

SENATE BILL No. 220

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-3.

Synopsis: Worker's compensation. Provides that a claim for compensation must be filed with the worker's compensation board within two years after the last date on which compensation for temporary total disability, temporary partial disability, or suitable alternative work was paid. Increases benefits for injuries and disablements by: (1) 10% on and after July 1, 2021; (2) 6% on and after July 1, 2022; (3) 4% on and after July 1, 2023; (4) 4% on and after July 1, 2024; (5) 4% on and after July 1, 2025; and (6) 4% on and after July 1, 2026. Makes conforming amendments.

Effective: July 1, 2021.

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January 7, 2021, read first time and referred to Committee on Pensions and Labor.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 220

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-3-3-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2021]: Sec. 3. **(a) This section applies to**
3 **claims for compensation under IC 22-3-2 through IC 22-3-6 filed**
4 **before, after, or on July 1, 2021.**

5 ~~(b) The right to A claim for~~ compensation under IC 22-3-2 through
6 IC 22-3-6 ~~shall be forever barred unless~~ **must be filed with the**
7 **worker's compensation board within the later of:**

8 **(1)** two (2) years after the occurrence of the accident, or if death
9 results therefrom, within two (2) years after such death; ~~a claim~~
10 ~~for compensation thereunder shall be filed with the worker's~~
11 ~~compensation board.~~

12 ~~(2) However,~~ in all cases wherein an accident or death results
13 from the exposure to radiation, ~~a claim for compensation shall be~~
14 ~~filed with the board within~~ two (2) years from the date on which
15 the employee had knowledge of ~~his~~ **the employee's** injury or by
16 exercise of reasonable diligence should have known of the
17 existence of such injury and its causal relationship to ~~his~~ **the**



1 **employee's employment; or**
 2 **(3) two (2) years after the last date on which compensation for**
 3 **temporary total disability under section 7 of this chapter,**
 4 **temporary partial disability under section 9 of this chapter, or**
 5 **suitable alternative work under section 11 of this chapter was**
 6 **paid.**

7 SECTION 2. IC 22-3-3-10, AS AMENDED BY THE TECHNICAL
 8 CORRECTIONS BILL OF THE 2021 GENERAL ASSEMBLY, IS
 9 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

10 Sec. 10. (a) With respect to injuries in the schedule set forth in
 11 subsection (d) occurring on and after July 1, 1979, and before July 1,
 12 1988, the employee shall receive, in addition to temporary total
 13 disability benefits not to exceed fifty-two (52) weeks on account of the
 14 injury, a weekly compensation of sixty percent (60%) of the employee's
 15 average weekly wages, not to exceed one hundred twenty-five dollars
 16 (\$125) average weekly wages, for the period stated for the injury.

17 (b) With respect to injuries in the schedule set forth in subsection
 18 (d) occurring on and after July 1, 1988, and before July 1, 1989, the
 19 employee shall receive, in addition to temporary total disability benefits
 20 not exceeding seventy-eight (78) weeks on account of the injury, a
 21 weekly compensation of sixty percent (60%) of the employee's average
 22 weekly wages, not to exceed one hundred sixty-six dollars (\$166)
 23 average weekly wages, for the period stated for the injury.

24 (c) With respect to injuries in the schedule set forth in subsection
 25 (d) occurring on and after July 1, 1989, and before July 1, 1990, the
 26 employee shall receive, in addition to temporary total disability benefits
 27 not exceeding seventy-eight (78) weeks on account of the injury, a
 28 weekly compensation of sixty percent (60%) of the employee's average
 29 weekly wages, not to exceed one hundred eighty-three dollars (\$183)
 30 average weekly wages, for the period stated for the injury.

31 (d) With respect to injuries in the following schedule occurring on
 32 and after July 1, 1990, and before July 1, 1991, the employee shall
 33 receive, in addition to temporary total disability benefits not exceeding
 34 seventy-eight (78) weeks on account of the injury, a weekly
 35 compensation of sixty percent (60%) of the employee's average weekly
 36 wages, not to exceed two hundred dollars (\$200) average weekly
 37 wages, for the period stated for the injury.

38 (1) Amputation: For the loss by separation of the thumb, sixty
 39 (60) weeks, of the index finger forty (40) weeks, of the second
 40 finger thirty-five (35) weeks, of the third or ring finger thirty (30)
 41 weeks, of the fourth or little finger twenty (20) weeks, of the hand
 42 by separation below the elbow joint two hundred (200) weeks, or



1 the arm above the elbow two hundred fifty (250) weeks, of the big
 2 toe sixty (60) weeks, of the second toe thirty (30) weeks, of the
 3 third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks,
 4 of the fifth or little toe ten (10) weeks, for loss occurring on and
 5 after April 1, 1959, by separation of the foot below the knee joint,
 6 one hundred seventy-five (175) weeks and of the leg above the
 7 knee joint two hundred twenty-five (225) weeks. The loss of more
 8 than one (1) phalange of a thumb or toes shall be considered as
 9 the loss of the entire thumb or toe. The loss of more than two (2)
 10 phalanges of a finger shall be considered as the loss of the entire
 11 finger. The loss of not more than one (1) phalange of a thumb or
 12 toe shall be considered as the loss of one-half (1/2) of the thumb
 13 or toe and compensation shall be paid for one-half (1/2) of the
 14 period for the loss of the entire thumb or toe. The loss of not more
 15 than one (1) phalange of a finger shall be considered as the loss
 16 of one-third (1/3) of the finger and compensation shall be paid for
 17 one-third (1/3) the period for the loss of the entire finger. The loss
 18 of more than one (1) phalange of the finger but not more than two
 19 (2) phalanges of the finger, shall be considered as the loss of
 20 one-half (1/2) of the finger and compensation shall be paid for
 21 one-half (1/2) of the period for the loss of the entire finger.
 22 (2) For the loss by separation of both hands or both feet or the
 23 total sight of both eyes, or any two (2) such losses in the same
 24 accident, five hundred (500) weeks.
 25 (3) For the permanent and complete loss of vision by enucleation
 26 or its reduction to one-tenth (1/10) of normal vision with glasses,
 27 one hundred seventy-five (175) weeks.
 28 (4) For the permanent and complete loss of hearing in one (1) ear,
 29 seventy-five (75) weeks, and in both ears, two hundred (200)
 30 weeks.
 31 (5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of
 32 both testicles, one hundred fifty (150) weeks.
 33 (e) With respect to injuries in the schedule set forth in subsection
 34 (h) occurring on and after July 1, 1979, and before July 1, 1988, the
 35 employee shall receive, in addition to temporary total disability benefits
 36 not exceeding fifty-two (52) weeks on account of the injury, a weekly
 37 compensation of sixty percent (60%) of the employee's average weekly
 38 wages not to exceed one hundred twenty-five dollars (\$125) average
 39 weekly wages for the period stated for the injury.
 40 (f) With respect to injuries in the schedule set forth in subsection (h)
 41 occurring on and after July 1, 1988, and before July 1, 1989, the
 42 employee shall receive, in addition to temporary total disability benefits



1 not exceeding seventy-eight (78) weeks on account of the injury, a
 2 weekly compensation of sixty percent (60%) of the employee's average
 3 weekly wages, not to exceed one hundred sixty-six dollars (\$166)
 4 average weekly wages, for the period stated for the injury.

5 (g) With respect to injuries in the schedule set forth in subsection
 6 (h) occurring on and after July 1, 1989, and before July 1, 1990, the
 7 employee shall receive, in addition to temporary total disability benefits
 8 not exceeding seventy-eight (78) weeks on account of the injury, a
 9 weekly compensation of sixty percent (60%) of the employee's average
 10 weekly wages, not to exceed one hundred eighty-three dollars (\$183)
 11 average weekly wages, for the period stated for the injury.

12 (h) With respect to injuries in the following schedule occurring on
 13 and after July 1, 1990, and before July 1, 1991, the employee shall
 14 receive, in addition to temporary total disability benefits not exceeding
 15 seventy-eight (78) weeks on account of the injury, a weekly
 16 compensation of sixty percent (60%) of the employee's average weekly
 17 wages, not to exceed two hundred dollars (\$200) average weekly
 18 wages, for the period stated for the injury.

19 (1) Loss of use: The total permanent loss of the use of an arm,
 20 hand, thumb, finger, leg, foot, toe, or phalange shall be considered
 21 as the equivalent of the loss by separation of the arm, hand,
 22 thumb, finger, leg, foot, toe, or phalange, and compensation shall
 23 be paid for the same period as for the loss thereof by separation.

24 (2) Partial loss of use: For the permanent partial loss of the use of
 25 an arm, hand, thumb, finger, leg, foot, toe, or phalange,
 26 compensation shall be paid for the proportionate loss of the use of
 27 such arm, hand, thumb, finger, leg, foot, toe, or phalange.

28 (3) For injuries resulting in total permanent disability, five
 29 hundred (500) weeks.

30 (4) For any permanent reduction of the sight of an eye less than a
 31 total loss as specified in subsection (d)(3), compensation shall be
 32 paid for a period proportionate to the degree of such permanent
 33 reduction without correction or glasses. However, when such
 34 permanent reduction without correction or glasses would result in
 35 one hundred percent (100%) loss of vision, but correction or
 36 glasses would result in restoration of vision, then in such event
 37 compensation shall be paid for fifty percent (50%) of such total
 38 loss of vision without glasses, plus an additional amount equal to
 39 the proportionate amount of such reduction with glasses, not to
 40 exceed an additional fifty percent (50%).

41 (5) For any permanent reduction of the hearing of one (1) or both
 42 ears, less than the total loss as specified in subsection (d)(4),



- 1 compensation shall be paid for a period proportional to the degree
 2 of such permanent reduction.
- 3 (6) In all other cases of permanent partial impairment,
 4 compensation proportionate to the degree of such permanent
 5 partial impairment, in the discretion of the worker's compensation
 6 board, not exceeding five hundred (500) weeks.
- 7 (7) In all cases of permanent disfigurement which may impair the
 8 future usefulness or opportunities of the employee, compensation,
 9 in the discretion of the worker's compensation board, not
 10 exceeding two hundred (200) weeks, except that no compensation
 11 shall be payable under this subdivision where compensation is
 12 payable elsewhere in this section.
- 13 (i) With respect to injuries in the following schedule occurring on
 14 and after July 1, 1991, the employee shall receive in addition to
 15 temporary total disability benefits, not exceeding one hundred
 16 twenty-five (125) weeks on account of the injury, compensation in an
 17 amount determined under the following schedule to be paid weekly at
 18 a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's
 19 average weekly wages during the fifty-two (52) weeks immediately
 20 preceding the week in which the injury occurred.
- 21 (1) Amputation: For the loss by separation of the thumb, twelve
 22 (12) degrees of permanent impairment; of the index finger, eight
 23 (8) degrees of permanent impairment; of the second finger, seven
 24 (7) degrees of permanent impairment; of the third or ring finger,
 25 six (6) degrees of permanent impairment; of the fourth or little
 26 finger, four (4) degrees of permanent impairment; of the hand by
 27 separation below the elbow joint, forty (40) degrees of permanent
 28 impairment; of the arm above the elbow, fifty (50) degrees of
 29 permanent impairment; of the big toe, twelve (12) degrees of
 30 permanent impairment; of the second toe, six (6) degrees of
 31 permanent impairment; of the third toe, four (4) degrees of
 32 permanent impairment; of the fourth toe, three (3) degrees of
 33 permanent impairment; of the fifth or little toe, two (2) degrees of
 34 permanent impairment; by separation of the foot below the knee
 35 joint, thirty-five (35) degrees of permanent impairment; and of the
 36 leg above the knee joint, forty-five (45) degrees of permanent
 37 impairment.
- 38 (2) Amputations: For the loss by separation of any of the body
 39 parts described in subdivision (1) on or after July 1, 1997, and for
 40 the loss by separation of any of the body parts described in
 41 subdivision (3), (5), ~~or (8)~~, **or (7)**, on or after July 1, 1999, the
 42 dollar values per degree applying on the date of the injury as



