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TENNESSEE WORKERS' COMPENSATION

WEEKLY COMPENSATION RATES

Date of Accident	Minimum Rate	Max Rate for TTD	Max Rate for PPI	Max Total Benefit
7/1/01 – 6/30/02	\$87.15	\$581.00	\$581.00	\$232,400
7/1/02 – 6/30/03	\$89.85	\$599.00	\$599.00	\$239,600
7/1/03 – 6/30/04	\$92.70	\$618.00	\$618.00	\$247,200
7/1/04 – 6/30/05	\$95.70	\$670.00	\$638.00	\$255,200
7/1/05 – 6/30/06	\$99.45	\$729.00	\$663.00	\$265,200
7/1/06 – 6/30/07	\$102.30	\$750.00	\$682.00	\$272,800
7/1/07 – 6/30/08	\$106.95	\$784.00	\$713.00	\$285,200
7/1/08 – 6/30/09	\$112.80	\$827.00	\$752.00	\$300,800
7/1/09 – 6/30/10	\$114.15	\$837.00	\$761.00	\$304,400
7/1/10 - 6/30/11	\$114.75	\$841.50	\$765.00	\$306,000
7/1/11 - 6/30/12	\$118.35	\$867.90	\$789.00	\$315,600
7/1/12 - 6/30/13	\$120.90	\$886.60	\$806.00	\$322,400
7/1/13 – 6/30/14	\$125.25	\$918.50	\$835.00	\$334,000
7/1/14 – 6/30/15	\$127.20	\$932.80	\$848.00	\$339,200
7/1/15 - 6/30/16	\$128.70	\$943.80	\$858.00	\$343,200
7/1/16 – 6/30/17	\$133.20	\$976.80	\$888.00	\$399,600
7/1/17 – 6/38/18	\$135.30	\$992.20	\$902.00	\$405,900

“OLD LAW” PPI BENEFITS DURATION BASED ON SUBJECT INJURY

Member	Maximum	Member	Maximum
Little finger	15 weeks	Hand	150 weeks
Ring finger	20 weeks	Arm	200 weeks
Middle finger	30 weeks	Foot	125 weeks
Index finger	35 weeks	Leg	200 weeks
Thumb	60 weeks	Eye	100 weeks
Great toe	30 weeks	Hearing (both)	150 weeks
Any other toe	10 weeks	Whole person	400 weeks

Calculate PPI benefit amount:

$PPI(\%) \times \text{Comp Rate}(\$) \times \text{Duration of Benefits}(\#Wks) \times \text{Multiplier}$

“NEW LAW” PPI BENEFITS

All compensable injuries eligible for benefits up to **450 weeks**.

Calculate benefit amount:
 $PPI(\%) \times 450 = \text{Benefit Period}(\#Wks)$
 $\text{Benefit Pd}(\#Wks) \times \text{CR}(\$) = \text{Benefit} \$$

Add'l benefits after initial benefit period **ONLY** if not working or making less pay

No return to work or less pay	X1.35
No HS diploma or GED	X1.45
Older than 40 years	X1.2
Unemployment rate 2 points higher than TN avg	X1.3

COMMONLY USED WORKERS' COMPENSATION FORMS

Forms Used in All Claims

C-20	First Report of Injury: Filed within 14 days of notice of the injury
C-22	Notice of First Payment: File immediately upon first payment; simultaneously file C-41
C-23	Notice of Denial: File within 10 days of denying the claim along with supporting documentation if requested by parties
C-27	Notice of Controversy: File within 15 days of first missed payment; only use when payments have previously been issued
C-30A	Final Medical Report: Within 30 days of final payment; completed by physicians
C-31	Medical Waiver and Consent: Send with requests for medical records. Must be included for records of injuries prior to 7/1/2014.
C-41	Wage Statement: File with all claims to report wages for 52 wks prior to DOI. Must file with Notice of First Payment (C-22)
SD-1	Statistical Data Form: File no later than date of settlement order. Must be filed in order to finalize any TN WC settlement

Forms Used Only for Claims with DOI Prior to 7/1/2014

C-40A	Request for Assistance: Filed by any party seeking workers' compensation benefits
C-40B	Request for Benefit Review Conference: File within 30 days of MMI to request settlement mediation
C-40R	Certificate of Readiness for BRC: File with, or soon after, C-40B in order to schedule BRC
C-42	Agreement on Choice of Physician: Panel of physicians submitted to employee. (May be used for claims with DOI after 7/1/14)
RSA	Request for Settlement Approval: Submit to request Settlement Approval Conference

