

SENATE BILL No. 408

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-3.

Synopsis: Worker's compensation. Increases the amount of worker's compensation and worker's occupational diseases compensation benefits available under current law for injuries and disablements occurring on and after July 1, 2024, and before July 1, 2025, by: (1) 10% on and after July 1, 2025; (2) 6% on and after July 1, 2026; (3) 4% on and after July 1, 2027; (4) 4% on and after July 1, 2028; (5) 4% on and after July 1, 2029; and (6) 4% on and after July 1, 2030. (Under current law, the worker's compensation and worker's occupational diseases compensation benefits increase by 3% on and after July 1, 2025, relative to the amount for injuries and disablements occurring on and after July 1, 2024, and before July 1, 2025, and 3% on and after July 1, 2026, relative to the amount for injuries and disablements occurring on and after July 1, 2025, and before July 1, 2026.)

Effective: July 1, 2025.

Pol Jr.

January 13, 2025, read first time and referred to Committee on Judiciary.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

SENATE BILL No. 408

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 22-3-3-10, AS AMENDED BY P.L.160-2022,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 10. (a) With respect to injuries in the following
4 schedule occurring on and after July 1, 1990, and before July 1, 1991,
5 the employee shall receive, in addition to temporary total disability
6 benefits not exceeding seventy-eight (78) weeks on account of the
7 injury, a weekly compensation of sixty percent (60%) of the employee's
8 average weekly wages, not to exceed two hundred dollars (\$200)
9 average weekly wages, for the period stated for the injury.

10 (1) Amputation: For the loss by separation of the thumb, sixty
11 (60) weeks, of the index finger forty (40) weeks, of the second
12 finger thirty-five (35) weeks, of the third or ring finger thirty (30)
13 weeks, of the fourth or little finger twenty (20) weeks, of the hand
14 by separation below the elbow joint two hundred (200) weeks, or
15 the arm above the elbow two hundred fifty (250) weeks, of the big
16 toe sixty (60) weeks, of the second toe thirty (30) weeks, of the
17 third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks,



1 of the fifth or little toe ten (10) weeks, for loss occurring on and
2 after April 1, 1959, by separation of the foot below the knee joint,
3 one hundred seventy-five (175) weeks and of the leg above the
4 knee joint two hundred twenty-five (225) weeks. The loss of more
5 than one (1) phalange of a thumb or toes shall be considered as
6 the loss of the entire thumb or toe. The loss of more than two (2)
7 phalanges of a finger shall be considered as the loss of the entire
8 finger. The loss of not more than one (1) phalange of a thumb or
9 toe shall be considered as the loss of one-half (1/2) of the thumb
10 or toe and compensation shall be paid for one-half (1/2) of the
11 period for the loss of the entire thumb or toe. The loss of not more
12 than one (1) phalange of a finger shall be considered as the loss
13 of one-third (1/3) of the finger and compensation shall be paid for
14 one-third (1/3) the period for the loss of the entire finger. The loss
15 of more than one (1) phalange of the finger but not more than two
16 (2) phalanges of the finger, shall be considered as the loss of
17 one-half (1/2) of the finger and compensation shall be paid for
18 one-half (1/2) of the period for the loss of the entire finger.
19 (2) 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, five hundred (500) weeks.
22 (3) For the permanent and complete loss of vision by enucleation
23 or its reduction to one-tenth (1/10) of normal vision with glasses,
24 one hundred seventy-five (175) weeks.
25 (4) For the permanent and complete loss of hearing in one (1) ear,
26 seventy-five (75) weeks, and in both ears, two hundred (200)
27 weeks.
28 (5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of
29 both testicles, one hundred fifty (150) weeks.
30 (b) With respect to injuries in the schedule set forth in subsection
31 (e) occurring on and after July 1, 1979, and before July 1, 1988, the
32 employee shall receive, in addition to temporary total disability benefits
33 not exceeding fifty-two (52) weeks on account of the injury, a weekly
34 compensation of sixty percent (60%) of the employee's average weekly
35 wages not to exceed one hundred twenty-five dollars (\$125) average
36 weekly wages for the period stated for the injury.
37 (c) With respect to injuries in the schedule set forth in subsection (e)
38 occurring on and after July 1, 1988, and before July 1, 1989, the
39 employee shall receive, in addition to temporary total disability benefits
40 not exceeding seventy-eight (78) weeks on account of the injury, a
41 weekly compensation of sixty percent (60%) of the employee's average
42 weekly wages, not to exceed one hundred sixty-six dollars (\$166)



1 average weekly wages, for the period stated for the injury.

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

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

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

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

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

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

38 (5) For any permanent reduction of the hearing of one (1) or both
39 ears, less than the total loss as specified in subsection (a)(4),
40 compensation shall be paid for a period proportional to the degree
41 of such permanent reduction.

42 (6) In all other cases of permanent partial impairment,



1 compensation proportionate to the degree of such permanent
2 partial impairment, in the discretion of the worker's compensation
3 board, not exceeding five hundred (500) weeks.

4 (7) In all cases of permanent disfigurement which may impair the
5 future usefulness or opportunities of the employee, compensation,
6 in the discretion of the worker's compensation board, not
7 exceeding two hundred (200) weeks, except that no compensation
8 shall be payable under this subdivision where compensation is
9 payable elsewhere in this section.

10 (f) With respect to injuries in the following schedule occurring on
11 and after July 1, 1991, the employee shall receive in addition to
12 temporary total disability benefits, not exceeding one hundred
13 twenty-five (125) weeks on account of the injury, compensation in an
14 amount determined under the following schedule to be paid weekly at
15 a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's
16 average weekly wages during the fifty-two (52) weeks immediately
17 preceding the week in which the injury occurred.