1 described in subsection (j) shall be multiplied by two (2).
2 However, the doubling provision of this subdivision does not
3 apply to a loss of use that is not a loss by separation.
4 (3) The loss of more than one (1) phalange of a thumb or toe shall
5 be considered as the loss of the entire thumb or toe. The loss of
6 more than two (2) phalanges of a finger shall be considered as the
7 loss of the entire finger. The loss of not more than one (1)
8 phalange of a thumb or toe shall be considered as the loss of
9 one-half (1/2) of the degrees of permanent impairment for the loss
10 of the entire thumb or toe. The loss of not more than one (1)
11 phalange of a finger shall be considered as the loss of one-third
12 (1/3) of the finger and compensation shall be paid for one-third
13 (1/3) of the degrees payable for the loss of the entire finger. The
14 loss of more than one (1) phalange of the finger but not more than
15 two (2) phalanges of the finger shall be considered as the loss of
16 one-half (1/2) of the finger and compensation shall be paid for
17 one-half (1/2) of the degrees payable for the loss of the entire
18 finger.
19 (4) For the loss by separation of both hands or both feet or the
20 total sight of both eyes or any two (2) such losses in the same
21 accident, one hundred (100) degrees of permanent impairment.
22 (5) For the permanent and complete loss of vision by enucleation,
23 thirty-five (35) degrees of permanent impairment.
24 (6) For the permanent and complete loss of hearing in one (1) ear,
25 fifteen (15) degrees of permanent impairment, and in both ears,
26 forty (40) degrees of permanent impairment.
27 (7) For the loss of one (1) testicle, ten (10) degrees of permanent
28 impairment; for the loss of both testicles, thirty (30) degrees of
29 permanent impairment.
30 (8) Loss of use: The total permanent loss of the use of an arm, a
31 hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be
32 considered as the equivalent of the loss by separation of the arm,
33 hand, thumb, finger, leg, foot, toe, or phalange, and compensation
34 shall be paid in the same amount as for the loss by separation.
35 However, the doubling provision of subdivision (2) does not
36 apply to a loss of use that is not a loss by separation.
37 (9) Partial loss of use: For the permanent partial loss of the use of
38 an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a
39 phalange, compensation shall be paid for the proportionate loss of
40 the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.
41 (10) For injuries resulting in total permanent disability, the
42 amount payable for impairment or five hundred (500) weeks of



- 1 compensation, whichever is greater.
- 2 (11) Visual impairments shall be based on the Functional Vision
3 Score (FVS) assessing the visual acuity and visual field to
4 evaluate any reduction in ability to perform vision-related
5 Activities of Daily Living (ADL). Unless such loss is otherwise
6 specified in subdivision (5), visual impairments shall be paid as
7 a whole person rating.
- 8 (12) For any permanent reduction of the hearing of one (1) or both
9 ears, less than the total loss as specified in subsection (h)(5),
10 compensation shall be paid in an amount proportionate to the
11 degree of a permanent reduction.
- 12 (13) In all other cases of permanent partial impairment,
13 compensation proportionate to the degree of a permanent partial
14 impairment, in the discretion of the worker's compensation board,
15 not exceeding one hundred (100) degrees of permanent
16 impairment.
- 17 (14) In all cases of permanent disfigurement which may impair
18 the future usefulness or opportunities of the employee,
19 compensation, in the discretion of the worker's compensation
20 board, not exceeding forty (40) degrees of permanent impairment
21 except that no compensation shall be payable under this
22 subdivision where compensation is payable elsewhere in this
23 section.
- 24 (j) Compensation for permanent partial impairment shall be paid
25 according to the degree of permanent impairment for the injury
26 determined under subsection (i) and the following:
- 27 (1) With respect to injuries occurring on and after July 1, 1991,
28 and before July 1, 1992, for each degree of permanent impairment
29 from one (1) to thirty-five (35), five hundred dollars (\$500) per
30 degree; for each degree of permanent impairment from thirty-six
31 (36) to fifty (50), nine hundred dollars (\$900) per degree; for each
32 degree of permanent impairment above fifty (50), one thousand
33 five hundred dollars (\$1,500) per degree.
- 34 (2) With respect to injuries occurring on and after July 1, 1992,
35 and before July 1, 1993, for each degree of permanent impairment
36 from one (1) to twenty (20), five hundred dollars (\$500) per
37 degree; for each degree of permanent impairment from
38 twenty-one (21) to thirty-five (35), eight hundred dollars (\$800)
39 per degree; for each degree of permanent impairment from
40 thirty-six (36) to fifty (50), one thousand three hundred dollars
41 (\$1,300) per degree; for each degree of permanent impairment
42 above fifty (50), one thousand seven hundred dollars (\$1,700) per



- 1 degree.
- 2 (3) With respect to injuries occurring on and after July 1, 1993,
3 and before July 1, 1997, for each degree of permanent impairment
4 from one (1) to ten (10), five hundred dollars (\$500) per degree;
5 for each degree of permanent impairment from eleven (11) to
6 twenty (20), seven hundred dollars (\$700) per degree; for each
7 degree of permanent impairment from twenty-one (21) to
8 thirty-five (35), one thousand dollars (\$1,000) per degree; for
9 each degree of permanent impairment from thirty-six (36) to fifty
10 (50), one thousand four hundred dollars (\$1,400) per degree; for
11 each degree of permanent impairment above fifty (50), one
12 thousand seven hundred dollars (\$1,700) per degree.
- 13 (4) With respect to injuries occurring on and after July 1, 1997,
14 and before July 1, 1998, for each degree of permanent impairment
15 from one (1) to ten (10), seven hundred fifty dollars (\$750) per
16 degree; for each degree of permanent impairment from eleven
17 (11) to thirty-five (35), one thousand dollars (\$1,000) per degree;
18 for each degree of permanent impairment from thirty-six (36) to
19 fifty (50), one thousand four hundred dollars (\$1,400) per degree;
20 for each degree of permanent impairment above fifty (50), one
21 thousand seven hundred dollars (\$1,700) per degree.
- 22 (5) With respect to injuries occurring on and after July 1, 1998,
23 and before July 1, 1999, for each degree of permanent impairment
24 from one (1) to ten (10), seven hundred fifty dollars (\$750) per
25 degree; for each degree of permanent impairment from eleven
26 (11) to thirty-five (35), one thousand dollars (\$1,000) per degree;
27 for each degree of permanent impairment from thirty-six (36) to
28 fifty (50), one thousand four hundred dollars (\$1,400) per degree;
29 for each degree of permanent impairment above fifty (50), one
30 thousand seven hundred dollars (\$1,700) per degree.
- 31 (6) With respect to injuries occurring on and after July 1, 1999,
32 and before July 1, 2000, for each degree of permanent impairment
33 from one (1) to ten (10), nine hundred dollars (\$900) per degree;
34 for each degree of permanent impairment from eleven (11) to
35 thirty-five (35), one thousand one hundred dollars (\$1,100) per
36 degree; for each degree of permanent impairment from thirty-six
37 (36) to fifty (50), one thousand six hundred dollars (\$1,600) per
38 degree; for each degree of permanent impairment above fifty (50),
39 two thousand dollars (\$2,000) per degree.
- 40 (7) With respect to injuries occurring on and after July 1, 2000,
41 and before July 1, 2001, for each degree of permanent impairment
42 from one (1) to ten (10), one thousand one hundred dollars



1 (\$1,100) per degree; for each degree of permanent impairment
2 from eleven (11) to thirty-five (35), one thousand three hundred
3 dollars (\$1,300) per degree; for each degree of permanent
4 impairment from thirty-six (36) to fifty (50), two thousand dollars
5 (\$2,000) per degree; for each degree of permanent impairment
6 above fifty (50), two thousand five hundred fifty dollars (\$2,500)
7 per degree.

8 (8) With respect to injuries occurring on and after July 1, 2001,
9 and before July 1, 2007, for each degree of permanent impairment
10 from one (1) to ten (10), one thousand three hundred dollars
11 (\$1,300) per degree; for each degree of permanent impairment
12 from eleven (11) to thirty-five (35), one thousand five hundred
13 dollars (\$1,500) per degree; for each degree of permanent
14 impairment from thirty-six (36) to fifty (50), two thousand four
15 hundred dollars (\$2,400) per degree; for each degree of
16 permanent impairment above fifty (50), three thousand dollars
17 (\$3,000) per degree.

18 (9) With respect to injuries occurring on and after July 1, 2007,
19 and before July 1, 2008, for each degree of permanent impairment
20 from one (1) to ten (10), one thousand three hundred forty dollars
21 (\$1,340) per degree; for each degree of permanent impairment
22 from eleven (11) to thirty-five (35), one thousand five hundred
23 forty-five dollars (\$1,545) per degree; for each degree of
24 permanent impairment from thirty-six (36) to fifty (50), two
25 thousand four hundred seventy-five dollars (\$2,475) per degree;
26 for each degree of permanent impairment above fifty (50), three
27 thousand one hundred fifty dollars (\$3,150) per degree.

28 (10) With respect to injuries occurring on and after July 1, 2008,
29 and before July 1, 2009, for each degree of permanent impairment
30 from one (1) to ten (10), one thousand three hundred sixty-five
31 dollars (\$1,365) per degree; for each degree of permanent
32 impairment from eleven (11) to thirty-five (35), one thousand five
33 hundred seventy dollars (\$1,570) per degree; for each degree of
34 permanent impairment from thirty-six (36) to fifty (50), two
35 thousand five hundred twenty-five dollars (\$2,525) per degree; for
36 each degree of permanent impairment above fifty (50), three
37 thousand two hundred dollars (\$3,200) per degree.

38 (11) With respect to injuries occurring on and after July 1, 2009,
39 and before July 1, 2010, for each degree of permanent impairment
40 from one (1) to ten (10), one thousand three hundred eighty
41 dollars (\$1,380) per degree; for each degree of permanent
42 impairment from eleven (11) to thirty-five (35), one thousand five



1 hundred eighty-five dollars (\$1,585) per degree; for each degree
2 of permanent impairment from thirty-six (36) to fifty (50), two
3 thousand six hundred dollars (\$2,600) per degree; for each degree
4 of permanent impairment above fifty (50), three thousand three
5 hundred dollars (\$3,300) per degree.
6 (12) With respect to injuries occurring on and after July 1, 2010,
7 and before July 1, 2014, for each degree of permanent impairment
8 from one (1) to ten (10), one thousand four hundred dollars
9 (\$1,400) per degree; for each degree of permanent impairment
10 from eleven (11) to thirty-five (35), one thousand six hundred
11 dollars (\$1,600) per degree; for each degree of permanent
12 impairment from thirty-six (36) to fifty (50), two thousand seven
13 hundred dollars (\$2,700) per degree; for each degree of
14 permanent impairment above fifty (50), three thousand five
15 hundred dollars (\$3,500) per degree.
16 (13) With respect to injuries occurring on and after July 1, 2014,
17 and before July 1, 2015, for each degree of permanent impairment
18 from one (1) to ten (10), one thousand five hundred seventeen
19 dollars (\$1,517) per degree; for each degree of permanent
20 impairment from eleven (11) to thirty-five (35), one thousand
21 seven hundred seventeen dollars (\$1,717) per degree; for each
22 degree of permanent impairment from thirty-six (36) to fifty (50),
23 two thousand eight hundred sixty-two dollars (\$2,862) per degree;
24 for each degree of permanent impairment above fifty (50), three
25 thousand six hundred eighty-seven dollars (\$3,687) per degree.
26 (14) With respect to injuries occurring on and after July 1, 2015,
27 and before July 1, 2016, for each degree of permanent impairment
28 from one (1) to ten (10), one thousand six hundred thirty-three
29 dollars (\$1,633) per degree; for each degree of permanent
30 impairment from eleven (11) to thirty-five (35), one thousand
31 eight hundred thirty-five dollars (\$1,835) per degree; for each
32 degree of permanent impairment from thirty-six (36) to fifty (50),
33 three thousand twenty-four dollars (\$3,024) per degree; for each
34 degree of permanent impairment above fifty (50), three thousand
35 eight hundred seventy-three dollars (\$3,873) per degree.
36 (15) With respect to injuries occurring on and after July 1, 2016,
37 **and before July 1, 2021**, for each degree of permanent
38 impairment from one (1) to ten (10), one thousand seven hundred
39 fifty dollars (\$1,750) per degree; for each degree of permanent
40 impairment from eleven (11) to thirty-five (35), one thousand nine
41 hundred fifty-two dollars (\$1,952) per degree; for each degree of
42 permanent impairment from thirty-six (36) to fifty (50), three



1 thousand one hundred eighty-six dollars (\$3,186) per degree; for
2 each degree of permanent impairment above fifty (50), four
3 thousand sixty dollars (\$4,060) per degree.

