



LAWS OF ALASKA

1970

Source

HB 635

Chapter No.

119

AN ACT

Changing the upper limits of compensation for permanent partial disability under the Alaska Workmen's Compensation Act; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 23.30.190 is amended to read:

Sec. 23.30.190. COMPENSATION FOR PERMANENT PARTIAL DISABILITY. In case of disability partial in character but permanent in quality the compensation is 65 per cent of the average weekly wages in addition to compensation for temporary total disability or temporary partial disability paid in accordance with secs. 185 or 200 of this chapter, respectively, and shall be paid to the employee as follows:

- (1) arm lost, 280 weeks compensation, not to exceed \$16,000;
- (2) leg lost, 248 weeks compensation, not to exceed \$14,200;
- (3) hand lost, 212 weeks compensation, not to exceed \$12,000;
- (4) foot lost, 173 weeks compensation, not to exceed \$10,200;
- (5) eye lost, 140 weeks compensation, not to exceed \$8,000;
- (6) thumb lost, 51 weeks compensation, not to exceed \$2,000;
- (7) first finger lost, 28 weeks compensation, not to exceed \$1,200;

(8) great toe lost, 26 weeks compensation, not to exceed \$1,000;

(9) second and third finger lost, 18 weeks compensation, not to exceed \$700;

(10) toe other than great toe lost, 8 weeks compensation, not to exceed \$350;

(11) fourth finger lost, 7 weeks compensation, not to exceed \$350;

(12) loss of hearing of one ear, 52 weeks compensation, not exceeding \$3,000; loss of hearing of both ears, 200 weeks compensation, not to exceed \$10,000;

(13) compensation for loss of more than one phalange of a digit shall be the same as for loss of the entire digit; compensation for loss of the first phalange is one-half of the compensation for loss of the entire digit;

(14) amputation between the elbow and the wrist is considered equivalent to the loss of an arm, and amputation between the knee and ankle is considered equivalent to the loss of a leg;

(15) compensation for loss of binocular vision or for 80 per cent or more of the vision of an eye is the same as for loss of the eye;

(16) compensation for loss of two or more digits, or one or more phalanges of two or more digits of a hand or foot may be proportioned to the resulting loss of use of the injured hand or foot, but may not exceed the compensation for loss of a hand or foot;

(17) compensation for permanent total loss of use of a member is the same as for loss of the member;

(18) compensation for permanent partial loss or loss of use of a member may be for proportionate loss or loss of use of the member;

(19) in addition to other allowable compensation, the board shall award proper and equitable compensation up to \$3,500 for serious disfigurement of face, head and, when such disfigurement is likely to handicap the employee in securing or holding employment, for serious disfigurement of neck or limbs normally exposed;

(20) in all other cases in this class of disability the compensation is 65 per cent of the difference between his average weekly wages and his wage-earning capacity after the injury in the same employment or otherwise, payable during the continuance of the partial disability, but subject to reconsideration of the degree of the impairment by the board on its own motion or upon application of a party in interest; whenever the board determines that it is in the interest of justice, the liability of the employer for compensation, or any part of it as determined by the board, may be discharged by the payment of a lump sum;

(21) in a case in which there is a loss of, or loss of use of more than one member or parts of more than one member set out in (1) - (18) of this section, not amounting to permanent total disability, the award of compensation is for the loss of, or loss of use of, each member or part of the member, which awards shall run consecutively, except that where the injury affects only two or more digits of the same hand or foot, (16) of this section applies.

* Sec. 2. This Act takes effect July 1, 1970.