18 (1) Amputation: For the loss by separation of the thumb, twelve
19 (12) degrees of permanent impairment; of the index finger, eight
20 (8) degrees of permanent impairment; of the second finger, seven
21 (7) degrees of permanent impairment; of the third or ring finger,
22 six (6) degrees of permanent impairment; of the fourth or little
23 finger, four (4) degrees of permanent impairment; of the hand by
24 separation below the elbow joint, forty (40) degrees of permanent
25 impairment; of the arm above the elbow, fifty (50) degrees of
26 permanent impairment; of the big toe, twelve (12) degrees of
27 permanent impairment; of the second toe, six (6) degrees of
28 permanent impairment; of the third toe, four (4) degrees of
29 permanent impairment; of the fourth toe, three (3) degrees of
30 permanent impairment; of the fifth or little toe, two (2) degrees of
31 permanent impairment; by separation of the foot below the knee
32 joint, thirty-five (35) degrees of permanent impairment; and of the
33 leg above the knee joint, forty-five (45) degrees of permanent
34 impairment.

35 (2) Amputations: For the loss by separation of any of the body
36 parts described in subdivision (1) on or after July 1, 1997, and for
37 the loss by separation of any of the body parts described in
38 subdivision (3), (5), or (7), on or after July 1, 1999, the dollar
39 values per degree applying on the date of the injury as described
40 in subsection (g) shall be multiplied by two (2). However, the
41 doubling provision of this subdivision does not apply to a loss of
42 use that is not a loss by separation.



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



1 evaluate any reduction in ability to perform vision-related
2 Activities of Daily Living (ADL). Unless such loss is otherwise
3 specified in subdivision (5), visual impairments shall be paid as
4 a whole person rating.

5 (12) For any permanent reduction of the hearing of one (1) or both
6 ears, less than the total loss as specified in subsection (e)(5),
7 compensation shall be paid in an amount proportionate to the
8 degree of a permanent reduction.

9 (13) In all other cases of permanent partial impairment,
10 compensation proportionate to the degree of a permanent partial
11 impairment, in the discretion of the worker's compensation board,
12 not exceeding one hundred (100) degrees of permanent
13 impairment.

14 (14) In all cases of permanent disfigurement which may impair
15 the future usefulness or opportunities of the employee,
16 compensation, in the discretion of the worker's compensation
17 board, not exceeding forty (40) degrees of permanent impairment
18 except that no compensation shall be payable under this
19 subdivision where compensation is payable elsewhere in this
20 section.

21 (g) Compensation for permanent partial impairment shall be paid
22 according to the degree of permanent impairment for the injury
23 determined under subsection (f) and the following:

24 (1) With respect to injuries occurring on and after July 1, 2010,
25 and before July 1, 2014, for each degree of permanent impairment
26 from one (1) to ten (10), one thousand four hundred dollars
27 (\$1,400) per degree; for each degree of permanent impairment
28 from eleven (11) to thirty-five (35), one thousand six hundred
29 dollars (\$1,600) per degree; for each degree of permanent
30 impairment from thirty-six (36) to fifty (50), two thousand seven
31 hundred dollars (\$2,700) per degree; for each degree of
32 permanent impairment above fifty (50), three thousand five
33 hundred dollars (\$3,500) per degree.

34 (2) With respect to injuries occurring on and after July 1, 2014,
35 and before July 1, 2015, for each degree of permanent impairment
36 from one (1) to ten (10), one thousand five hundred seventeen
37 dollars (\$1,517) per degree; for each degree of permanent
38 impairment from eleven (11) to thirty-five (35), one thousand
39 seven hundred seventeen dollars (\$1,717) per degree; for each
40 degree of permanent impairment from thirty-six (36) to fifty (50),
41 two thousand eight hundred sixty-two dollars (\$2,862) per degree;
42 for each degree of permanent impairment above fifty (50), three



- 1 thousand six hundred eighty-seven dollars (\$3,687) per degree.
2 (3) With respect to injuries occurring on and after July 1, 2015,
3 and before July 1, 2016, for each degree of permanent impairment
4 from one (1) to ten (10), one thousand six hundred thirty-three
5 dollars (\$1,633) per degree; for each degree of permanent
6 impairment from eleven (11) to thirty-five (35), one thousand
7 eight hundred thirty-five dollars (\$1,835) per degree; for each
8 degree of permanent impairment from thirty-six (36) to fifty (50),
9 three thousand twenty-four dollars (\$3,024) per degree; for each
10 degree of permanent impairment above fifty (50), three thousand
11 eight hundred seventy-three dollars (\$3,873) per degree.
12 (4) With respect to injuries occurring on and after July 1, 2016,
13 and before July 1, 2023, for each degree of permanent impairment
14 from one (1) to ten (10), one thousand seven hundred fifty dollars
15 (\$1,750) per degree; for each degree of permanent impairment
16 from eleven (11) to thirty-five (35), one thousand nine hundred
17 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 (5) With respect to injuries occurring on and after July 1, 2023,
23 and before July 1, 2024, for each degree of permanent impairment
24 from one (1) to ten (10), one thousand eight hundred three dollars
25 (\$1,803) per degree; for each degree of permanent impairment
26 from eleven (11) to thirty-five (35), two thousand eleven dollars
27 (\$2,011) per degree; for each degree of permanent impairment
28 from thirty-six (36) to fifty (50), three thousand two hundred
29 eighty-two dollars (\$3,282) per degree; for each degree of
30 permanent impairment above fifty (50), four thousand one
31 hundred eighty-two dollars (\$4,182) per degree.
32 (6) With respect to injuries occurring on and after July 1, 2024,
33 and before July 1, 2025, for each degree of permanent impairment
34 from one (1) to ten (10), one thousand eight hundred fifty-seven
35 dollars (\$1,857) per degree; for each degree of permanent
36 impairment from eleven (11) to thirty-five (35), two thousand
37 seventy-one dollars (\$2,071) per degree; for each degree of
38 permanent impairment from thirty-six (36) to fifty (50), three
39 thousand three hundred eighty dollars (\$3,380) per degree; for
40 each degree of permanent impairment above fifty (50), four
41 thousand three hundred seven dollars (\$4,307) per degree.
42 (7) With respect to injuries occurring on and after July 1, 2025,