4 **(16) With respect to injuries occurring on and after July 1,**
5 **2021, and before July 1, 2022, for each degree of permanent**
6 **impairment from one (1) to ten (10), one thousand nine**
7 **hundred twenty-five dollars (\$1,925) per degree; for each**
8 **degree of permanent impairment from eleven (11) to**
9 **thirty-five (35), two thousand one hundred forty-seven dollars**
10 **(\$2,147) per degree; for each degree of permanent**
11 **impairment from thirty-six (36) to fifty (50), three thousand**
12 **five hundred five dollars (\$3,505) per degree; for each degree**
13 **of permanent impairment above fifty (50), four thousand four**
14 **hundred sixty-six dollars (\$4,466) per degree.**

15 **(17) With respect to injuries occurring on and after July 1,**
16 **2022, and before July 1, 2023, for each degree of permanent**
17 **impairment from one (1) to ten (10), two thousand forty-one**
18 **dollars (\$2,041) per degree; for each degree of permanent**
19 **impairment from eleven (11) to thirty-five (35), two thousand**
20 **two hundred seventy-six dollars (\$2,276) per degree; for each**
21 **degree of permanent impairment from thirty-six (36) to fifty**
22 **(50), three thousand seven hundred fifteen dollars (\$3,715)**
23 **per degree; for each degree of permanent impairment above**
24 **fifty (50), four thousand seven hundred thirty-four dollars**
25 **(\$4,734) per degree.**

26 **(18) With respect to injuries occurring on and after July 1,**
27 **2023, and before July 1, 2024, for each degree of permanent**
28 **impairment from one (1) to ten (10), two thousand one**
29 **hundred twenty-three dollars (\$2,123) per degree; for each**
30 **degree of permanent impairment from eleven (11) to**
31 **thirty-five (35), two thousand three hundred sixty-seven**
32 **dollars (\$2,367) per degree; for each degree of permanent**
33 **impairment from thirty-six (36) to fifty (50), three thousand**
34 **eight hundred sixty-four dollars (\$3,864) per degree; for each**
35 **degree of permanent impairment above fifty (50), four**
36 **thousand nine hundred twenty-three dollars (\$4,923) per**
37 **degree.**

38 **(19) With respect to injuries occurring on and after July 1,**
39 **2024, and before July 1, 2025, for each degree of permanent**
40 **impairment from one (1) to ten (10), two thousand two**
41 **hundred eight dollars (\$2,208) per degree; for each degree of**
42 **permanent impairment from eleven (11) to thirty-five (35),**



1 two thousand four hundred sixty-two dollars (\$2,462) per
 2 degree; for each degree of permanent impairment from
 3 thirty-six (36) to fifty (50), four thousand nineteen dollars
 4 (\$4,019) per degree; for each degree of permanent
 5 impairment above fifty (50), five thousand one hundred
 6 twenty dollars (\$5,120) per degree.

7 (20) With respect to injuries occurring on and after July 1,
 8 2025, and before July 1, 2026, for each degree of permanent
 9 impairment from one (1) to ten (10), two thousand two
 10 hundred ninety-six dollars (\$2,296) per degree; for each
 11 degree of permanent impairment from eleven (11) to
 12 thirty-five (35), two thousand five hundred sixty dollars
 13 (\$2,560) per degree; for each degree of permanent
 14 impairment from thirty-six (36) to fifty (50), four thousand
 15 one hundred eighty dollars (\$4,180) per degree; for each
 16 degree of permanent impairment above fifty (50), five
 17 thousand three hundred twenty-five dollars (\$5,325) per
 18 degree.

19 (21) With respect to injuries occurring on and after July 1,
 20 2026, for each degree of permanent impairment from one (1)
 21 to ten (10), two thousand three hundred eighty-eight dollars
 22 (\$2,388) per degree; for each degree of permanent
 23 impairment from eleven (11) to thirty-five (35), two thousand
 24 six hundred sixty-two dollars (\$2,662) per degree; for each
 25 degree of permanent impairment from thirty-six (36) to fifty
 26 (50), four thousand three hundred forty-seven dollars (\$4,347)
 27 per degree; for each degree of permanent impairment above
 28 fifty (50), five thousand five hundred thirty-eight dollars
 29 (\$5,538) per degree.

30 (k) The average weekly wages used in the determination of
 31 compensation for permanent partial impairment under subsections (i)
 32 and (j) shall not exceed the following:

33 (1) With respect to injuries occurring on or after July 1, 1991, and
 34 before July 1, 1992, four hundred ninety-two dollars (\$492).

35 (2) With respect to injuries occurring on or after July 1, 1992, and
 36 before July 1, 1993, five hundred forty dollars (\$540).

37 (3) With respect to injuries occurring on or after July 1, 1993, and
 38 before July 1, 1994, five hundred ninety-one dollars (\$591).

39 (4) With respect to injuries occurring on or after July 1, 1994, and
 40 before July 1, 1997, six hundred forty-two dollars (\$642).

41 (5) With respect to injuries occurring on or after July 1, 1997, and
 42 before July 1, 1998, six hundred seventy-two dollars (\$672).



- 1 (6) With respect to injuries occurring on or after July 1, 1998, and
2 before July 1, 1999, seven hundred two dollars (\$702).
- 3 (7) With respect to injuries occurring on or after July 1, 1999, and
4 before July 1, 2000, seven hundred thirty-two dollars (\$732).
- 5 (8) With respect to injuries occurring on or after July 1, 2000, and
6 before July 1, 2001, seven hundred sixty-two dollars (\$762).
- 7 (9) With respect to injuries occurring on or after July 1, 2001, and
8 before July 1, 2002, eight hundred twenty-two dollars (\$822).
- 9 (10) With respect to injuries occurring on or after July 1, 2002,
10 and before July 1, 2006, eight hundred eighty-two dollars (\$882).
- 11 (11) With respect to injuries occurring on or after July 1, 2006,
12 and before July 1, 2007, nine hundred dollars (\$900).
- 13 (12) With respect to injuries occurring on or after July 1, 2007,
14 and before July 1, 2008, nine hundred thirty dollars (\$930).
- 15 (13) With respect to injuries occurring on or after July 1, 2008,
16 and before July 1, 2009, nine hundred fifty-four dollars (\$954).
- 17 (14) With respect to injuries occurring on or after July 1, 2009,
18 and before July 1, 2014, nine hundred seventy-five dollars (\$975).
- 19 (15) With respect to injuries occurring on or after July 1, 2014,
20 and before July 1, 2015, one thousand forty dollars (\$1,040).
- 21 (16) With respect to injuries occurring on or after July 1, 2015,
22 and before July 1, 2016, one thousand one hundred five dollars
23 (\$1,105).
- 24 (17) With respect to injuries occurring on or after July 1, 2016,
25 **and before July 1, 2021**, one thousand one hundred seventy
26 dollars (\$1,170).
- 27 **(18) With respect to injuries occurring on or after July 1,**
28 **2021, and before July 1, 2022, one thousand two hundred**
29 **eighty-seven dollars (\$1,287).**
- 30 **(19) With respect to injuries occurring on or after July 1,**
31 **2022, and before July 1, 2023, one thousand three hundred**
32 **sixty-four dollars (\$1,364).**
- 33 **(20) With respect to injuries occurring on or after July 1,**
34 **2023, and before July 1, 2024, one thousand four hundred**
35 **nineteen dollars (\$1,419).**
- 36 **(21) With respect to injuries occurring on or after July 1,**
37 **2024, and before July 1, 2025, one thousand four hundred**
38 **seventy-six dollars (\$1,476).**
- 39 **(22) With respect to injuries occurring on or after July 1,**
40 **2025, and before July 1, 2026, one thousand five hundred**
41 **thirty-five dollars (\$1,535).**
- 42 **(23) With respect to injuries occurring on or after July 1,**



- 1 **2026, one thousand five hundred ninety-six dollars (\$1,596).**
 2 SECTION 3. IC 22-3-3-22, AS AMENDED BY P.L.275-2013,
 3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2021]: Sec. 22. (a) In computing compensation for temporary
 5 total disability, temporary partial disability, and total permanent
 6 disability, with respect to injuries occurring on and after July 1, 1985,
 7 and before July 1, 1986, the average weekly wages are considered to
 8 be:
 9 (1) not more than two hundred sixty-seven dollars (\$267); and
 10 (2) not less than seventy-five dollars (\$75).
 11 However, the weekly compensation payable shall not exceed the
 12 average weekly wages of the employee at the time of the injury.
 13 (b) In computing compensation for temporary total disability,
 14 temporary partial disability, and total permanent disability, with respect
 15 to injuries occurring on and after July 1, 1986, and before July 1, 1988,
 16 the average weekly wages are considered to be:
 17 (1) not more than two hundred eighty-five dollars (\$285); and
 18 (2) not less than seventy-five dollars (\$75).
 19 However, the weekly compensation payable shall not exceed the
 20 average weekly wages of the employee at the time of the injury.
 21 (c) In computing compensation for temporary total disability,
 22 temporary partial disability, and total permanent disability, with respect
 23 to injuries occurring on and after July 1, 1988, and before July 1, 1989,
 24 the average weekly wages are considered to be:
 25 (1) not more than three hundred eighty-four dollars (\$384); and
 26 (2) not less than seventy-five dollars (\$75).
 27 However, the weekly compensation payable shall not exceed the
 28 average weekly wages of the employee at the time of the injury.
 29 (d) In computing compensation for temporary total disability,
 30 temporary partial disability, and total permanent disability, with respect
 31 to injuries occurring on and after July 1, 1989, and before July 1, 1990,
 32 the average weekly wages are considered to be:
 33 (1) not more than four hundred eleven dollars (\$411); and
 34 (2) not less than seventy-five dollars (\$75).
 35 However, the weekly compensation payable shall not exceed the
 36 average weekly wages of the employee at the time of the injury.
 37 (e) In computing compensation for temporary total disability,
 38 temporary partial disability, and total permanent disability, with respect
 39 to injuries occurring on and after July 1, 1990, and before July 1, 1991,
 40 the average weekly wages are considered to be:
 41 (1) not more than four hundred forty-one dollars (\$441); and
 42 (2) not less than seventy-five dollars (\$75).



- 1 However, the weekly compensation payable shall not exceed the
 2 average weekly wages of the employee at the time of the injury.
- 3 (f) In computing compensation for temporary total disability,
 4 temporary partial disability, and total permanent disability, with respect
 5 to injuries occurring on and after July 1, 1991, and before July 1, 1992,
 6 the average weekly wages are considered to be:
- 7 (1) not more than four hundred ninety-two dollars (\$492); and
 8 (2) not less than seventy-five dollars (\$75).
- 9 However, the weekly compensation payable shall not exceed the
 10 average weekly wages of the employee at the time of the injury.
- 11 (g) In computing compensation for temporary total disability,
 12 temporary partial disability, and total permanent disability, with respect
 13 to injuries occurring on and after July 1, 1992, and before July 1, 1993,
 14 the average weekly wages are considered to be:
- 15 (1) not more than five hundred forty dollars (\$540); and
 16 (2) not less than seventy-five dollars (\$75).
- 17 However, the weekly compensation payable shall not exceed the
 18 average weekly wages of the employee at the time of the injury.
- 19 (h) In computing compensation for temporary total disability,
 20 temporary partial disability, and total permanent disability, with respect
 21 to injuries occurring on and after July 1, 1993, and before July 1, 1994,
 22 the average weekly wages are considered to be:
- 23 (1) not more than five hundred ninety-one dollars (\$591); and
 24 (2) not less than seventy-five dollars (\$75).
- 25 However, the weekly compensation payable shall not exceed the
 26 average weekly wages of the employee at the time of the injury.
- 27 (i) In computing compensation for temporary total disability,
 28 temporary partial disability, and total permanent disability, with respect
 29 to injuries occurring on and after July 1, 1994, and before July 1, 1997,
 30 the average weekly wages are considered to be:
- 31 (1) not more than six hundred forty-two dollars (\$642); and
 32 (2) not less than seventy-five dollars (\$75).
- 33 However, the weekly compensation payable shall not exceed the
 34 average weekly wages of the employee at the time of the injury.
- 35 (j) In computing compensation for temporary total disability,
 36 temporary partial disability, and total permanent disability, the average
 37 weekly wages are considered to be:
- 38 (1) with respect to injuries occurring on and after July 1, 1997,
 39 and before July 1, 1998:
- 40 (A) not more than six hundred seventy-two dollars (\$672); and
 41 (B) not less than seventy-five dollars (\$75);
 42 (2) with respect to injuries occurring on and after July 1, 1998,



- 1 and before July 1, 1999:
2 (A) not more than seven hundred two dollars (\$702); and
3 (B) not less than seventy-five dollars (\$75);
4 (3) with respect to injuries occurring on and after July 1, 1999,
5 and before July 1, 2000:
6 (A) not more than seven hundred thirty-two dollars (\$732);
7 and
8 (B) not less than seventy-five dollars (\$75);
9 (4) with respect to injuries occurring on and after July 1, 2000,
10 and before July 1, 2001:
11 (A) not more than seven hundred sixty-two dollars (\$762); and
12 (B) not less than seventy-five dollars (\$75);
13 (5) with respect to injuries occurring on and after July 1, 2001,
14 and before July 1, 2002:
15 (A) not more than eight hundred twenty-two dollars (\$822);
16 and
17 (B) not less than seventy-five dollars (\$75);
18 (6) with respect to injuries occurring on and after July 1, 2002,
19 and before July 1, 2006:
20 (A) not more than eight hundred eighty-two dollars (\$882);
21 and
22 (B) not less than seventy-five dollars (\$75);
23 (7) with respect to injuries occurring on and after July 1, 2006,
24 and before July 1, 2007:
25 (A) not more than nine hundred dollars (\$900); and
26 (B) not less than seventy-five dollars (\$75);
27 (8) with respect to injuries occurring on and after July 1, 2007,
28 and before July 1, 2008:
29 (A) not more than nine hundred thirty dollars (\$930); and
30 (B) not less than seventy-five dollars (\$75);
31 (9) with respect to injuries occurring on and after July 1, 2008,
32 and before July 1, 2009:
33 (A) not more than nine hundred fifty-four dollars (\$954); and
34 (B) not less than seventy-five dollars (\$75);
35 (10) with respect to injuries occurring on and after July 1, 2009,
36 and before July 1, 2014:
37 (A) not more than nine hundred seventy-five dollars (\$975);
38 and
39 (B) not less than seventy-five dollars (\$75);
40 (11) with respect to injuries occurring on and after July 1, 2014,
41 and before July 1, 2015:
42 (A) not more than one thousand forty dollars (\$1,040); and