Forms Used Only for Claims with DOI On or After 7/1/2014

PBD	Petition for Benefit Determination: Submit for any request including assistance with benefits, mediation, hearing, additional benefits and settlement approval
DCN	Dispute Certification Notice: Report of unresolved issues following mediation. Only issues on DCN can be brought to hearing
Exp Hrg	Request for Expedited Hearing Filed to seek temporary benefits until compensation hearing

TENNESSEE WORKERS' COMPENSATION CALCULATING PPD BENEFITS FOR "OLD LAW" CLAIMS (INJURY PRIOR TO JULY 1, 2014)



To calculate the correct amount of Permanent Partial Disability (PPD) benefit, impairment rating percentage is multiplied by the maximum number of weeks assigned to the specific member of the body or body as a whole. The number of weeks is multiplied by the Claimant's compensation rate (subject to statutory maximum) and increased by multiplier. (If Employee is given separate impairment ratings for multiple members of the body, use Combined Values Chart to determine total rating.). **Chart 1** lists the maximum number of weeks for PPD benefits based on the injured member. **Chart 2** illustrates how to choose the appropriate multiplier. **Chart 3** illustrates the calculations necessary to determine the monetary amount of PPD benefits.

CHART 1

Member	Maximum	Member	Maximum	Member	Maximum	Member	Maximum
Finger (little)	15 weeks	Hand	150 weeks	Arm & Foot	400 weeks	Two Feet	400 weeks
Finger (ring)	20 weeks	Arm	200 weeks	Eye & Leg	350 weeks	Hearing (both)	150 weeks
Finger (middle)	30 weeks	Foot	125 weeks	Eye & Arm	350 weeks	Leg & Hand	400 weeks
Finger (index)	35 weeks	Leg	200 weeks	Eye & Foot	300 weeks	Arm & Leg	400 weeks
Thumb	60 weeks	Eye	100 weeks	Two Arms	400 weeks	Body as a Whole	400 weeks
Great Toe	30 weeks	Arm & Other hand	400 weeks	Two Hands	400 weeks		
Any other toe	10 weeks	Hand & Foot	400 weeks	Two Legs	400 weeks		

CHART 2

Choosing the Appropriate Multiplier

Multiplier: PPI benefits are increased with a multiplier from 1X to 6X the benefit. If employee makes a "meaningful return to work," an injury to a scheduled member valued at 200 weeks or more is limited to 1.5X the impairment rating. If employee does not make a meaningful return to work, a claim for benefits is limited to 6X the impairment rating. To determine the exact multiplier, the court considers employee's age, education, skills and training, job opportunities, and capacity to work.

As a general rule, the multiplier also dependent on the region of the state where case will be heard. While it may be appropriate to use a multiplier of 3 for an employee in the Tri-Cities, it may be necessary to use a multiplier of 3.75 for same employee in Memphis.

1.5 X - "Meaningful Return to Work": Employee has made a meaningful return to work and is limited to the 1.5X multiplier if returned to employment at a wage equal to or greater than the pre-injury wage. The 1.X cap continues if employee resigns or is terminated for reasons unrelated to injury, including termination for misconduct or violation of legitimate work rules uniformly enforced on all employees.

"Breaking the Cap": If 3 of the criteria are met, the 6X cap may be exceeded: (1) employee lacks HS diploma or GED, or cannot read or write on an 8th grade level; (2) employee is 55 or older; (3) employee has no reasonably transferable job skills; (4) employee has no reasonable employment opportunities considering employee's permanent medical condition.

CHART 3

Calculations for PPD Benefits

(Part One): PPI % x Corresponding # of Weeks = _____ weeks.

(Part Two): _____ weeks (from above) x \$ _____ TTD Rate = Base PPD

(Part Three): Base PPD x Multiplier = _____ \$Amount of PPD Benefits

Examples:

Scenario #1

55 year-old male with a HS degree, herniated lumbar disc carrying a heavy item. ATP has assigned PPI rating of 12% to the body as a whole. Employee is not working. Weekly comp rate of \$400.00.

(Part One): 12% x 400 weeks (BAW) = 48 weeks

(Part Two): 48 weeks x \$400.00 = \$19,200.00 Base PPD

(Part Three) \$19,200.00 x 4.0 (multiplier) = \$76,800.00

Scenario #2

40 year-old female in a MVA sustained shoulder strain, assigned a 3% PPI rating to the body as a whole. She continues to work for employer. Weekly comp rate of \$325.00

(Part One) 3% x 400 weeks (BAW) = 12 weeks

(Part Two): 12 weeks x \$325.00 = \$3,900.00 Base PPD

(Part Three): \$3,900.00 x 1.5 (multiplier) = \$5,850.00