1 and before July 1, 2026, for each degree of permanent impairment
 2 from one (1) to ten (10), ~~one thousand nine hundred thirteen~~
 3 ~~dollars (\$1,913)~~ **two thousand forty-three dollars (\$2,043)** per
 4 degree; for each degree of permanent impairment from eleven
 5 (11) to thirty-five (35), ~~two thousand one hundred thirty-three~~
 6 ~~dollars (\$2,133)~~ **two thousand two hundred seventy-eight**
 7 **dollars (\$2,278)** per degree; for each degree of permanent
 8 impairment from thirty-six (36) to fifty (50), ~~three thousand four~~
 9 ~~hundred eighty-one dollars (\$3,481)~~ **three thousand seven**
 10 **hundred eighteen dollars (\$3,718)** per degree; for each degree
 11 of permanent impairment above fifty (50), ~~four thousand four~~
 12 ~~hundred thirty-six dollars (\$4,436)~~ **four thousand seven hundred**
 13 **thirty-eight dollars (\$4,738)** per degree.

14 (8) With respect to injuries occurring on and after July 1, 2026,
 15 **and before July 1, 2027**, for each degree of permanent
 16 impairment from one (1) to ten (10), ~~one thousand nine hundred~~
 17 ~~seventy dollars (\$1,970)~~ **two thousand one hundred sixty-six**
 18 **dollars (\$2,166)** per degree; for each degree of permanent
 19 impairment from eleven (11) to thirty-five (35), ~~two thousand one~~
 20 ~~hundred ninety-seven dollars (\$2,197)~~ **two thousand four**
 21 **hundred fifteen dollars (\$2,415)** per degree; for each degree of
 22 permanent impairment from thirty-six (36) to fifty (50), ~~three~~
 23 ~~thousand five hundred eighty-five dollars (\$3,585)~~ **three**
 24 **thousand nine hundred forty-one dollars (\$3,941)** per degree;
 25 for each degree of permanent impairment above fifty (50), ~~four~~
 26 ~~thousand five hundred sixty-nine dollars (\$4,569)~~ **five thousand**
 27 **twenty-two dollars (\$5,022)** per degree.

28 (9) With respect to injuries occurring on and after July 1,
 29 **2027, and before July 1, 2028**, for each degree of permanent
 30 **impairment from one (1) to ten (10)**, **two thousand two**
 31 **hundred fifty-three dollars (\$2,253)** per degree; for each
 32 degree of permanent impairment from eleven (11) to
 33 thirty-five (35), **two thousand five hundred twelve dollars**
 34 **(\$2,512)** per degree; for each degree of permanent
 35 impairment from thirty-six (36) to fifty (50), **four thousand**
 36 **ninety-nine dollars (\$4,099)** per degree; for each degree of
 37 permanent impairment above fifty (50), **five thousand two**
 38 **hundred twenty-three dollars (\$5,223)** per degree.

39 (10) With respect to injuries occurring on and after July 1,
 40 **2028, and before July 1, 2029**, for each degree of permanent
 41 **impairment from one (1) to ten (10)**, **two thousand three**
 42 **hundred forty-three dollars (\$2,343)** per degree; for each



1 degree of permanent impairment from eleven (11) to
 2 thirty-five (35), two thousand six hundred twelve dollars
 3 (\$2,612) per degree; for each degree of permanent
 4 impairment from thirty-six (36) to fifty (50), four thousand
 5 two hundred sixty-three dollars (\$4,263) per degree; for each
 6 degree of permanent impairment above fifty (50), five
 7 thousand four hundred thirty-two dollars (\$5,432) per degree.

8 (11) With respect to injuries occurring on and after July 1,
 9 2029, and before July 1, 2030, for each degree of permanent
 10 impairment from one (1) to ten (10), two thousand four
 11 hundred thirty-seven dollars (\$2,437) per degree; for each
 12 degree of permanent impairment from eleven (11) to
 13 thirty-five (35), two thousand seven hundred sixteen dollars
 14 (\$2,716) per degree; for each degree of permanent
 15 impairment from thirty-six (36) to fifty (50), four thousand
 16 four hundred thirty-four dollars (\$4,434) per degree; for each
 17 degree of permanent impairment above fifty (50), five
 18 thousand six hundred forty-nine dollars (\$5,649) per degree.

19 (12) With respect to injuries occurring on and after July 1,
 20 2030, for each degree of permanent impairment from one (1)
 21 to ten (10), two thousand five hundred thirty-four dollars
 22 (\$2,534) per degree; for each degree of permanent
 23 impairment from eleven (11) to thirty-five (35), two thousand
 24 eight hundred twenty-five dollars (\$2,825) per degree; for
 25 each degree of permanent impairment from thirty-six (36) to
 26 fifty (50), four thousand six hundred eleven dollars (\$4,611)
 27 per degree; for each degree of permanent impairment above
 28 fifty (50), five thousand eight hundred seventy-five dollars
 29 (\$5,875) per degree.