- 1 (B) not less than seventy-five dollars (\$75);
 2 (12) with respect to injuries occurring on and after July 1, 2015,
 3 and before July 1, 2016:
 4 (A) not more than one thousand one hundred five dollars
 5 (\$1,105); and
 6 (B) not less than seventy-five dollars (\$75); ~~and~~
 7 (13) with respect to injuries occurring on and after July 1, 2016,
 8 **and before July 1, 2021:**
 9 (A) not more than one thousand one hundred seventy dollars
 10 (\$1,170); and
 11 (B) not less than seventy-five dollars (\$75);
 12 **(14) with respect to injuries occurring on and after July 1,**
 13 **2021, and before July 1, 2022:**
 14 (A) not more than one thousand two hundred eighty-seven
 15 dollars (\$1,287); and
 16 (B) not less than seventy-five dollars (\$75);
 17 **(15) with respect to injuries occurring on and after July 1,**
 18 **2022, and before July 1, 2023:**
 19 (A) not more than one thousand three hundred sixty-four
 20 dollars (\$1,364); and
 21 (B) not less than seventy-five dollars (\$75);
 22 **(16) with respect to injuries occurring on and after July 1,**
 23 **2023, and before July 1, 2024:**
 24 (A) not more than one thousand four hundred nineteen
 25 dollars (\$1,419); and
 26 (B) not less than seventy-five dollars (\$75);
 27 **(17) with respect to injuries occurring on and after July 1,**
 28 **2024, and before July 1, 2025:**
 29 (A) not more than one thousand four hundred seventy-six
 30 dollars (\$1,476); and
 31 (B) not less than seventy-five dollars (\$75);
 32 **(18) with respect to injuries occurring on and after July 1,**
 33 **2025, and before July 1, 2026:**
 34 (A) not more than one thousand five hundred thirty-five
 35 dollars (\$1,535); and
 36 (B) not less than seventy-five dollars (\$75); and
 37 **(19) with respect to injuries occurring on and after July 1,**
 38 **2026:**
 39 (A) not more than one thousand five hundred ninety-six
 40 dollars (\$1,596); and
 41 (B) not less than seventy-five dollars (\$75).
 42 However, the weekly compensation payable shall not exceed the



1 average weekly wages of the employee at the time of the injury.

2 (k) With respect to any injury occurring on and after July 1, 1985,
3 and before July 1, 1986, the maximum compensation, exclusive of
4 medical benefits, which may be paid for an injury under any provisions
5 of this law or any combination of provisions may not exceed
6 eighty-nine thousand dollars (\$89,000) in any case.

7 (l) With respect to any injury occurring on and after July 1, 1986,
8 and before July 1, 1988, the maximum compensation, exclusive of
9 medical benefits, which may be paid for an injury under any provisions
10 of this law or any combination of provisions may not exceed
11 ninety-five thousand dollars (\$95,000) in any case.

12 (m) With respect to any injury occurring on and after July 1, 1988,
13 and before July 1, 1989, the maximum compensation, exclusive of
14 medical benefits, which may be paid for an injury under any provisions
15 of this law or any combination of provisions may not exceed one
16 hundred twenty-eight thousand dollars (\$128,000) in any case.

17 (n) With respect to any injury occurring on and after July 1, 1989,
18 and before July 1, 1990, the maximum compensation, exclusive of
19 medical benefits, which may be paid for an injury under any provisions
20 of this law or any combination of provisions may not exceed one
21 hundred thirty-seven thousand dollars (\$137,000) in any case.

22 (o) With respect to any injury occurring on and after July 1, 1990,
23 and before July 1, 1991, the maximum compensation, exclusive of
24 medical benefits, which may be paid for an injury under any provisions
25 of this law or any combination of provisions may not exceed one
26 hundred forty-seven thousand dollars (\$147,000) in any case.

27 (p) With respect to any injury occurring on and after July 1, 1991,
28 and before July 1, 1992, the maximum compensation, exclusive of
29 medical benefits, that may be paid for an injury under any provisions
30 of this law or any combination of provisions may not exceed one
31 hundred sixty-four thousand dollars (\$164,000) in any case.

32 (q) With respect to any injury occurring on and after July 1, 1992,
33 and before July 1, 1993, the maximum compensation, exclusive of
34 medical benefits, that may be paid for an injury under any provisions
35 of this law or any combination of provisions may not exceed one
36 hundred eighty thousand dollars (\$180,000) in any case.

37 (r) With respect to any injury occurring on and after July 1, 1993,
38 and before July 1, 1994, the maximum compensation, exclusive of
39 medical benefits, that may be paid for an injury under any provisions
40 of this law or any combination of provisions may not exceed one
41 hundred ninety-seven thousand dollars (\$197,000) in any case.

42 (s) With respect to any injury occurring on and after July 1, 1994,



1 and before July 1, 1997, the maximum compensation, exclusive of
2 medical benefits, which may be paid for an injury under any provisions
3 of this law or any combination of provisions may not exceed two
4 hundred fourteen thousand dollars (\$214,000) in any case.

5 (t) The maximum compensation, exclusive of medical benefits, that
6 may be paid for an injury under any provision of this law or any
7 combination of provisions may not exceed the following amounts in
8 any case:

9 (1) With respect to an injury occurring on and after July 1, 1997,
10 and before July 1, 1998, two hundred twenty-four thousand
11 dollars (\$224,000).

12 (2) With respect to an injury occurring on and after July 1, 1998,
13 and before July 1, 1999, two hundred thirty-four thousand dollars
14 (\$234,000).

15 (3) With respect to an injury occurring on and after July 1, 1999,
16 and before July 1, 2000, two hundred forty-four thousand dollars
17 (\$244,000).

18 (4) With respect to an injury occurring on and after July 1, 2000,
19 and before July 1, 2001, two hundred fifty-four thousand dollars
20 (\$254,000).

21 (5) With respect to an injury occurring on and after July 1, 2001,
22 and before July 1, 2002, two hundred seventy-four thousand
23 dollars (\$274,000).

24 (6) With respect to an injury occurring on and after July 1, 2002,
25 and before July 1, 2006, two hundred ninety-four thousand dollars
26 (\$294,000).

27 (7) With respect to an injury occurring on and after July 1, 2006,
28 and before July 1, 2007, three hundred thousand dollars
29 (\$300,000).

30 (8) With respect to an injury occurring on and after July 1, 2007,
31 and before July 1, 2008, three hundred ten thousand dollars
32 (\$310,000).

33 (9) With respect to an injury occurring on and after July 1, 2008,
34 and before July 1, 2009, three hundred eighteen thousand dollars
35 (\$318,000).

36 (10) With respect to an injury occurring on and after July 1, 2009,
37 and before July 1, 2014, three hundred twenty-five thousand
38 dollars (\$325,000).

39 (11) With respect to an injury occurring on and after July 1, 2014,
40 and before July 1, 2015, three hundred forty-seven thousand
41 dollars (\$347,000).

42 (12) With respect to an injury occurring on and after July 1, 2015,



- 1 and before July 1, 2016, three hundred sixty-eight thousand
- 2 dollars (\$368,000).
- 3 (13) With respect to an injury occurring on and after July 1, 2016,
- 4 **and before July 1, 2021**, three hundred ninety thousand dollars
- 5 (\$390,000).
- 6 **(14) With respect to an injury occurring on and after July 1,**
- 7 **2021, and before July 1, 2022, four hundred twenty-nine**
- 8 **thousand dollars (\$429,000).**
- 9 **(15) With respect to an injury occurring on and after July 1,**
- 10 **2022, and before July 1, 2023, four hundred fifty-five**
- 11 **thousand dollars (\$455,000).**
- 12 **(16) With respect to an injury occurring on and after July 1,**
- 13 **2023, and before July 1, 2024, four hundred seventy-three**
- 14 **thousand dollars (\$473,000).**
- 15 **(17) With respect to an injury occurring on and after July 1,**
- 16 **2024, and before July 1, 2025, four hundred ninety-two**
- 17 **thousand dollars (\$492,000).**
- 18 **(18) With respect to an injury occurring on and after July 1,**
- 19 **2025, and before July 1, 2026, five hundred twelve thousand**
- 20 **dollars (\$512,000).**
- 21 **(19) With respect to an injury occurring on and after July 1,**
- 22 **2026, five hundred thirty-two thousand dollars (\$532,000).**

23 SECTION 4. IC 22-3-7-16, AS AMENDED BY THE TECHNICAL
 24 CORRECTIONS BILL OF THE 2021 GENERAL ASSEMBLY, IS
 25 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
 26 Sec. 16. (a) Compensation shall be allowed on account of disablement
 27 from occupational disease resulting in only temporary total disability
 28 to work or temporary partial disability to work beginning with the
 29 eighth day of such disability except for the medical benefits provided
 30 for in section 17 of this chapter. Compensation shall be allowed for the
 31 first seven (7) calendar days only as provided in this section. The first
 32 weekly installment of compensation for temporary disability is due
 33 fourteen (14) days after the disability begins. Not later than fourteen
 34 (14) days from the date that the first installment of compensation is
 35 due, the employer or the employer's insurance carrier shall file a report
 36 of payment of compensation with the worker's compensation board
 37 electronically and tender to the employee or to the employee's
 38 dependents, with all compensation due, a properly prepared
 39 compensation agreement in a form prescribed by the board. The
 40 presentation to the employee or to the employee's dependents of the
 41 check, draft, or electronic payment from the employer or the employer's
 42 insurance carrier for the proper amount, drawn upon a bank in which



1 money is on deposit to pay the same on demand, shall be sufficient
2 tender of the compensation.

3 (b) Whenever an employer or the employer's insurance carrier
4 denies or is not able to determine liability to pay compensation or
5 benefits, the employer or the employer's insurance carrier shall notify
6 the worker's compensation board and the employee in writing on a form
7 prescribed by the worker's compensation board not later than thirty (30)
8 days after the employer's knowledge of the claimed disablement. If a
9 determination of liability cannot be made within thirty (30) days, the
10 worker's compensation board may approve an additional thirty (30)
11 days upon a written request of the employer or the employer's insurance
12 carrier that sets forth the reasons that the determination could not be
13 made within thirty (30) days and states the facts or circumstances that
14 are necessary to determine liability within the additional thirty (30)
15 days. More than thirty (30) days of additional time may be approved by
16 the worker's compensation board upon the filing of a petition by the
17 employer or the employer's insurance carrier that sets forth:

- 18 (1) the extraordinary circumstances that have precluded a
19 determination of liability within the initial sixty (60) days;
- 20 (2) the status of the investigation on the date the petition is filed;
- 21 (3) the facts or circumstances that are necessary to make a
22 determination; and
- 23 (4) a timetable for the completion of the remaining investigation.

24 An employer who fails to comply with this section is subject to a civil
25 penalty under IC 22-3-4-15.

26 (c) Once begun, temporary total disability benefits may not be
27 terminated by the employer unless:

- 28 (1) the employee has returned to work;
- 29 (2) the employee has died;
- 30 (3) the employee has refused to undergo a medical examination
31 under section 20 of this chapter;
- 32 (4) the employee has received five hundred (500) weeks of
33 temporary total disability benefits or has been paid the maximum
34 compensation allowable under section 19 of this chapter; or
- 35 (5) the employee is unable or unavailable to work for reasons
36 unrelated to the compensable disease.

