



The AMA Guides to the Evaluation of Permanent Impairment is the most widely used basis for determining impairment. They are used in state workers' compensation systems, federal systems, automobile casualty and personal injury.

They are used in the majority of state workers' compensation jurisdictions. Thirteen states make use of the Fifth Edition, published in 2000: California, Delaware, Georgia, Hawaii, Idaho, Iowa, Kentucky, Nevada, New Hampshire, North Dakota, Ohio, Vermont and Washington.

Fourteen states use the Sixth Edition which was released at the end of 2007: Alaska, Arizona, Connecticut, Indiana, Louisiana, Massachusetts, Mississippi, Montana, New Mexico, Oklahoma, Pennsylvania, Rhode Island, Tennessee and Wyoming. Connecticut, Indiana and Massachusetts do not stipulate which Edition of the Guides to use and are therefore listed as the latest Edition.

Eight states still commonly make use of the Fourth Edition (published in 1993): Alabama, Arkansas, Kansas, Maine, Maryland, South Dakota, Texas, and West Virginia. Colorado uses the Third Edition, Revised (published in 1990).

Eight states use their own state specific guidelines (Florida, Illinois, Minnesota, New York, North Carolina, Oregon, Utah and Wisconsin) and six states do not specify a specific guideline (Michigan, Missouri, Nebraska, New Jersey, South Carolina, and Virginia).

Statutes may or may not specify which edition of the Guides to use and how the Guides are to be utilized. Some states may use their own guidelines for specific problems and use the Guides for other problems. Many states use a statutory schedule for amputations, hearing loss, visual loss, hernias, and disfigurement. Some states may use a statutory schedule and use the Guides for nonscheduled injuries and others do not specify the use of any specific guidelines.

The Guides are also used to rate impairment beyond state workers' compensation laws. In these other arenas the Fifth Edition, the most current edition, is used. Federal workers' compensation laws cover all federal employees (including postal workers) and citizens of Washington, DC. Federal systems include Federal Employees' Compensation Act (FECA), Energy Employees Occupational Illness Compensation Program Act, and Longshore and Harbor Workers' Compensation Act (LHWCA). Under the Federal Employees' Compensation Act (FECA 5 USC 8107) benefit is given for permanent impairment to specific body parts including extremities, hearing, vision, and loss of specific organs (breast, kidney, larynx, lung, penis, testicle, tongue, ovary, and uterus/cervix and vulva/vagina). Awards are based on a formula of 66 2/3 percent of monthly wages multiplied by a specified numbers of weeks' compensation for a specific body part; for the upper extremity this includes arm, hand, and individual digits. Under the Longshore and Harbor Workers' Compensation Act ratings are performed for "scheduled injuries" (e.g., a scheduled member of the body defined by section 8(c)(1)-(20) of the LHWCA). This includes upper extremity injuries (with the exception of the shoulder), lower extremity injuries, and hearing loss.

The Guides are often used to quantify the extent of injuries resulting from an automobile casualty or personal injury. Insurers may use an impairment rating as one of the factors in determining the reserving or settlement value of a claim. Attorneys may use this to quantify the impact of an injury. With no-fault insurance some states may restrict suits to cases where a specific defined threshold has been met; in these states the Guides play an important role. Florida, for example, has a no-fault system for automobile insurance. Where personal injury protection (PIP) coverage exists, an insured's claims for pain and suffering are subject to threshold limitations as a basis for recovery outside the automobile no-fault system. The Guides are commonly used in Florida automobile casualty cases to define "significant and permanent loss of an important bodily function."

Use of the AMA Guides in State Workers Compensation [contact us if you have updated information regarding your State](#):

State	Edition most commonly used	Statute / Code	Comment
Alabama	4th	AL § 480-5-5-.35	The 4th edition is the "recommended guide" to be used by physicians.