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

33 (1) With respect to injuries occurring on or after July 1, 2009, and
 34 before July 1, 2014, nine hundred seventy-five dollars (\$975).

35 (2) With respect to injuries occurring on or after July 1, 2014, and
 36 before July 1, 2015, one thousand forty dollars (\$1,040).

37 (3) With respect to injuries occurring on or after July 1, 2015, and
 38 before July 1, 2016, one thousand one hundred five dollars
 39 (\$1,105).

40 (4) With respect to injuries occurring on or after July 1, 2016, and
 41 before July 1, 2023, one thousand one hundred seventy dollars
 42 (\$1,170).



- 1 (5) With respect to injuries occurring on or after July 1, 2023, and
 2 before July 1, 2024, one thousand two hundred five dollars
 3 (\$1,205).
 4 (6) With respect to injuries occurring on or after July 1, 2024, and
 5 before July 1, 2025, one thousand two hundred forty-one dollars
 6 (\$1,241).
 7 (7) With respect to injuries occurring on or after July 1, 2025, and
 8 before July 1, 2026, ~~one thousand two hundred seventy-eight~~
 9 ~~dollars (\$1,278).~~ **one thousand three hundred sixty-five dollars**
 10 **(\$1,365).**
 11 (8) With respect to injuries occurring on or after July 1, 2026, and
 12 **before July 1, 2027, one thousand three hundred sixteen dollars**
 13 ~~(\$1,316).~~ **one thousand four hundred forty-seven dollars**
 14 **(\$1,447).**
 15 (9) With respect to injuries occurring on or after July 1, 2027,
 16 and before July 1, 2028, **one thousand five hundred five**
 17 **dollars (\$1,505).**
 18 (10) With respect to injuries occurring on or after July 1,
 19 2028, and before July 1, 2029, **one thousand five hundred**
 20 **sixty-five dollars (\$1,565).**
 21 (11) With respect to injuries occurring on or after July 1,
 22 2029, and before July 1, 2030, **one thousand six hundred**
 23 **twenty-eight dollars (\$1,628).**
 24 (12) With respect to injuries occurring on or after July 1,
 25 2030, **one thousand six hundred ninety-three dollars (\$1,693).**
- 26 SECTION 2. IC 22-3-3-22, AS AMENDED BY P.L.160-2022,
 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2025]: Sec. 22. (a) In computing compensation for temporary
 29 total disability, temporary partial disability, and total permanent
 30 disability, the average weekly wages are considered to be:
 31 (1) with respect to injuries occurring on and after July 1, 2009,
 32 and before July 1, 2014:
 33 (A) not more than nine hundred seventy-five dollars (\$975);
 34 and
 35 (B) not less than seventy-five dollars (\$75);
 36 (2) with respect to injuries occurring on and after July 1, 2014,
 37 and before July 1, 2015:
 38 (A) not more than one thousand forty dollars (\$1,040); and
 39 (B) not less than seventy-five dollars (\$75);
 40 (3) with respect to injuries occurring on and after July 1, 2015,
 41 and before July 1, 2016:
 42 (A) not more than one thousand one hundred five dollars



- 1 (\$1,105); and
 2 (B) not less than seventy-five dollars (\$75);
 3 (4) with respect to injuries occurring on and after July 1, 2016,
 4 and before July 1, 2023:
 5 (A) not more than one thousand one hundred seventy dollars
 6 (\$1,170); and
 7 (B) not less than seventy-five dollars (\$75);
 8 (5) with respect to injuries occurring on and after July 1, 2023,
 9 and before July 1, 2024:
 10 (A) not more than one thousand two hundred five dollars
 11 (\$1,205); and
 12 (B) not less than seventy-five dollars (\$75);
 13 (6) with respect to injuries occurring on and after July 1, 2024,
 14 and before July 1, 2025:
 15 (A) not more than one thousand two hundred forty-one dollars
 16 (\$1,241); and
 17 (B) not less than seventy-five dollars (\$75);
 18 (7) with respect to injuries occurring on and after July 1, 2025,
 19 and before July 1, 2026:
 20 (A) not more than ~~one thousand two hundred seventy-eight~~
 21 ~~dollars (\$1,278);~~ **one thousand three hundred sixty-five**
 22 **dollars (\$1,365);** and
 23 (B) not less than seventy-five dollars (\$75); ~~and~~
 24 (8) with respect to injuries occurring on and after July 1, 2026,
 25 **and before July 1, 2027:**
 26 (A) not more than ~~one thousand three hundred sixteen~~
 27 ~~dollars (\$1,316);~~ **one thousand four hundred forty-seven**
 28 **dollars (\$1,447);** and
 29 (B) not less than seventy-five dollars (\$75);
 30 **(9) with respect to injuries occurring on and after July 1,**
 31 **2027, and before July 1, 2028:**
 32 (A) not more than one thousand five hundred five dollars
 33 (\$1,505); and
 34 (B) not less than seventy-five dollars (\$75);
 35 **(10) with respect to injuries occurring on and after July 1,**
 36 **2028, and before July 1, 2029:**
 37 (A) not more than one thousand five hundred sixty-five
 38 dollars (\$1,565); and
 39 (B) not less than seventy-five dollars (\$75);
 40 **(11) with respect to injuries occurring on and after July 1,**
 41 **2029, and before July 1, 2030:**
 42 (A) not more than one thousand six hundred twenty-eight



1 **dollars (\$1,628); and**
 2 **(B) not less than seventy-five dollars (\$75); and**
 3 **(12) with respect to injuries occurring on and after July 1,**
 4 **2030:**
 5 **(A) not more than one thousand six hundred ninety-three**
 6 **dollars (\$1,693); and**
 7 **(B) not less than seventy-five dollars (\$75).**

8 However, the weekly compensation payable shall not exceed the
 9 average weekly wages of the employee at the time of the injury.