37 In each instance, the employer must provide written notice to the
38 injured worker on a form approved by the board. In all other cases the
39 employer must notify the employee in writing of the employer's intent
40 to terminate the payment of temporary total disability benefits, and of
41 the availability of employment, if any, on a form approved by the
42 board. In all instances, the employer must file an electronic notice of



1 the termination with the board.
2 (d) If the employee disagrees with the termination or proposed
3 termination, the employee must give written notice of disagreement to
4 the board and the employer within seven (7) days after receipt of the
5 notice of intent to terminate benefits. If the board and employer do not
6 receive a notice of disagreement under this section, the employee's
7 temporary total disability benefits shall be terminated. Upon receipt of
8 the notice of disagreement, the board shall immediately contact the
9 parties, which may be by telephone or other means and attempt to
10 resolve the disagreement. If the board is unable to resolve the
11 disagreement within ten (10) days of receipt of the notice of
12 disagreement, the board shall immediately arrange for an evaluation of
13 the employee by an independent medical examiner. The independent
14 medical examiner shall be selected by mutual agreement of the parties
15 or, if the parties are unable to agree, appointed by the board under
16 IC 22-3-4-11. If the independent medical examiner determines that the
17 employee is no longer temporarily disabled or is still temporarily
18 disabled but can return to employment that the employer has made
19 available to the employee, or if the employee fails or refuses to appear
20 for examination by the independent medical examiner, temporary total
21 disability benefits may be terminated. If either party disagrees with the
22 opinion of the independent medical examiner, the party shall apply to
23 the board for a hearing under section 27 of this chapter.
24 (e) An employer is not required to continue the payment of
25 temporary total disability benefits for more than fourteen (14) days
26 after the employer's proposed termination date unless the independent
27 medical examiner determines that the employee is temporarily disabled
28 and unable to return to any employment that the employer has made
29 available to the employee.
30 (f) If it is determined that as a result of this section temporary total
31 disability benefits were overpaid, the overpayment shall be deducted
32 from any benefits due the employee under this section and, if there are
33 no benefits due the employee or the benefits due the employee do not
34 equal the amount of the overpayment, the employee shall be
35 responsible for paying any overpayment which cannot be deducted
36 from benefits due the employee.
37 (g) For disablements occurring on and after July 1, 1976, from
38 occupational disease resulting in temporary total disability for any work
39 there shall be paid to the disabled employee during the temporary total
40 disability weekly compensation equal to sixty-six and two-thirds
41 percent (66 2/3%) of the employee's average weekly wages, as defined
42 in section 19 of this chapter, for a period not to exceed five hundred



1 (500) weeks. Compensation shall be allowed for the first seven (7)
2 calendar days only if the disability continues for longer than twenty-one
3 (21) days.

4 (h) For disablements occurring on and after July 1, 1974, from
5 occupational disease resulting in temporary partial disability for work
6 there shall be paid to the disabled employee during such disability a
7 weekly compensation equal to sixty-six and two-thirds percent (66
8 2/3%) of the difference between the employee's average weekly wages,
9 as defined in section 19 of this chapter, and the weekly wages at which
10 the employee is actually employed after the disablement, for a period
11 not to exceed three hundred (300) weeks. Compensation shall be
12 allowed for the first seven (7) calendar days only if the disability
13 continues for longer than twenty-one (21) days. In case of partial
14 disability after the period of temporary total disability, the latter period
15 shall be included as a part of the maximum period allowed for partial
16 disability.

17 (i) For disabilities occurring on and after July 1, 1979, and before
18 July 1, 1988, from occupational disease in the schedule set forth in
19 subsection (l), the employee shall receive in addition to disability
20 benefits, not exceeding fifty-two (52) weeks on account of the
21 occupational disease, a weekly compensation of sixty percent (60%) of
22 the employee's average weekly wages, not to exceed one hundred
23 twenty-five dollars (\$125) average weekly wages, for the period stated
24 for the disabilities.

25 (j) For disabilities occurring on and after July 1, 1988, and before
26 July 1, 1989, from occupational disease in the schedule set forth in
27 subsection (l), the employee shall receive in addition to disability
28 benefits, not exceeding seventy-eight (78) weeks on account of the
29 occupational disease, a weekly compensation of sixty percent (60%) of
30 the employee's average weekly wages, not to exceed one hundred
31 sixty-six dollars (\$166) average weekly wages, for the period stated for
32 the disabilities.

33 (k) For disabilities occurring on and after July 1, 1989, and before
34 July 1, 1990, from occupational disease in the schedule set forth in
35 subsection (l), the employee shall receive in addition to disability
36 benefits, not exceeding seventy-eight (78) weeks on account of the
37 occupational disease, a weekly compensation of sixty percent (60%) of
38 the employee's average weekly wages, not to exceed one hundred
39 eighty-three dollars (\$183) average weekly wages, for the period stated
40 for the disabilities.

41 (l) For disabilities occurring on and after July 1, 1990, and before
42 July 1, 1991, from occupational disease in the following schedule, the



1 employee shall receive in addition to disability benefits, not exceeding
 2 seventy-eight (78) weeks on account of the occupational disease, a
 3 weekly compensation of sixty percent (60%) of the employee's average
 4 weekly wages, not to exceed two hundred dollars (\$200) average
 5 weekly wages, for the period stated for the disabilities.

6 (1) Amputations: For the loss by separation, of the thumb, sixty
 7 (60) weeks; of the index finger, forty (40) weeks; of the second
 8 finger, thirty-five (35) weeks; of the third or ring finger, thirty
 9 (30) weeks; of the fourth or little finger, twenty (20) weeks; of the
 10 hand by separation below the elbow, two hundred (200) weeks; of
 11 the arm above the elbow joint, two hundred fifty (250) weeks; of
 12 the big toe, sixty (60) weeks; of the second toe, thirty (30) weeks;
 13 of the third toe, twenty (20) weeks; of the fourth toe, fifteen (15)
 14 weeks; of the fifth or little toe, ten (10) weeks; of the foot below
 15 the knee joint, one hundred fifty (150) weeks; and of the leg
 16 above the knee joint, two hundred (200) weeks. The loss of more
 17 than one (1) phalange of a thumb or toe shall be considered as the
 18 loss of the entire thumb or toe. The loss of more than two (2)
 19 phalanges of a finger shall be considered as the loss of the entire
 20 finger. The loss of not more than one (1) phalange of a thumb or
 21 toe shall be considered as the loss of one-half (1/2) of the thumb
 22 or toe and compensation shall be paid for one-half (1/2) of the
 23 period for the loss of the entire thumb or toe. The loss of not more
 24 than two (2) phalanges of a finger shall be considered as the loss
 25 of one-half (1/2) the finger and compensation shall be paid for
 26 one-half (1/2) of the period for the loss of the entire finger.

27 (2) Loss of Use: The total permanent loss of the use of an arm,
 28 hand, thumb, finger, leg, foot, toe, or phalange shall be considered
 29 as the equivalent of the loss by separation of the arm, hand,
 30 thumb, finger, leg, foot, toe, or phalange and the compensation
 31 shall be paid for the same period as for the loss thereof by
 32 separation.

33 (3) Partial Loss of Use: For the permanent partial loss of the use
 34 of an arm, hand, thumb, finger, leg, foot, toe, or phalange,
 35 compensation shall be paid for the proportionate loss of the use of
 36 such arm, hand, thumb, finger, leg, foot, toe, or phalange.

37 (4) For disablements for occupational disease resulting in total
 38 permanent disability, five hundred (500) weeks.

39 (5) For the loss of both hands, or both feet, or the total sight of
 40 both eyes, or any two (2) of such losses resulting from the same
 41 disablement by occupational disease, five hundred (500) weeks.

42 (6) For the permanent and complete loss of vision by enucleation



1 of an eye, or its ~~education~~ **reduction** to one-tenth (1/10) of normal
 2 vision with glasses, one hundred fifty (150) weeks, and for any
 3 other permanent reduction of the sight of an eye, compensation
 4 shall be paid for a period proportionate to the degree of such
 5 permanent reduction without correction or glasses. However,
 6 when such permanent reduction without correction or glasses
 7 would result in one hundred percent (100%) loss of vision, but
 8 correction or glasses would result in restoration of vision, then
 9 compensation shall be paid for fifty percent (50%) of such total
 10 loss of vision without glasses plus an additional amount equal to
 11 the proportionate amount of such reduction with glasses, not to
 12 exceed an additional fifty percent (50%).

13 (7) For the permanent and complete loss of hearing, two hundred
 14 (200) weeks.

15 (8) In all other cases of permanent partial impairment,
 16 compensation proportionate to the degree of such permanent
 17 partial impairment, in the discretion of the worker's compensation
 18 board, not exceeding five hundred (500) weeks.

19 (9) In all cases of permanent disfigurement, which may impair the
 20 future usefulness or opportunities of the employee, compensation
 21 in the discretion of the worker's compensation board, not
 22 exceeding two hundred (200) weeks, except that no compensation
 23 shall be payable under this paragraph where compensation shall
 24 be payable under subdivisions (1) through (8). Where
 25 compensation for temporary total disability has been paid, this
 26 amount of compensation shall be deducted from any
 27 compensation due for permanent disfigurement.

28 (m) With respect to disablements in the following schedule
 29 occurring on and after July 1, 1991, the employee shall receive in
 30 addition to temporary total disability benefits, not exceeding one
 31 hundred twenty-five (125) weeks on account of the disablement,
 32 compensation in an amount determined under the following schedule
 33 to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%)
 34 of the employee's average weekly wages during the fifty-two (52)
 35 weeks immediately preceding the week in which the disablement
 36 occurred:

37 (1) Amputation: For the loss by separation of the thumb, twelve
 38 (12) degrees of permanent impairment; of the index finger, eight
 39 (8) degrees of permanent impairment; of the second finger, seven
 40 (7) degrees of permanent impairment; of the third or ring finger,
 41 six (6) degrees of permanent impairment; of the fourth or little
 42 finger, four (4) degrees of permanent impairment; of the hand by



- 1 separation below the elbow joint, forty (40) degrees of permanent
 2 impairment; of the arm above the elbow, fifty (50) degrees of
 3 permanent impairment; of the big toe, twelve (12) degrees of
 4 permanent impairment; of the second toe, six (6) degrees of
 5 permanent impairment; of the third toe, four (4) degrees of
 6 permanent impairment; of the fourth toe, three (3) degrees of
 7 permanent impairment; of the fifth or little toe, two (2) degrees of
 8 permanent impairment; of separation of the foot below the knee
 9 joint, thirty-five (35) degrees of permanent impairment; and of the
 10 leg above the knee joint, forty-five (45) degrees of permanent
 11 impairment.
- 12 (2) Amputations occurring on or after July 1, 1997: For the loss
 13 by separation of any of the body parts described in subdivision (1)
 14 on or after July 1, 1997, the dollar values per degree applying on
 15 the date of the injury as described in subsection (n) shall be
 16 multiplied by two (2). However, the doubling provision of this
 17 subdivision does not apply to a loss of use that is not a loss by
 18 separation.
- 19 (3) The loss of more than one (1) phalange of a thumb or toe shall
 20 be considered as the loss of the entire thumb or toe. The loss of
 21 more than two (2) phalanges of a finger shall be considered as the
 22 loss of the entire finger. The loss of not more than one (1)
 23 phalange of a thumb or toe shall be considered as the loss of
 24 one-half (1/2) of the degrees of permanent impairment for the loss
 25 of the entire thumb or toe. The loss of not more than one (1)
 26 phalange of a finger shall be considered as the loss of one-third
 27 (1/3) of the finger and compensation shall be paid for one-third
 28 (1/3) of the degrees payable for the loss of the entire finger. The
 29 loss of more than one (1) phalange of the finger but not more than
 30 two (2) phalanges of the finger shall be considered as the loss of
 31 one-half (1/2) of the finger and compensation shall be paid for
 32 one-half (1/2) of the degrees payable for the loss of the entire
 33 finger.
- 34 (4) For the loss by separation of both hands or both feet or the
 35 total sight of both eyes or any two (2) such losses in the same
 36 accident, one hundred (100) degrees of permanent impairment.
- 37 (5) For the permanent and complete loss of vision by enucleation
 38 or its reduction to one-tenth (1/10) of normal vision with glasses,
 39 thirty-five (35) degrees of permanent impairment.
- 40 (6) For the permanent and complete loss of hearing in one (1) ear,
 41 fifteen (15) degrees of permanent impairment, and in both ears,
 42 forty (40) degrees of permanent impairment.



