

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 515
Economic Matters

(Delegate Wood)

Workers' Compensation - Evaluation of Permanent Impairments

This bill requires a physician evaluating a permanent impairment for workers' compensation claims to use the most recent edition of the American Medical Association's (AMA) *Guides to the Evaluation of Permanent Impairments*, as amended. It also repeals the requirement that a physician's evaluation include specified information. The Workers' Compensation Commission (WCC) is to adopt regulations governing the reporting of a physician's medical permanent impairment evaluation.

Fiscal Summary

State Effect: None. The bill generally codifies current regulations.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A physician must evaluate a permanent impairment and report the evaluation to WCC. The evaluation must include information about: atrophy; pain; weakness; and loss of endurance, function, and range of motion. WCC regulations require a physician to adhere to the *AMA Guides to Permanent Impairments, 4th Edition* in the following areas:

- generally conform the evaluation with the format in the reports section;
- use the numerical ratings for impairment; and

- include items listed in guides as comparison of the results with impairment criteria.

Background: A July 2003 National Council on Compensation Insurance survey indicates that 27 states require the use of AMA guides by physicians evaluating permanent impairments.

The *AMA Guides to Permanent Impairments* is currently in its 5th edition.

Additional Information

Prior Introductions: None.

Cross File: None designated, although SB 396 is identical.

Information Source(s): Uninsured Employers' Fund, Workers' Compensation Commission, Injured Workers' Insurance Fund, Subsequent Injury Fund, Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2005
mp/jr

Analysis by: Karen S. Benton

Direct Inquiries to:
(410) 946-5510
(301) 970-5510