10 (b) The maximum compensation, exclusive of medical benefits, that
 11 may be paid for an injury under any provision of this law or any
 12 combination of provisions may not exceed the following amounts in
 13 any case:

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

17 (2) With respect to an injury occurring on and after July 1, 2014,
 18 and before July 1, 2015, three hundred forty-seven thousand
 19 dollars (\$347,000).

20 (3) With respect to an injury occurring on and after July 1, 2015,
 21 and before July 1, 2016, three hundred sixty-eight thousand
 22 dollars (\$368,000).

23 (4) With respect to an injury occurring on and after July 1, 2016,
 24 and before July 1, 2023, three hundred ninety thousand dollars
 25 (\$390,000).

26 (5) With respect to an injury occurring on and after July 1, 2023,
 27 and before July 1, 2024, four hundred two thousand dollars
 28 (\$402,000).

29 (6) With respect to an injury occurring on and after July 1, 2024,
 30 and before July 1, 2025, four hundred fourteen thousand dollars
 31 (\$414,000).

32 (7) With respect to an injury occurring on and after July 1, 2025,
 33 and before July 1, 2026, ~~four hundred twenty-six thousand dollars~~
 34 ~~(\$426,000);~~ **four hundred fifty-five thousand dollars**
 35 **(\$455,000).**

36 (8) With respect to an injury occurring on and after July 1, 2026,
 37 **and before July 1, 2027, ~~four hundred thirty-nine thousand~~**
 38 ~~dollars (\$439,000);~~ **four hundred eighty-two thousand dollars**
 39 **(\$482,000).**

40 (9) **With respect to an injury occurring on and after July 1,**
 41 **2027, and before July 1, 2028, five hundred one thousand**
 42 **dollars (\$501,000).**



- 1 **(10) With respect to an injury occurring on and after July 1,**
- 2 **2028, and before July 1, 2029, five hundred twenty-one**
- 3 **thousand dollars (\$521,000).**
- 4 **(11) With respect to an injury occurring on and after July 1,**
- 5 **2029, and before July 1, 2030, five hundred forty-two**
- 6 **thousand dollars (\$542,000).**
- 7 **(12) With respect to an injury occurring on and after July 1,**
- 8 **2030, five hundred sixty-four thousand dollars (\$564,000).**

9 SECTION 3. IC 22-3-7-16, AS AMENDED BY P.L.160-2022,
 10 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2025]: Sec. 16. (a) Compensation shall be allowed on account
 12 of disablement from occupational disease resulting in only temporary
 13 total disability to work or temporary partial disability to work
 14 beginning with the eighth day of such disability except for the medical
 15 benefits provided for in section 17 of this chapter. Compensation shall
 16 be allowed for the first seven (7) calendar days only as provided in this
 17 section. The first weekly installment of compensation for temporary
 18 disability is due fourteen (14) days after the disability begins. Not later
 19 than fourteen (14) days from the date that the first installment of
 20 compensation is due, the employer or the employer's insurance carrier
 21 shall file a report of payment of compensation with the worker's
 22 compensation board electronically and tender to the employee or to the
 23 employee's dependents, with all compensation due, a properly prepared
 24 compensation agreement in a form prescribed by the board. The
 25 presentation to the employee or to the employee's dependents of the
 26 check, draft, or electronic payment from the employer or the employer's
 27 insurance carrier for the proper amount, drawn upon a bank in which
 28 money is on deposit to pay the same on demand, shall be sufficient
 29 tender of the compensation.

30 (b) Whenever an employer or the employer's insurance carrier
 31 denies or is not able to determine liability to pay compensation or
 32 benefits, the employer or the employer's insurance carrier shall notify
 33 the worker's compensation board and the employee in writing on a form
 34 prescribed by the worker's compensation board not later than thirty (30)
 35 days after the employer's knowledge of the claimed disablement. If a
 36 determination of liability cannot be made within thirty (30) days, the
 37 worker's compensation board may approve an additional thirty (30)
 38 days upon a written request of the employer or the employer's insurance
 39 carrier that sets forth the reasons that the determination could not be
 40 made within thirty (30) days and states the facts or circumstances that
 41 are necessary to determine liability within the additional thirty (30)
 42 days. More than thirty (30) days of additional time may be approved by



1 the worker's compensation board upon the filing of a petition by the
2 employer or the employer's insurance carrier that sets forth:

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

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

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

- 13 (1) the employee has returned to work;
- 14 (2) the employee has died;
- 15 (3) the employee has refused to undergo a medical examination
16 under section 20 of this chapter;
- 17 (4) the employee has received five hundred (500) weeks of
18 temporary total disability benefits or has been paid the maximum
19 compensation allowable under section 19 of this chapter; or
- 20 (5) the employee is unable or unavailable to work for reasons
21 unrelated to the compensable disease.

22 In each instance, the employer must provide written notice to the
23 injured worker on a form approved by the board. In all other cases the
24 employer must notify the employee in writing of the employer's intent
25 to terminate the payment of temporary total disability benefits, and of
26 the availability of employment, if any, on a form approved by the
27 board. In all instances, the employer must file an electronic notice of
28 the termination with the board.

