

PERMANENT IMPAIRMENT OF THE SPINE

Section 66 of the Act allows for an additional 5 percent payment for permanent impairment of the spine for injuries occurring on or after 1 January 2006.

This operational instruction outlines the method of calculating these additional payments.

Whole Person Impairment for the Spine

Where the spine impairment is the only impairment, the calculation is straightforward – increase the compensation amount by 5 percent. Hence, compensation for a 10 percent whole person impairment of the spine previously was worth \$12,500, but is now \$12,500 plus an additional 5 percent of \$12,500 (\$625). The new compensation payment is \$13,125.

Whole Person Impairment for Spine and other Body System/s

Where there is more than one impairment resulting from the injury, the two impairments must first be combined and calculated exactly as previously to give the total whole person impairment. Then 5 percent is added to the amount payable for the spine component.

Example 1:

A Worker is assessed with 50 percent brain injury and 10 percent spine injury. Firstly, combine the two impairments. This gives a total impairment of 55 percent whole person impairment. The S66 payment (the base amount) is \$130,000. Calculate an extra 5 percent for the spine impairment. This is 5 percent of \$12,500 (\$625). The total payment is \$130,000 plus \$625 = \$130,625.

Example 2:

A Worker has a 28 percent whole person impairment of the spine and a 10 percent upper arm whole person impairment. Combine the two impairments, giving 35 percent whole person impairment. The base amount for this impairment level is \$65,000. Calculate an additional 5 percent for the spine component. A 28 percent spine impairment is worth \$47,500. An additional 5 percent of this is \$2,375. Add this to the base amount, giving a total payment of \$65,000 + \$2,375 = \$67,375.

Summary:

The additional payment applies only to impairments assessed using the spine chapter in the *WorkCover Guides*. It is intended to overcome anomalies identified in the *Guides* by Medical Specialists who are members of WorkCover's Co-ordinating Committee for the *Guides*.

References

Workers Compensation Act 1987, section 66 (2A)

WorkCover Guides for the evaluation of permanent impairment

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Page 1 of 1	TRIM file 2005/047717 Doc no D06/058075