- 1 (7) For the loss of one (1) testicle, ten (10) degrees of permanent
 2 impairment; for the loss of both testicles, thirty (30) degrees of
 3 permanent impairment.
- 4 (8) Loss of use: The total permanent loss of the use of an arm, a
 5 hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be
 6 considered as the equivalent of the loss by separation of the arm,
 7 hand, thumb, finger, leg, foot, toe, or phalange, and compensation
 8 shall be paid in the same amount as for the loss by separation.
 9 However, the doubling provision of subdivision (2) does not
 10 apply to a loss of use that is not a loss by separation.
- 11 (9) Partial loss of use: For the permanent partial loss of the use of
 12 an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a
 13 phalange, compensation shall be paid for the proportionate loss of
 14 the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.
- 15 (10) For disablements resulting in total permanent disability, the
 16 amount payable for impairment or five hundred (500) weeks of
 17 compensation, whichever is greater.
- 18 (11) Visual impairments shall be based on the Functional Vision
 19 Score (FVS) assessing the visual acuity and visual field to
 20 evaluate any reduction in ability to perform vision-related
 21 Activities of Daily Living (ADL). Unless such loss is otherwise
 22 specified in subdivision (5), visual impairments shall be paid as
 23 a whole person rating.
- 24 (12) For any permanent reduction of the hearing of one (1) or both
 25 ears, less than the total loss as specified in subdivision (6),
 26 compensation shall be paid in an amount proportionate to the
 27 degree of a permanent reduction.
- 28 (13) In all other cases of permanent partial impairment,
 29 compensation proportionate to the degree of a permanent partial
 30 impairment, in the discretion of the worker's compensation board,
 31 not exceeding one hundred (100) degrees of permanent
 32 impairment.
- 33 (14) In all cases of permanent disfigurement which may impair
 34 the future usefulness or opportunities of the employee,
 35 compensation, in the discretion of the worker's compensation
 36 board, not exceeding forty (40) degrees of permanent impairment
 37 except that no compensation shall be payable under this
 38 subdivision where compensation is payable elsewhere in this
 39 section.
- 40 (n) With respect to disablements occurring on and after July 1,
 41 1991, compensation for permanent partial impairment shall be paid
 42 according to the degree of permanent impairment for the disablement



- 1 determined under subsection (m) and the following:
- 2 (1) With respect to disablements occurring on and after July 1,
3 1991, and before July 1, 1992, for each degree of permanent
4 impairment from one (1) to thirty-five (35), five hundred dollars
5 (\$500) per degree; for each degree of permanent impairment from
6 thirty-six (36) to fifty (50), nine hundred dollars (\$900) per
7 degree; for each degree of permanent impairment above fifty (50),
8 one thousand five hundred dollars (\$1,500) per degree.
- 9 (2) With respect to disablements occurring on and after July 1,
10 1992, and before July 1, 1993, for each degree of permanent
11 impairment from one (1) to twenty (20), five hundred dollars
12 (\$500) per degree; for each degree of permanent impairment from
13 twenty-one (21) to thirty-five (35), eight hundred dollars (\$800)
14 per degree; for each degree of permanent impairment from
15 thirty-six (36) to fifty (50), one thousand three hundred dollars
16 (\$1,300) per degree; for each degree of permanent impairment
17 above fifty (50), one thousand seven hundred dollars (\$1,700) per
18 degree.
- 19 (3) With respect to disablements occurring on and after July 1,
20 1993, and before July 1, 1997, for each degree of permanent
21 impairment from one (1) to ten (10), five hundred dollars (\$500)
22 per degree; for each degree of permanent impairment from eleven
23 (11) to twenty (20), seven hundred dollars (\$700) per degree; for
24 each degree of permanent impairment from twenty-one (21) to
25 thirty-five (35), one thousand dollars (\$1,000) per degree; for
26 each degree of permanent impairment from thirty-six (36) to fifty
27 (50), one thousand four hundred dollars (\$1,400) per degree; for
28 each degree of permanent impairment above fifty (50), one
29 thousand seven hundred dollars (\$1,700) per degree.
- 30 (4) With respect to disablements occurring on and after July 1,
31 1997, and before July 1, 1998, for each degree of permanent
32 impairment from one (1) to ten (10), seven hundred fifty dollars
33 (\$750) per degree; for each degree of permanent impairment from
34 eleven (11) to thirty-five (35), one thousand dollars (\$1,000) per
35 degree; for each degree of permanent impairment from thirty-six
36 (36) to fifty (50), one thousand four hundred dollars (\$1,400) per
37 degree; for each degree of permanent impairment above fifty (50),
38 one thousand seven hundred dollars (\$1,700) per degree.
- 39 (5) With respect to disablements occurring on and after July 1,
40 1998, and before July 1, 1999, for each degree of permanent
41 impairment from one (1) to ten (10), seven hundred fifty dollars
42 (\$750) per degree; for each degree of permanent impairment from



1 eleven (11) to thirty-five (35), one thousand dollars (\$1,000) per
2 degree; for each degree of permanent impairment from thirty-six
3 (36) to fifty (50), one thousand four hundred dollars (\$1,400) per
4 degree; for each degree of permanent impairment above fifty (50),
5 one thousand seven hundred dollars (\$1,700) per degree.

6 (6) With respect to disablements occurring on and after July 1,
7 1999, and before July 1, 2000, for each degree of permanent
8 impairment from one (1) to ten (10), nine hundred dollars (\$900)
9 per degree; for each degree of permanent impairment from eleven
10 (11) to thirty-five (35), one thousand one hundred dollars
11 (\$1,100) per degree; for each degree of permanent impairment
12 from thirty-six (36) to fifty (50), one thousand six hundred dollars
13 (\$1,600) per degree; for each degree of permanent impairment
14 above fifty (50), two thousand dollars (\$2,000) per degree.

15 (7) With respect to disablements occurring on and after July 1,
16 2000, and before July 1, 2001, for each degree of permanent
17 impairment from one (1) to ten (10), one thousand one hundred
18 dollars (\$1,100) per degree; for each degree of permanent
19 impairment from eleven (11) to thirty-five (35), one thousand
20 three hundred dollars (\$1,300) per degree; for each degree of
21 permanent impairment from thirty-six (36) to fifty (50), two
22 thousand dollars (\$2,000) per degree; for each degree of
23 permanent impairment above fifty (50), two thousand five
24 hundred fifty dollars (\$2,500) per degree.

25 (8) With respect to disablements occurring on and after July 1,
26 2001, and before July 1, 2007, for each degree of permanent
27 impairment from one (1) to ten (10), one thousand three hundred
28 dollars (\$1,300) per degree; for each degree of permanent
29 impairment from eleven (11) to thirty-five (35), one thousand five
30 hundred dollars (\$1,500) per degree; for each degree of
31 permanent impairment from thirty-six (36) to fifty (50), two
32 thousand four hundred dollars (\$2,400) per degree; for each
33 degree of permanent impairment above fifty (50), three thousand
34 dollars (\$3,000) per degree.

35 (9) With respect to disablements occurring on and after July 1,
36 2007, and before July 1, 2008, for each degree of permanent
37 impairment from one (1) to ten (10), one thousand three hundred
38 forty dollars (\$1,340) per degree; for each degree of permanent
39 impairment from eleven (11) to thirty-five (35), one thousand five
40 hundred forty-five dollars (\$1,545) per degree; for each degree of
41 permanent impairment from thirty-six (36) to fifty (50), two
42 thousand four hundred seventy-five dollars (\$2,475) per degree;



1 for each degree of permanent impairment above fifty (50), three
2 thousand one hundred fifty dollars (\$3,150) per degree.
3 (10) With respect to disablements occurring on and after July 1,
4 2008, and before July 1, 2009, for each degree of permanent
5 impairment from one (1) to ten (10), one thousand three hundred
6 sixty-five dollars (\$1,365) per degree; for each degree of
7 permanent impairment from eleven (11) to thirty-five (35), one
8 thousand five hundred seventy dollars (\$1,570) per degree; for
9 each degree of permanent impairment from thirty-six (36) to fifty
10 (50), two thousand five hundred twenty-five dollars (\$2,525) per
11 degree; for each degree of permanent impairment above fifty (50),
12 three thousand two hundred dollars (\$3,200) per degree.
13 (11) With respect to disablements occurring on and after July 1,
14 2009, and before July 1, 2010, for each degree of permanent
15 impairment from one (1) to ten (10), one thousand three hundred
16 eighty dollars (\$1,380) per degree; for each degree of permanent
17 impairment from eleven (11) to thirty-five (35), one thousand five
18 hundred eighty-five dollars (\$1,585) per degree; for each degree
19 of permanent impairment from thirty-six (36) to fifty (50), two
20 thousand six hundred dollars (\$2,600) per degree; for each degree
21 of permanent impairment above fifty (50), three thousand three
22 hundred dollars (\$3,300) per degree.
23 (12) With respect to disablements occurring on and after July 1,
24 2010, and before July 1, 2014, for each degree of permanent
25 impairment from one (1) to ten (10), one thousand four hundred
26 dollars (\$1,400) per degree; for each degree of permanent
27 impairment from eleven (11) to thirty-five (35), one thousand six
28 hundred dollars (\$1,600) per degree; for each degree of
29 permanent impairment from thirty-six (36) to fifty (50), two
30 thousand seven hundred dollars (\$2,700) per degree; for each
31 degree of permanent impairment above fifty (50), three thousand
32 five hundred dollars (\$3,500) per degree.
33 (13) With respect to disablements occurring on and after July 1,
34 2014, and before July 1, 2015, for each degree of permanent
35 impairment from one (1) to ten (10), one thousand five hundred
36 seventeen dollars (\$1,517) per degree; for each degree of
37 permanent impairment from eleven (11) to thirty-five (35), one
38 thousand seven hundred seventeen dollars (\$1,717) per degree;
39 for each degree of permanent impairment from thirty-six (36) to
40 fifty (50), two thousand eight hundred sixty-two dollars (\$2,862)
41 per degree; for each degree of permanent impairment above fifty
42 (50), three thousand six hundred eighty-seven dollars (\$3,687) per



1 degree.
 2 (14) With respect to disablements occurring on and after July 1,
 3 2015, and before July 1, 2016, for each degree of permanent
 4 impairment from one (1) to ten (10), one thousand six hundred
 5 thirty-three dollars (\$1,633) per degree; for each degree of
 6 permanent impairment from eleven (11) to thirty-five (35), one
 7 thousand eight hundred thirty-five dollars (\$1,835) per degree; for
 8 each degree of permanent impairment from thirty-six (36) to fifty
 9 (50), three thousand twenty-four dollars (\$3,024) per degree; for
 10 each degree of permanent impairment above fifty (50), three
 11 thousand eight hundred seventy-three dollars (\$3,873) per degree.
 12 (15) With respect to disablements occurring on and after July 1,
 13 2016, **and before July 1, 2021**, for each degree of permanent
 14 impairment from one (1) to ten (10), one thousand seven hundred
 15 fifty dollars (\$1,750) per degree; for each degree of permanent
 16 impairment from eleven (11) to thirty-five (35), one thousand nine
 17 hundred fifty-two dollars (\$1,952) per degree; for each degree of
 18 permanent impairment from thirty-six (36) to fifty (50), three
 19 thousand one hundred eighty-six dollars (\$3,186) per degree; for
 20 each degree of permanent impairment above fifty (50), four
 21 thousand sixty dollars (\$4,060) per degree.
 22 **(16) With respect to disablements occurring on and after July**
 23 **1, 2021, and before July 1, 2022, for each degree of permanent**
 24 **impairment from one (1) to ten (10), one thousand nine**
 25 **hundred twenty-five dollars (\$1,925) per degree; for each**
 26 **degree of permanent impairment from eleven (11) to**
 27 **thirty-five (35), two thousand one hundred forty-seven dollars**
 28 **(\$2,147) per degree; for each degree of permanent**
 29 **impairment from thirty-six (36) to fifty (50), three thousand**
 30 **five hundred five dollars (\$3,505) per degree; for each degree**
 31 **of permanent impairment above fifty (50), four thousand four**
 32 **hundred sixty-six dollars (\$4,466) per degree.**
 33 **(17) With respect to disablements occurring on and after July**
 34 **1, 2022, and before July 1, 2023, for each degree of permanent**
 35 **impairment from one (1) to ten (10), two thousand forty-one**
 36 **dollars (\$2,041) per degree; for each degree of permanent**
 37 **impairment from eleven (11) to thirty-five (35), two thousand**
 38 **two hundred seventy-six dollars (\$2,276) per degree; for each**
 39 **degree of permanent impairment from thirty-six (36) to fifty**
 40 **(50), three thousand seven hundred fifteen dollars (\$3,715)**
 41 **per degree; for each degree of permanent impairment above**
 42 **fifty (50), four thousand seven hundred thirty-four dollars**



- 1 (\$4,734) per degree.
2 (18) With respect to disablements occurring on and after July
3 1, 2023, and before July 1, 2024, for each degree of permanent
4 impairment from one (1) to ten (10), two thousand one
5 hundred twenty-three dollars (\$2,123) per degree; for each
6 degree of permanent impairment from eleven (11) to
7 thirty-five (35), two thousand three hundred sixty-seven
8 dollars (\$2,367) per degree; for each degree of permanent
9 impairment from thirty-six (36) to fifty (50), three thousand
10 eight hundred sixty-four dollars (\$3,864) per degree; for each
11 degree of permanent impairment above fifty (50), four
12 thousand nine hundred twenty-three dollars (\$4,923) per
13 degree.
14 (19) With respect to disablements occurring on and after July
15 1, 2024, and before July 1, 2025, for each degree of permanent
16 impairment from one (1) to ten (10), two thousand two
17 hundred eight dollars (\$2,208) per degree; for each degree of
18 permanent impairment from eleven (11) to thirty-five (35),
19 two thousand four hundred sixty-two dollars (\$2,462) per
20 degree; for each degree of permanent impairment from
21 thirty-six (36) to fifty (50), four thousand nineteen dollars
22 (\$4,019) per degree; for each degree of permanent
23 impairment above fifty (50), five thousand one hundred
24 twenty dollars (\$5,120) per degree.
25 (20) With respect to disablements occurring on and after July
26 1, 2025, and before July 1, 2026, for each degree of permanent
27 impairment from one (1) to ten (10), two thousand two
28 hundred ninety-six dollars (\$2,296) per degree; for each
29 degree of permanent impairment from eleven (11) to
30 thirty-five (35), two thousand five hundred sixty dollars
31 (\$2,560) per degree; for each degree of permanent
32 impairment from thirty-six (36) to fifty (50), four thousand
33 one hundred eighty dollars (\$4,180) per degree; for each
34 degree of permanent impairment above fifty (50), five
35 thousand three hundred twenty-five dollars (\$5,325) per
36 degree.
37 (21) With respect to disablements occurring on and after July
38 1, 2026, for each degree of permanent impairment from one
39 (1) to ten (10), two thousand three hundred eighty-eight
40 dollars (\$2,388) per degree; for each degree of permanent
41 impairment from eleven (11) to thirty-five (35), two thousand
42 six hundred sixty-two dollars (\$2,662) per degree; for each