29 (d) If the employee disagrees with the termination or proposed
30 termination, the employee must give written notice of disagreement to
31 the board and the employer within seven (7) days after receipt of the
32 notice of intent to terminate benefits. If the board and employer do not
33 receive a notice of disagreement under this section, the employee's
34 temporary total disability benefits shall be terminated. Upon receipt of
35 the notice of disagreement, the board shall immediately contact the
36 parties, which may be by telephone or other means and attempt to
37 resolve the disagreement. If the board is unable to resolve the
38 disagreement within ten (10) days of receipt of the notice of
39 disagreement, the board shall immediately arrange for an evaluation of
40 the employee by an independent medical examiner. The independent
41 medical examiner shall be selected by mutual agreement of the parties
42 or, if the parties are unable to agree, appointed by the board under



1 IC 22-3-4-11. If the independent medical examiner determines that the
2 employee is no longer temporarily disabled or is still temporarily
3 disabled but can return to employment that the employer has made
4 available to the employee, or if the employee fails or refuses to appear
5 for examination by the independent medical examiner, temporary total
6 disability benefits may be terminated. If either party disagrees with the
7 opinion of the independent medical examiner, the party shall apply to
8 the board for a hearing under section 27 of this chapter.

9 (e) An employer is not required to continue the payment of
10 temporary total disability benefits for more than fourteen (14) days
11 after the employer's proposed termination date unless the independent
12 medical examiner determines that the employee is temporarily disabled
13 and unable to return to any employment that the employer has made
14 available to the employee.

15 (f) If it is determined that as a result of this section temporary total
16 disability benefits were overpaid, the overpayment shall be deducted
17 from any benefits due the employee under this section and, if there are
18 no benefits due the employee or the benefits due the employee do not
19 equal the amount of the overpayment, the employee shall be
20 responsible for paying any overpayment which cannot be deducted
21 from benefits due the employee.

22 (g) For disablements occurring on and after July 1, 1976, from
23 occupational disease resulting in temporary total disability for any work
24 there shall be paid to the disabled employee during the temporary total
25 disability weekly compensation equal to sixty-six and two-thirds
26 percent (66 2/3%) of the employee's average weekly wages, as defined
27 in section 19 of this chapter, for a period not to exceed five hundred
28 (500) weeks. Compensation shall be allowed for the first seven (7)
29 calendar days only if the disability continues for longer than twenty-one
30 (21) days.

31 (h) For disablements occurring on and after July 1, 1974, from
32 occupational disease resulting in temporary partial disability for work
33 there shall be paid to the disabled employee during such disability a
34 weekly compensation equal to sixty-six and two-thirds percent (66
35 2/3%) of the difference between the employee's average weekly wages,
36 as defined in section 19 of this chapter, and the weekly wages at which
37 the employee is actually employed after the disablement, for a period
38 not to exceed three hundred (300) weeks. Compensation shall be
39 allowed for the first seven (7) calendar days only if the disability
40 continues for longer than twenty-one (21) days. In case of partial
41 disability after the period of temporary total disability, the latter period
42 shall be included as a part of the maximum period allowed for partial



1 disability.

2 (i) With respect to disablements in the following schedule occurring
3 on and after July 1, 1991, the employee shall receive in addition to
4 temporary total disability benefits, not exceeding one hundred
5 twenty-five (125) weeks on account of the disablement, compensation
6 in an amount determined under the following schedule to be paid
7 weekly at a rate of sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of the
8 employee's average weekly wages during the fifty-two (52) weeks
9 immediately preceding the week in which the disablement occurred:

10 (1) Amputation: For the loss by separation of the thumb, twelve
11 (12) degrees of permanent impairment; of the index finger, eight
12 (8) degrees of permanent impairment; of the second finger, seven
13 (7) degrees of permanent impairment; of the third or ring finger,
14 six (6) degrees of permanent impairment; of the fourth or little
15 finger, four (4) degrees of permanent impairment; of the hand by
16 separation below the elbow joint, forty (40) degrees of permanent
17 impairment; of the arm above the elbow, fifty (50) degrees of
18 permanent impairment; of the big toe, twelve (12) degrees of
19 permanent impairment; of the second toe, six (6) degrees of
20 permanent impairment; of the third toe, four (4) degrees of
21 permanent impairment; of the fourth toe, three (3) degrees of
22 permanent impairment; of the fifth or little toe, two (2) degrees of
23 permanent impairment; of separation of the foot below the knee
24 joint, thirty-five (35) degrees of permanent impairment; and of the
25 leg above the knee joint, forty-five (45) degrees of permanent
26 impairment.

27 (2) Amputations occurring on or after July 1, 1997: For the loss
28 by separation of any of the body parts described in subdivision (1)
29 on or after July 1, 1997, the dollar values per degree applying on
30 the date of the injury as described in subsection (j) shall be
31 multiplied by two (2). However, the doubling provision of this
32 subdivision does not apply to a loss of use that is not a loss by
33 separation.