<u>Alaska</u>	6th	<u>AK S. §. 23.30.190</u>	Statutes state new edition to be adopted by board within 90 days of the last day of the month when the new edition is published. The use of the Sixth Edition was required as of March 31, 2008.
<u>Arizona</u>	6th	AZ Rev. S. Ann. § <u>23-1044</u> ; § <u>23-1065</u> ; <u>Rule R20-5-113(B)</u> of the Workers' Compensation Practice and Procedure	Use of most recent edition specified by administrative regulation. Guides are used to support medical opinion and in supplementing Arizona's statutory disability schedule.
<u>Arkansas</u>	4th	Workers' Compensation Commission <u>Rule 099.34 - Impairment Rating Guide</u>	Excludes any sections that refer to pain and exclusive of straight leg raising tests or range of motion tests when making physical or anatomical impairment ratings to the spine.
<u>California</u>	5th	<u>CA Code of Reg. Title 8, Ch. 4.5 Sub Ch. 1 Art. 7</u>	<u>California Permanent Disability Rating Schedule</u> , an impairment-based rating system which is based on the 5th edition and modifies ratings based on adjustments for Future Earning Capacity, occupational demands and age. 5th adopted as of January 1, 2005. California Workers' Compensation Appeals Board issued a decision February 2009 in the consolidated cases of <u>Almaraz v. SCIF, et al. and Guzman v. Milpitas Unified School District that the AMA Guides were rebuttable.</u>
<u>Colorado</u>	3rd revised	<u>Colo. Rev. Stat. § 8-42-101</u>	Legislation maintains the use of the 3rd edition revised.
<u>Connecticut</u>	6th	<u>Public Meeting of the Workers' Compensation Commissioners</u>	The physician who is doing a rating must use an "objective" standard. The state recommends use of the AMA Guides but specifically does not require use of a specific edition.
<u>Delaware</u>	5th	<u>Title 19, Ch. 23</u>	Not required by statute but are strongly favored including in case law.
<u>District of Columbia</u>	6th		The most recent edition is mandated by statute.
<u>Florida</u>	State Specific	1996 Florida Uniform Permanent Impairment Rating Schedule <u>69L-7.604</u>	State specific guide, however incorporated some principles from the 4th edition. Not anticipating use of AMA Guides.
<u>Georgia</u>	5th	<u>GA Code Ann. § 34-9-263(d)</u> (Ch. 9 Art. 37)	5th edition adopted as of July 1, 2001.
<u>Hawaii</u>	5th		Uses latest edition but has not moved to 6th edition yet. Also uses a schedule and rules for rating nonscheduled disability.
<u>Idaho</u>	5th		Uses the 5th edition as medical evidence, neither regulation nor statute require it.
<u>Illinois</u>	State Specific	<u>820 ILCS § 305/1</u>	State schedule used for certain cases, no reference in statutes or regulations to the Guides.

<u>Indiana</u>	6th	<u>Guide To Indiana Workers' Compensation</u>	The Guide to Indiana Workers' Compensation states "Physicians use the American Medical Association's Guides to the Evaluation of Permanent Impairment in evaluating the employee's impairment rating.
<u>Iowa</u>	5th	<u>IA Code, §876-2.4(85);</u>	Adopted for determining permanent partial disabilities under Iowa Code section 85.34(2)"a" to "s". "Nothing in this rule shall be construed to prevent the presentations of other medical opinions or other material evidence for the purpose of establishing that the degree of permanent disability to which the claimant would be entitled would be more or less than the entitlement indicated in the Fifth Edition of the AMA guides." Deferred going to the 6th edition.
<u>Kansas</u>	4th	<u>KS Stat. § 44-510d, KS Stat. § 44-510e</u>	Not known if later edition will be used in the future.
<u>Kentucky</u>	5th	<u>KY Rev. Stat. § 342.0011 (35);</u>	
<u>Louisiana</u>	6th	<u>LA Rev. Stat. Ann. § 23:1221.(4)(q)</u>	Statute mandates that most recent version of the Guides should be utilized.
<u>Maine</u>	4th	WCB Rules & Regulations <u>Rule 90-351</u> . ME Title 39-A, 153 § 8	4th edition specified. No plans to use 5th edition at this time.
<u>Maryland</u>	4th	<u>MD Title 14.09.04.01</u>	Changing to the 5th edition is not planned at this time.
<u>Massachusetts</u>	6th	<u>MA Gen. Law Title XXI Ch. 152, § 36</u>	Edition not specified. Incorporates Guides by statute, requiring its use when certain criteria are met for permanent conditions.
<u>Michigan</u>	Not Specified	<u>Worker's Disability Compensation Act of 1969 §418.361</u>	Scheduled amputations and total permanent disabilities are listed in law.
<u>Minnesota</u>	State Specific	<u>Stat. Ch. 176.101</u>	State specific schedule of permanent partial disabilities used.
<u>Mississippi</u>	6th	<u>Fee Schedule: IV Impairment Rating 'A'</u>	"In determining the extent of permanent impairment attributable to a compensable injury, the provider shall base this determination on the most current edition of the Guides ... which is in effect at the time the service is rendered."
<u>Missouri</u>	Not Specified	<u>Ch. 287 Rev. Stat.</u>	No guide for nonscheduled injuries, but ratings from Guides may be used.
<u>Montana</u>	6th	<u>MT Code Ann. §39-71-711(b)</u>	Current edition specified.
<u>Nebraska</u>	Not Specified	<u>NE Stat. § 48-121</u>	Guides not specified, however commonly used as a predicate for disability.