- 1 **degree of permanent impairment from thirty-six (36) to fifty**
 2 **(50), four thousand three hundred forty-seven dollars (\$4,347)**
 3 **per degree; for each degree of permanent impairment above**
 4 **fifty (50), five thousand five hundred thirty-eight dollars**
 5 **(\$5,538) per degree.**
- 6 (o) The average weekly wages used in the determination of
 7 compensation for permanent partial impairment under subsections (m)
 8 and (n) shall not exceed the following:
- 9 (1) With respect to disablements occurring on or after July 1,
 10 1991, and before July 1, 1992, four hundred ninety-two dollars
 11 (\$492).
- 12 (2) With respect to disablements occurring on or after July 1,
 13 1992, and before July 1, 1993, five hundred forty dollars (\$540).
- 14 (3) With respect to disablements occurring on or after July 1,
 15 1993, and before July 1, 1994, five hundred ninety-one dollars
 16 (\$591).
- 17 (4) With respect to disablements occurring on or after July 1,
 18 1994, and before July 1, 1997, six hundred forty-two dollars
 19 (\$642).
- 20 (5) With respect to disablements occurring on or after July 1,
 21 1997, and before July 1, 1998, six hundred seventy-two dollars
 22 (\$672).
- 23 (6) With respect to disablements occurring on or after July 1,
 24 1998, and before July 1, 1999, seven hundred two dollars (\$702).
- 25 (7) With respect to disablements occurring on or after July 1,
 26 1999, and before July 1, 2000, seven hundred thirty-two dollars
 27 (\$732).
- 28 (8) With respect to disablements occurring on or after July 1,
 29 2000, and before July 1, 2001, seven hundred sixty-two dollars
 30 (\$762).
- 31 (9) With respect to disablements occurring on or after July 1,
 32 2001, and before July 1, 2002, eight hundred twenty-two dollars
 33 (\$822).
- 34 (10) With respect to disablements occurring on or after July 1,
 35 2002, and before July 1, 2006, eight hundred eighty-two dollars
 36 (\$882).
- 37 (11) With respect to disablements occurring on or after July 1,
 38 2006, and before July 1, 2007, nine hundred dollars (\$900).
- 39 (12) With respect to disablements occurring on or after July 1,
 40 2007, and before July 1, 2008, nine hundred thirty dollars (\$930).
- 41 (13) With respect to disablements occurring on or after July 1,
 42 2008, and before July 1, 2009, nine hundred fifty-four dollars



- 1 (\$954).
 2 (14) With respect to disablements occurring on or after July 1,
 3 2009, and before July 1, 2014, nine hundred seventy-five dollars
 4 (\$975).
 5 (15) With respect to disablements occurring on or after July 1,
 6 2014, and before July 1, 2015, one thousand forty dollars
 7 (\$1,040).
 8 (16) With respect to disablements occurring on or after July 1,
 9 2015, and before July 1, 2016, one thousand one hundred five
 10 dollars (\$1,105).
 11 (17) With respect to disablements occurring on or after July 1,
 12 2016, **and before July 1, 2021**, one thousand one hundred
 13 seventy dollars (\$1,170).
 14 **(18) With respect to disablements occurring on or after July**
 15 **1, 2021, and before July 1, 2022, one thousand two hundred**
 16 **eighty-seven dollars (\$1,287).**
 17 **(19) With respect to disablements occurring on or after July**
 18 **1, 2022, and before July 1, 2023, one thousand three hundred**
 19 **sixty-four dollars (\$1,364).**
 20 **(20) With respect to disablements occurring on or after July**
 21 **1, 2023, and before July 1, 2024, one thousand four hundred**
 22 **nineteen dollars (\$1,419).**
 23 **(21) With respect to disablements occurring on or after July**
 24 **1, 2024, and before July 1, 2025, one thousand four hundred**
 25 **seventy-six dollars (\$1,476).**
 26 **(22) With respect to disablements occurring on or after July**
 27 **1, 2025, and before July 1, 2026, one thousand five hundred**
 28 **thirty-five dollars (\$1,535).**
 29 **(23) With respect to disablements occurring on or after July**
 30 **1, 2026, one thousand five hundred ninety-six dollars (\$1,596).**
 31 (p) If any employee, only partially disabled, refuses employment
 32 suitable to the employee's capacity procured for the employee, the
 33 employee shall not be entitled to any compensation at any time during
 34 the continuance of such refusal unless, in the opinion of the worker's
 35 compensation board, such refusal was justifiable. The employee must
 36 be served with a notice setting forth the consequences of the refusal
 37 under this subsection. The notice must be in a form prescribed by the
 38 worker's compensation board.
 39 (q) If an employee has sustained a permanent impairment or
 40 disability from an accidental injury other than an occupational disease
 41 in another employment than that in which the employee suffered a
 42 subsequent disability from an occupational disease, such as herein



1 specified, the employee shall be entitled to compensation for the
 2 subsequent disability in the same amount as if the previous impairment
 3 or disability had not occurred. However, if the permanent impairment
 4 or disability resulting from an occupational disease for which
 5 compensation is claimed results only in the aggravation or increase of
 6 a previously sustained permanent impairment from an occupational
 7 disease or physical condition regardless of the source or cause of such
 8 previously sustained impairment from an occupational disease or
 9 physical condition, the board shall determine the extent of the
 10 previously sustained permanent impairment from an occupational
 11 disease or physical condition as well as the extent of the aggravation or
 12 increase resulting from the subsequent permanent impairment or
 13 disability, and shall award compensation only for that part of said
 14 occupational disease or physical condition resulting from the
 15 subsequent permanent impairment. An amputation of any part of the
 16 body or loss of any or all of the vision of one (1) or both eyes caused by
 17 an occupational disease shall be considered as a permanent impairment
 18 or physical condition.

19 (r) If an employee suffers a disablement from an occupational
 20 disease for which compensation is payable while the employee is still
 21 receiving or entitled to compensation for a previous injury by accident
 22 or disability by occupational disease in the same employment, the
 23 employee shall not at the same time be entitled to compensation for
 24 both, unless it be for a permanent injury, such as specified in
 25 subsection (m)(1), (m)(4), (m)(5), (m)(8), or (m)(9), but the employee
 26 shall be entitled to compensation for that disability and from the time
 27 of that disability which will cover the longest period and the largest
 28 amount payable under this chapter.

29 (s) If an employee receives a permanent disability from an
 30 occupational disease such as specified in subsection (m)(1), (m)(4),
 31 (m)(5), (m)(8), or (m)(9) after having sustained another such
 32 permanent disability in the same employment the employee shall be
 33 entitled to compensation for both such disabilities, but the total
 34 compensation shall be paid by extending the period and not by
 35 increasing the amount of weekly compensation and, when such
 36 previous and subsequent permanent disabilities, in combination result
 37 in total permanent disability or permanent total impairment,
 38 compensation shall be payable for such permanent total disability or
 39 impairment, but payments made for the previous disability or
 40 impairment shall be deducted from the total payment of compensation
 41 due.

42 (t) When an employee has been awarded or is entitled to an award



1 of compensation for a definite period from an occupational disease
 2 wherein disablement occurs on and after April 1, 1963, and such
 3 employee dies from other causes than such occupational disease,
 4 payment of the unpaid balance of such compensation not exceeding
 5 three hundred fifty (350) weeks shall be paid to the employee's
 6 dependents of the second and third class as defined in sections 11
 7 through 14 of this chapter and compensation, not exceeding five
 8 hundred (500) weeks shall be made to the employee's dependents of the
 9 first class as defined in sections 11 through 14 of this chapter.

10 (u) Any payment made by the employer to the employee during the
 11 period of the employee's disability, or to the employee's dependents,
 12 which, by the terms of this chapter, was not due and payable when
 13 made, may, subject to the approval of the worker's compensation board,
 14 be deducted from the amount to be paid as compensation, but such
 15 deduction shall be made from the distal end of the period during which
 16 compensation must be paid, except in cases of temporary disability.

17 (v) When so provided in the compensation agreement or in the
 18 award of the worker's compensation board, compensation may be paid
 19 semimonthly, or monthly, instead of weekly.

20 (w) When the aggregate payments of compensation awarded by
 21 agreement or upon hearing to an employee or dependent under eighteen
 22 (18) years of age do not exceed one hundred dollars (\$100), the
 23 payment thereof may be made directly to such employee or dependent,
 24 except when the worker's compensation board shall order otherwise.

25 (x) Whenever the aggregate payments of compensation, due to any
 26 person under eighteen (18) years of age, exceed one hundred dollars
 27 (\$100), the payment thereof shall be made to a trustee, appointed by the
 28 circuit or superior court, or to a duly qualified guardian, or, upon the
 29 order of the worker's compensation board, to a parent or to such minor
 30 person. The payment of compensation, due to any person eighteen (18)
 31 years of age or over, may be made directly to such person.

32 (y) If an employee, or a dependent, is mentally incompetent, or a
 33 minor at the time when any right or privilege accrues to the employee
 34 under this chapter, the employee's guardian or trustee may, in the
 35 employee's behalf, claim and exercise such right and privilege.

36 (z) All compensation payments named and provided for in this
 37 section, shall mean and be defined to be for only such occupational
 38 diseases and disabilities therefrom as are proved by competent
 39 evidence, of which there are or have been objective conditions or
 40 symptoms proven, not within the physical or mental control of the
 41 employee.

42 SECTION 5. IC 22-3-7-19, AS AMENDED BY P.L.275-2013,



1 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2021]: Sec. 19. (a) In computing compensation for temporary
3 total disability, temporary partial disability, and total permanent
4 disability, with respect to occupational diseases occurring on and after
5 July 1, 1985, and before July 1, 1986, the average weekly wages are
6 considered to be:

7 (1) not more than two hundred sixty-seven dollars (\$267); and

8 (2) not less than seventy-five dollars (\$75).

9 (b) In computing compensation for temporary total disability,
10 temporary partial disability, and total permanent disability, with respect
11 to occupational diseases occurring on and after July 1, 1986, and before
12 July 1, 1988, the average weekly wages are considered to be:

13 (1) not more than two hundred eighty-five dollars (\$285); and

14 (2) not less than seventy-five dollars (\$75).

15 (c) In computing compensation for temporary total disability,
16 temporary partial disability, and total permanent disability, with respect
17 to occupational diseases occurring on and after July 1, 1988, and before
18 July 1, 1989, the average weekly wages are considered to be:

19 (1) not more than three hundred eighty-four dollars (\$384); and

20 (2) not less than seventy-five dollars (\$75).

21 (d) In computing compensation for temporary total disability,
22 temporary partial disability, and total permanent disability, with respect
23 to occupational diseases occurring on and after July 1, 1989, and before
24 July 1, 1990, the average weekly wages are considered to be:

25 (1) not more than four hundred eleven dollars (\$411); and

26 (2) not less than seventy-five dollars (\$75).

27 (e) In computing compensation for temporary total disability,
28 temporary partial disability, and total permanent disability, with respect
29 to occupational diseases occurring on and after July 1, 1990, and before
30 July 1, 1991, the average weekly wages are considered to be:

31 (1) not more than four hundred forty-one dollars (\$441); and

32 (2) not less than seventy-five dollars (\$75).

33 (f) In computing compensation for temporary total disability,
34 temporary partial disability, and total permanent disability, with respect
35 to occupational diseases occurring on and after July 1, 1991, and before
36 July 1, 1992, the average weekly wages are considered to be:

37 (1) not more than four hundred ninety-two dollars (\$492); and

38 (2) not less than seventy-five dollars (\$75).