34 (3) The loss of more than one (1) phalange of a thumb or toe shall
35 be considered as the loss of the entire thumb or toe. The loss of
36 more than two (2) phalanges of a finger shall be considered as the
37 loss of the entire finger. The loss of not more than one (1)
38 phalange of a thumb or toe shall be considered as the loss of
39 one-half ($1/2$) of the degrees of permanent impairment for the loss
40 of the entire thumb or toe. The loss of not more than one (1)
41 phalange of a finger shall be considered as the loss of one-third
42 ($1/3$) of the finger and compensation shall be paid for one-third



- 1 (1/3) of the degrees payable for the loss of the entire finger. The
2 loss of more than one (1) phalange of the finger but not more than
3 two (2) phalanges of the finger shall be considered as the loss of
4 one-half (1/2) of the finger and compensation shall be paid for
5 one-half (1/2) of the degrees payable for the loss of the entire
6 finger.
- 7 (4) For the loss by separation of both hands or both feet or the
8 total sight of both eyes or any two (2) such losses in the same
9 accident, one hundred (100) degrees of permanent impairment.
- 10 (5) For the permanent and complete loss of vision by enucleation
11 or its reduction to one-tenth (1/10) of normal vision with glasses,
12 thirty-five (35) degrees of permanent impairment.
- 13 (6) For the permanent and complete loss of hearing in one (1) ear,
14 fifteen (15) degrees of permanent impairment, and in both ears,
15 forty (40) degrees of permanent impairment.
- 16 (7) For the loss of one (1) testicle, ten (10) degrees of permanent
17 impairment; for the loss of both testicles, thirty (30) degrees of
18 permanent impairment.
- 19 (8) Loss of use: The total permanent loss of the use of an arm, a
20 hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be
21 considered as the equivalent of the loss by separation of the arm,
22 hand, thumb, finger, leg, foot, toe, or phalange, and compensation
23 shall be paid in the same amount as for the loss by separation.
24 However, the doubling provision of subdivision (2) does not
25 apply to a loss of use that is not a loss by separation.
- 26 (9) Partial loss of use: For the permanent partial loss of the use of
27 an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a
28 phalange, compensation shall be paid for the proportionate loss of
29 the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.
- 30 (10) For disablements resulting in total permanent disability, the
31 amount payable for impairment or five hundred (500) weeks of
32 compensation, whichever is greater.
- 33 (11) Visual impairments shall be based on the Functional Vision
34 Score (FVS) assessing the visual acuity and visual field to
35 evaluate any reduction in ability to perform vision-related
36 Activities of Daily Living (ADL). Unless such loss is otherwise
37 specified in subdivision (5), visual impairments shall be paid as
38 a whole person rating.
- 39 (12) For any permanent reduction of the hearing of one (1) or both
40 ears, less than the total loss as specified in subdivision (6),
41 compensation shall be paid in an amount proportionate to the
42 degree of a permanent reduction.



- 1 (13) In all other cases of permanent partial impairment,
2 compensation proportionate to the degree of a permanent partial
3 impairment, in the discretion of the worker's compensation board,
4 not exceeding one hundred (100) degrees of permanent
5 impairment.
- 6 (14) In all cases of permanent disfigurement which may impair
7 the future usefulness or opportunities of the employee,
8 compensation, in the discretion of the worker's compensation
9 board, not exceeding forty (40) degrees of permanent impairment
10 except that no compensation shall be payable under this
11 subdivision where compensation is payable elsewhere in this
12 section.
- 13 (j) With respect to disablements occurring on and after July 1, 1991,
14 compensation for permanent partial impairment shall be paid according
15 to the degree of permanent impairment for the disablement determined
16 under subsection (i) and the following:
- 17 (1) With respect to disablements occurring on and after July 1,
18 2010, and before July 1, 2014, for each degree of permanent
19 impairment from one (1) to ten (10), one thousand four hundred
20 dollars (\$1,400) per degree; for each degree of permanent
21 impairment from eleven (11) to thirty-five (35), one thousand six
22 hundred dollars (\$1,600) per degree; for each degree of
23 permanent impairment from thirty-six (36) to fifty (50), two
24 thousand seven hundred dollars (\$2,700) per degree; for each
25 degree of permanent impairment above fifty (50), three thousand
26 five hundred dollars (\$3,500) per degree.
- 27 (2) With respect to disablements occurring on and after July 1,
28 2014, and before July 1, 2015, for each degree of permanent
29 impairment from one (1) to ten (10), one thousand five hundred
30 seventeen dollars (\$1,517) per degree; for each degree of
31 permanent impairment from eleven (11) to thirty-five (35), one
32 thousand seven hundred seventeen dollars (\$1,717) per degree;
33 for each degree of permanent impairment from thirty-six (36) to
34 fifty (50), two thousand eight hundred sixty-two dollars (\$2,862)
35 per degree; for each degree of permanent impairment above fifty
36 (50), three thousand six hundred eighty-seven dollars (\$3,687) per
37 degree.
- 38 (3) With respect to disablements occurring on and after July 1,
39 2015, and before July 1, 2016, for each degree of permanent
40 impairment from one (1) to ten (10), one thousand six hundred
41 thirty-three dollars (\$1,633) per degree; for each degree of
42 permanent impairment from eleven (11) to thirty-five (35), one