<u>Nevada</u>	5th	<u>NV Rev. Stat. 616C.110</u>	5th edition used as of October 2003.
<u>New Hampshire</u>	5th	<u>NH Rev. Stat. Ann. § 281-A:32;</u>	Most recent edition was previously specified, however legislation in July 2008 removed this requirement and specified ratings are to be performed by the 5th edition with the exception of workers who achieved MMI between January 1 and June 25, 2008 who will be evaluated by the 6th edition.
<u>New Jersey</u>	Not Specified	<u>NJ Stat. Ann. § 34:15-12</u>	Permanent disability is based upon the objective medical evidence of a disability as well as the injured worker's testimony.
<u>New Mexico</u>	6th	<u>NM Stat. Ann. § 52-1-24</u>	Most recent edition specified.
<u>New York</u>	State Specific	<u>Medical Guidelines</u>	Uses own Disability Guidelines, not anticipating use of Guides
<u>North Carolina</u>	State Specific	<u>NC Stat. 97, WCA 97-31</u>	Use on guides presented in the NC Workers Compensation <u>Rating Guide</u> .
<u>North Dakota</u>	5th	<u>ND Cent Code § 65-05-12-2</u>	Guides are modified to be consistent with ND law, to resolve issues of practice and interpretation, and to address areas not sufficiently covered by the guides. Subject to rules adopted under this subsection, impairments must be evaluated under the 5th edition of the Guides.
<u>Ohio</u>	5th	<u>OH Rev. Code § 4123</u>	
<u>Oklahoma</u>	6th	<u>OK Stat. Title 85-3.19</u>	Specifies "latest publication".
<u>Oregon</u>	State Specific	<u>OR Admin. Rules Ch. 436, Div. 035</u>	"Oregon does not reference any particular edition of the AMA Guides, nor does the usage of the AMA Guides for rating disability currently hold any legal standing in Oregon Workers Compensation."
<u>Pennsylvania</u>	6th	<u>34 Pa. Code § 123.105.</u>	Most recent edition specified.
<u>Rhode Island</u>	6th	<u>RI Gen. Laws § 28-29-2</u>	In January 2011, the Sixth Edition became effective. It is specified in determining "Loss of Use". This provision applies to injuries that occur on and after January 1, 2011.

<u>South Carolina</u>	Not Specified	<u>SC Reg. Sec. 67-1101</u>	"The method for determining hearing impairment is based on the American Academy of Otolaryngology "Guide for Evaluation of Hearing Handicap", copyright 1979, which is based upon the American Medical Association's "Guides to the Evaluation of Permanent Impairment", copyright 1977. "
<u>South Dakota</u>	4th	<u>SD Codified Law 62-1-1.2</u>	4th edition required by statute. Not known when and if later will be used
<u>Tennessee</u>	6th	<u>TN Code Ann. § 50-6-102 and 50-6-204</u>	Most recent edition specified - or "in cases not covered by the AMA Guides an impairment rating by any appropriate method used and accepted by the medical community."
<u>Texas</u>	4th	TX Lab. Code Ann. § <u>408.124</u>	As of 10/15/01, 4th edition required
<u>Utah</u>	State Specific	<u>Rule 612-7-3 Method for Rating Utah's Impairment Guides</u>	For rating all impairments, which are not expressly listed in <u>Section 34A-2-412</u> , the Commission adopts Utah's 2006 Impairment Guides as published by the Commission for all ratings of impairments on or after January 1, 2006. For those conditions or exclusions not found in Utah's 2006 Impairment Guides, the Guides are to be used.
<u>Vermont</u>	5th	<u>VT Stat. Ann. Tit. 21, § 648</u>	<u>Legislation specifies continued use of 5th Edition</u> vs. moving to the 6th Edition.
<u>Virginia</u>	Not Specified	<u>VI § 65.2-503</u>	Guides most often used as source of impairment rating. No specific guide mentioned in statute or regulation.
<u>Washington</u>	5th	<u>WAC 296-23-381</u> <u>WAC 296-20-220</u>	State specific guidelines for certain conditions, 5th edition used for loss of function of extremities, partial loss of vision or hearing.
<u>West Virginia</u>	4th	<u>WV Title §85-20-3</u>	Code specifies 4th Edition.

<u>Wisconsin</u>	State Specific	<u>WI Adm. Code 80.32, 80.33;</u> <u>WI Stat. Ch. 102</u>	Not anticipating use of Guides. State specific schedules provided for rating.
<u>Wyoming</u>	6th	<u>WY Stat § 27-14-405(g)</u>	Most recent edition specified.
<u>US Federal Programs – FECA</u>	6th		Most recent edition of specified.
<u>US Federal Programs – Longshore</u>	6th		Most recent edition of specified.