39 (g) In computing compensation for temporary total disability,
40 temporary partial disability, and total permanent disability, with respect
41 to occupational diseases occurring on and after July 1, 1992, and before
42 July 1, 1993, the average weekly wages are considered to be:



- 1 (1) not more than five hundred forty dollars (\$540); and
 2 (2) not less than seventy-five dollars (\$75).
- 3 (h) In computing compensation for temporary total disability,
 4 temporary partial disability, and total permanent disability, with respect
 5 to occupational diseases occurring on and after July 1, 1993, and before
 6 July 1, 1994, the average weekly wages are considered to be:
 7 (1) not more than five hundred ninety-one dollars (\$591); and
 8 (2) not less than seventy-five dollars (\$75).
- 9 (i) In computing compensation for temporary total disability,
 10 temporary partial disability and total permanent disability, with respect
 11 to occupational diseases occurring on and after July 1, 1994, and before
 12 July 1, 1997, the average weekly wages are considered to be:
 13 (1) not more than six hundred forty-two dollars (\$642); and
 14 (2) not less than seventy-five dollars (\$75).
- 15 (j) In computing compensation for temporary total disability,
 16 temporary partial disability, and total permanent disability, the average
 17 weekly wages are considered to be:
 18 (1) with respect to occupational diseases occurring on and after
 19 July 1, 1997, and before July 1, 1998:
 20 (A) not more than six hundred seventy-two dollars (\$672); and
 21 (B) not less than seventy-five dollars (\$75);
 22 (2) with respect to occupational diseases occurring on and after
 23 July 1, 1998, and before July 1, 1999:
 24 (A) not more than seven hundred two dollars (\$702); and
 25 (B) not less than seventy-five dollars (\$75);
 26 (3) with respect to occupational diseases occurring on and after
 27 July 1, 1999, and before July 1, 2000:
 28 (A) not more than seven hundred thirty-two dollars (\$732);
 29 and
 30 (B) not less than seventy-five dollars (\$75);
 31 (4) with respect to occupational diseases occurring on and after
 32 July 1, 2000, and before July 1, 2001:
 33 (A) not more than seven hundred sixty-two dollars (\$762); and
 34 (B) not less than seventy-five dollars (\$75);
 35 (5) with respect to disablements occurring on and after July 1,
 36 2001, and before July 1, 2002:
 37 (A) not more than eight hundred twenty-two dollars (\$822);
 38 and
 39 (B) not less than seventy-five dollars (\$75);
 40 (6) with respect to disablements occurring on and after July 1,
 41 2002, and before July 1, 2006:
 42 (A) not more than eight hundred eighty-two dollars (\$882);



- 1 and
 2 (B) not less than seventy-five dollars (\$75);
 3 (7) with respect to disablements occurring on and after July 1,
 4 2006, and before July 1, 2007:
 5 (A) not more than nine hundred dollars (\$900); and
 6 (B) not less than seventy-five dollars (\$75);
 7 (8) with respect to disablements occurring on and after July 1,
 8 2007, and before July 1, 2008:
 9 (A) not more than nine hundred thirty dollars (\$930); and
 10 (B) not less than seventy-five dollars (\$75);
 11 (9) with respect to disablements occurring on and after July 1,
 12 2008, and before July 1, 2009:
 13 (A) not more than nine hundred fifty-four dollars (\$954); and
 14 (B) not less than seventy-five dollars (\$75);
 15 (10) with respect to disablements occurring on and after July 1,
 16 2009, and before July 1, 2014:
 17 (A) not more than nine hundred seventy-five dollars (\$975);
 18 and
 19 (B) not less than seventy-five dollars (\$75);
 20 (11) with respect to disablements occurring on and after July 1,
 21 2014, and before July 1, 2015:
 22 (A) not more than one thousand forty dollars (\$1,040); and
 23 (B) not less than seventy-five dollars (\$75);
 24 (12) with respect to disablements occurring on and after July 1,
 25 2015, and before July 1, 2016:
 26 (A) not more than one thousand one hundred five dollars
 27 (\$1,105); and
 28 (B) not less than seventy-five dollars (\$75); ~~and~~
 29 (13) with respect to disablements occurring on and after July 1,
 30 2016, **and before July 1, 2021:**
 31 (A) not more than one thousand one hundred seventy dollars
 32 (\$1,170); and
 33 (B) not less than seventy-five dollars (\$75);
 34 **(14) with respect to disablements occurring on and after July**
 35 **1, 2021, and before July 1, 2022:**
 36 **(A) not more than one thousand two hundred eighty-seven**
 37 **dollars (\$1,287); and**
 38 **(B) not less than seventy-five dollars (\$75);**
 39 **(15) with respect to disablements occurring on and after July**
 40 **1, 2022, and before July 1, 2023:**
 41 **(A) not more than one thousand three hundred sixty-four**
 42 **dollars (\$1,364); and**



- 1 **(B) not less than seventy-five dollars (\$75);**
 2 **(16) with respect to disablements occurring on and after July**
 3 **1, 2023, and before July 1, 2024:**
 4 **(A) not more than one thousand four hundred nineteen**
 5 **dollars (\$1,419); and**
 6 **(B) not less than seventy-five dollars (\$75);**
 7 **(17) with respect to disablements occurring on and after July**
 8 **1, 2024, and before July 1, 2025:**
 9 **(A) not more than one thousand four hundred seventy-six**
 10 **dollars (\$1,476); and**
 11 **(B) not less than seventy-five dollars (\$75);**
 12 **(18) with respect to disablements occurring on and after July**
 13 **1, 2025, and before July 1, 2026:**
 14 **(A) not more than one thousand five hundred thirty-five**
 15 **dollars (\$1,535); and**
 16 **(B) not less than seventy-five dollars (\$75); and**
 17 **(19) with respect to disablements occurring on and after July**
 18 **1, 2026:**
 19 **(A) not more than one thousand five hundred ninety-six**
 20 **dollars (\$1,596); and**
 21 **(B) not less than seventy-five dollars (\$75).**
 22 (k) The maximum compensation with respect to disability or death
 23 occurring on and after July 1, 1985, and before July 1, 1986, which
 24 shall be paid for occupational disease and the results thereof under the
 25 provisions of this chapter or under any combination of its provisions
 26 may not exceed eighty-nine thousand dollars (\$89,000) in any case.
 27 (l) The maximum compensation with respect to disability or death
 28 occurring on and after July 1, 1986, and before July 1, 1988, which
 29 shall be paid for occupational disease and the results thereof under the
 30 provisions of this chapter or under any combination of its provisions
 31 may not exceed ninety-five thousand dollars (\$95,000) in any case.
 32 (m) The maximum compensation with respect to disability or death
 33 occurring on and after July 1, 1988, and before July 1, 1989, that shall
 34 be paid for occupational disease and the results thereof under this
 35 chapter or under any combination of its provisions may not exceed one
 36 hundred twenty-eight thousand dollars (\$128,000) in any case.
 37 (n) The maximum compensation with respect to disability or death
 38 occurring on and after July 1, 1989, and before July 1, 1990, that shall
 39 be paid for occupational disease and the results thereof under this
 40 chapter or under any combination of its provisions may not exceed one
 41 hundred thirty-seven thousand dollars (\$137,000) in any case.
 42 (o) The maximum compensation with respect to disability or death



1 occurring on and after July 1, 1990, and before July 1, 1991, that shall
2 be paid for occupational disease and the results thereof under this
3 chapter or under any combination of its provisions may not exceed one
4 hundred forty-seven thousand dollars (\$147,000) in any case.

5 (p) The maximum compensation with respect to disability or death
6 occurring on and after July 1, 1991, and before July 1, 1992, that shall
7 be paid for occupational disease and the results thereof under this
8 chapter or under any combination of the provisions of this chapter may
9 not exceed one hundred sixty-four thousand dollars (\$164,000) in any
10 case.

11 (q) The maximum compensation with respect to disability or death
12 occurring on and after July 1, 1992, and before July 1, 1993, that shall
13 be paid for occupational disease and the results thereof under this
14 chapter or under any combination of the provisions of this chapter may
15 not exceed one hundred eighty thousand dollars (\$180,000) in any case.

16 (r) The maximum compensation with respect to disability or death
17 occurring on and after July 1, 1993, and before July 1, 1994, that shall
18 be paid for occupational disease and the results thereof under this
19 chapter or under any combination of the provisions of this chapter may
20 not exceed one hundred ninety-seven thousand dollars (\$197,000) in
21 any case.

22 (s) The maximum compensation with respect to disability or death
23 occurring on and after July 1, 1994, and before July 1, 1997, that shall
24 be paid for occupational disease and the results thereof under this
25 chapter or under any combination of the provisions of this chapter may
26 not exceed two hundred fourteen thousand dollars (\$214,000) in any
27 case.

28 (t) The maximum compensation that shall be paid for occupational
29 disease and the results of an occupational disease under this chapter or
30 under any combination of the provisions of this chapter may not exceed
31 the following amounts in any case:

32 (1) With respect to disability or death occurring on and after July
33 1, 1997, and before July 1, 1998, two hundred twenty-four
34 thousand dollars (\$224,000).

35 (2) With respect to disability or death occurring on and after July
36 1, 1998, and before July 1, 1999, two hundred thirty-four
37 thousand dollars (\$234,000).

38 (3) With respect to disability or death occurring on and after July
39 1, 1999, and before July 1, 2000, two hundred forty-four thousand
40 dollars (\$244,000).

41 (4) With respect to disability or death occurring on and after July
42 1, 2000, and before July 1, 2001, two hundred fifty-four thousand



- 1 dollars (\$254,000).
2 (5) With respect to disability or death occurring on and after July
3 1, 2001, and before July 1, 2002, two hundred seventy-four
4 thousand dollars (\$274,000).
5 (6) With respect to disability or death occurring on and after July
6 1, 2002, and before July 1, 2006, two hundred ninety-four
7 thousand dollars (\$294,000).
8 (7) With respect to disability or death occurring on and after July
9 1, 2006, and before July 1, 2007, three hundred thousand dollars
10 (\$300,000).
11 (8) With respect to disability or death occurring on and after July
12 1, 2007, and before July 1, 2008, three hundred ten thousand
13 dollars (\$310,000).
14 (9) With respect to disability or death occurring on and after July
15 1, 2008, and before July 1, 2009, three hundred eighteen thousand
16 dollars (\$318,000).
17 (10) With respect to disability or death occurring on and after July
18 1, 2009, and before July 1, 2014, three hundred twenty-five
19 thousand dollars (\$325,000).
20 (11) With respect to disability or death occurring on and after July
21 1, 2014, and before July 1, 2015, three hundred forty-seven
22 thousand dollars (\$347,000).
23 (12) With respect to disability or death occurring on and after July
24 1, 2015, and before July 1, 2016, three hundred sixty-eight
25 thousand dollars (\$368,000).
26 (13) With respect to disability or death occurring on and after July
27 1, 2016, **and before July 1, 2021**, three hundred ninety thousand
28 dollars (\$390,000).
29 **(14) With respect to disability or death occurring on and after**
30 **July 1, 2021, and before July 1, 2022, four hundred**
31 **twenty-nine thousand dollars (\$429,000).**
32 **(15) With respect to disability or death occurring on and after**
33 **July 1, 2022, and before July 1, 2023, four hundred fifty-five**
34 **thousand dollars (\$455,000).**
35 **(16) With respect to disability or death occurring on and after**
36 **July 1, 2023, and before July 1, 2024, four hundred**
37 **seventy-three thousand dollars (\$473,000).**
38 **(17) With respect to disability or death occurring on and after**
39 **July 1, 2024, and before July 1, 2025, four hundred ninety-two**
40 **thousand dollars (\$492,000).**
41 **(18) With respect to disability or death occurring on and after**
42 **July 1, 2025, and before July 1, 2026, five hundred twelve**



1 **thousand dollars (\$512,000).**
2 **(19) With respect to disability or death occurring on and after**
3 **July 1, 2026, five hundred thirty-two thousand dollars**
4 **(\$532,000).**

5 (u) For all disabilities occurring on and after July 1, 1985, "average
6 weekly wages" means the earnings of the injured employee during the
7 period of fifty-two (52) weeks immediately preceding the disability
8 divided by fifty-two (52). If the employee lost seven (7) or more
9 calendar days during the period, although not in the same week, then
10 the earnings for the remainder of the fifty-two (52) weeks shall be
11 divided by the number of weeks and parts of weeks remaining after the
12 time lost has been deducted. If employment before the date of disability
13 extended over a period of less than fifty-two (52) weeks, the method of
14 dividing the earnings during that period by the number of weeks and
15 parts of weeks during which the employee earned wages shall be
16 followed if results just and fair to both parties will be obtained. If by
17 reason of the shortness of the time during which the employee has been
18 in the employment of the employer or of the casual nature or terms of
19 the employment it is impracticable to compute the average weekly
20 wages for the employee, the employee's average weekly wages shall be
21 considered to be the average weekly amount that, during the fifty-two
22 (52) weeks before the date of disability, was being earned by a person
23 in the same grade employed at the same work by the same employer or,
24 if there is no person so employed, by a person in the same grade
25 employed in that same class of employment in the same district.
26 Whenever allowances of any character are made to an employee
27 instead of wages or a specified part of the wage contract, they shall be
28 considered a part of the employee's earnings.

29 (v) The provisions of this article may not be construed to result in
30 an award of benefits in which the number of weeks paid or to be paid
31 for temporary total disability, temporary partial disability, or permanent
32 total disability benefits combined exceeds five hundred (500) weeks.
33 This section shall not be construed to prevent a person from applying
34 for an award under IC 22-3-3-13. However, in case of permanent total
35 disability resulting from a disablement occurring on or after January 1,
36 1998, the minimum total benefit shall not be less than seventy-five
37 thousand dollars (\$75,000).

