiaries of the deceased employee and  
20    distributed as provided in paragraph (g) of Section 7.

21    (h-1) In case an injured employee is under legal  
22    disability at the time when any right or privilege accrues to  
23    him or her under this Act, a guardian may be appointed pursuant  
24    to law, and may, on behalf of such person under legal  
25    disability, claim and exercise any such right or privilege  
26    with the same effect as if the employee himself or herself had

1 claimed or exercised the right or privilege. No limitations of  
2 time provided by this Act run so long as the employee who is  
3 under legal disability is without a conservator or guardian.

4 (i) In case the injured employee is under 16 years of age  
5 at the time of the accident and is illegally employed, the  
6 amount of compensation payable under paragraphs (b), (c), (d),  
7 (e) and (f) of this Section is increased 50%.

8 However, where an employer has on file an employment  
9 certificate issued pursuant to the Child Labor Law of 2024 or  
10 work permit issued pursuant to the Federal Fair Labor  
11 Standards Act, as amended, or a birth certificate properly and  
12 duly issued, such certificate, permit or birth certificate is  
13 conclusive evidence as to the age of the injured minor  
14 employee for the purposes of this Section.

15 Nothing herein contained repeals or amends the provisions  
16 of the Child Labor Law of 2024 relating to the employment of  
17 minors under the age of 16 years.

18 (j) 1. In the event the injured employee receives  
19 benefits, including medical, surgical or hospital benefits  
20 under any group plan covering non-occupational disabilities  
21 contributed to wholly or partially by the employer, which  
22 benefits should not have been payable if any rights of  
23 recovery existed under this Act, then such amounts so paid to  
24 the employee from any such group plan as shall be consistent  
25 with, and limited to, the provisions of paragraph 2 hereof,  
26 shall be credited to or against any compensation payment for

1 temporary total incapacity for work or any medical, surgical  
2 or hospital benefits made or to be made under this Act. In such  
3 event, the period of time for giving notice of accidental  
4 injury and filing application for adjustment of claim does not  
5 commence to run until the termination of such payments. This  
6 paragraph does not apply to payments made under any group plan  
7 which would have been payable irrespective of an accidental  
8 injury under this Act. Any employer receiving such credit  
9 shall keep such employee safe and harmless from any and all  
10 claims or liabilities that may be made against him by reason of  
11 having received such payments only to the extent of such  
12 credit.

13 Any excess benefits paid to or on behalf of a State  
14 employee by the State Employees' Retirement System under  
15 Article 14 of the Illinois Pension Code on a death claim or  
16 disputed disability claim shall be credited against any  
17 payments made or to be made by the State of Illinois to or on  
18 behalf of such employee under this Act, except for payments  
19 for medical expenses which have already been incurred at the  
20 time of the award. The State of Illinois shall directly  
21 reimburse the State Employees' Retirement System to the extent  
22 of such credit.

23 2. Nothing contained in this Act shall be construed to  
24 give the employer or the insurance carrier the right to credit  
25 for any benefits or payments received by the employee other  
26 than compensation payments provided by this Act, and where the

1 employee receives payments other than compensation payments,  
2 whether as full or partial salary, group insurance benefits,  
3 bonuses, annuities or any other payments, the employer or  
4 insurance carrier shall receive credit for each such payment  
5 only to the extent of the compensation that would have been  
6 payable during the period covered by such payment.

7 3. The extension of time for the filing of an Application  
8 for Adjustment of Claim as provided in paragraph 1 above shall  
9 not apply to those cases where the time for such filing had  
10 expired prior to the date on which payments or benefits  
11 enumerated herein have been initiated or resumed. Provided  
12 however that this paragraph 3 shall apply only to cases  
13 wherein the payments or benefits hereinabove enumerated shall  
14 be received after July 1, 1969.

15 (Source: P.A. 103-721, eff. 1-1-25.)

16 Section 95. No acceleration or delay. Where this Act makes  
17 changes in a statute that is represented in this Act by text  
18 that is not yet or no longer in effect (for example, a Section  
19 represented by multiple versions), the use of that text does  
20 not accelerate or delay the taking effect of (i) the changes  
21 made by this Act or (ii) provisions derived from any other  
22 Public Act.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.