1 thousand eight hundred thirty-five dollars (\$1,835) per degree; for
 2 each degree of permanent impairment from thirty-six (36) to fifty
 3 (50), three thousand twenty-four dollars (\$3,024) per degree; for
 4 each degree of permanent impairment above fifty (50), three
 5 thousand eight hundred seventy-three dollars (\$3,873) per degree.
 6 (4) With respect to disablements occurring on and after July 1,
 7 2016, and before July 1, 2023, for each degree of permanent
 8 impairment from one (1) to ten (10), one thousand seven hundred
 9 fifty dollars (\$1,750) per degree; for each degree of permanent
 10 impairment from eleven (11) to thirty-five (35), one thousand nine
 11 hundred fifty-two dollars (\$1,952) per degree; for each degree of
 12 permanent impairment from thirty-six (36) to fifty (50), three
 13 thousand one hundred eighty-six dollars (\$3,186) per degree; for
 14 each degree of permanent impairment above fifty (50), four
 15 thousand sixty dollars (\$4,060) per degree.
 16 (5) With respect to disablements occurring on and after July 1,
 17 2023, and before July 1, 2024, for each degree of permanent
 18 impairment from one (1) to ten (10), one thousand eight hundred
 19 three dollars (\$1,803) per degree; for each degree of permanent
 20 impairment from eleven (11) to thirty-five (35), two thousand
 21 eleven dollars (\$2,011) per degree; for each degree of permanent
 22 impairment from thirty-six (36) to fifty (50), three thousand two
 23 hundred eighty-two dollars (\$3,282) per degree; for each degree
 24 of permanent impairment above fifty (50), four thousand one
 25 hundred eighty-two dollars (\$4,182) per degree.
 26 (6) With respect to disablements occurring on and after July 1,
 27 2024, and before July 1, 2025, for each degree of permanent
 28 impairment from one (1) to ten (10), one thousand eight hundred
 29 fifty-seven dollars (\$1,857) per degree; for each degree of
 30 permanent impairment from eleven (11) to thirty-five (35), two
 31 thousand seventy-one dollars (\$2,071) per degree; for each degree
 32 of permanent impairment from thirty-six (36) to fifty (50), three
 33 thousand three hundred eighty dollars (\$3,380) per degree; for
 34 each degree of permanent impairment above fifty (50), four
 35 thousand three hundred seven dollars (\$4,307) per degree.
 36 (7) With respect to disablements occurring on and after July 1,
 37 2025, and before July 1, 2026, for each degree of permanent
 38 impairment from one (1) to ten (10), ~~one thousand nine hundred~~
 39 ~~thirteen dollars (\$1,913)~~ **two thousand forty-three dollars**
 40 **(\$2,043)** per degree; for each degree of permanent impairment
 41 from eleven (11) to thirty-five (35), ~~two thousand one hundred~~
 42 ~~thirty-three dollars (\$2,133)~~ **two thousand two hundred**



1 **seventy-eight dollars (\$2,278)** per degree; for each degree of
 2 permanent impairment from thirty-six (36) to fifty (50), ~~three~~
 3 ~~thousand four hundred eighty-one dollars (\$3,481)~~ **three**
 4 **thousand seven hundred eighteen dollars (\$3,718)** per degree;
 5 for each degree of permanent impairment above fifty (50), ~~four~~
 6 ~~thousand four hundred thirty-six dollars (\$4,436)~~ **four thousand**
 7 **seven hundred thirty-eight dollars (\$4,738)** per degree.

8 (8) With respect to disablements occurring on and after July 1,
 9 2026, **and before July 1, 2027**, for each degree of permanent
 10 impairment from one (1) to ten (10), ~~one thousand nine hundred~~
 11 ~~seventy dollars (\$1,970)~~ **two thousand one hundred sixty-six**
 12 **dollars (\$2,166)** per degree; for each degree of permanent
 13 impairment from eleven (11) to thirty-five (35), ~~two thousand one~~
 14 ~~hundred ninety-seven dollars (\$2,197)~~ **two thousand four**
 15 **hundred fifteen dollars (\$2,415)** per degree; for each degree of
 16 permanent impairment from thirty-six (36) to fifty (50), ~~three~~
 17 ~~thousand five hundred eighty-five dollars (\$3,585)~~ **three**
 18 **thousand nine hundred forty-one dollars (\$3,941)** per degree;
 19 for each degree of permanent impairment above fifty (50), ~~four~~
 20 ~~thousand five hundred sixty-nine dollars (\$4,569)~~ **five thousand**
 21 **twenty-two dollars (\$5,022)** per degree.

22 (9) With respect to disablements occurring on and after July
 23 **1, 2027, and before July 1, 2028**, for each degree of permanent
 24 impairment from one (1) to ten (10), **two thousand two**
 25 **hundred fifty-three dollars (\$2,253)** per degree; for each
 26 degree of permanent impairment from eleven (11) to
 27 thirty-five (35), **two thousand five hundred twelve dollars**
 28 **(\$2,512)** per degree; for each degree of permanent
 29 impairment from thirty-six (36) to fifty (50), **four thousand**
 30 **ninety-nine dollars (\$4,099)** per degree; for each degree of
 31 permanent impairment above fifty (50), **five thousand two**
 32 **hundred twenty-three dollars (\$5,223)** per degree.

33 (10) With respect to disablements occurring on and after July
 34 **1, 2028, and before July 1, 2029**, for each degree of permanent
 35 impairment from one (1) to ten (10), **two thousand three**
 36 **hundred forty-three dollars (\$2,343)** per degree; for each
 37 degree of permanent impairment from eleven (11) to
 38 thirty-five (35), **two thousand six hundred twelve dollars**
 39 **(\$2,612)** per degree; for each degree of permanent
 40 impairment from thirty-six (36) to fifty (50), **four thousand**
 41 **two hundred sixty-three dollars (\$4,263)** per degree; for each
 42 degree of permanent impairment above fifty (50), **five**



1 **thousand four hundred thirty-two dollars (\$5,432) per degree.**
 2 **(11) With respect to disablements occurring on and after July**
 3 **1, 2029, and before July 1, 2030, for each degree of permanent**
 4 **impairment from one (1) to ten (10), two thousand four**
 5 **hundred thirty-seven dollars (\$2,437) per degree; for each**
 6 **degree of permanent impairment from eleven (11) to**
 7 **thirty-five (35), two thousand seven hundred sixteen dollars**
 8 **(\$2,716) per degree; for each degree of permanent**
 9 **impairment from thirty-six (36) to fifty (50), four thousand**
 10 **four hundred thirty-four dollars (\$4,434) per degree; for each**
 11 **degree of permanent impairment above fifty (50), five**
 12 **thousand six hundred forty-nine dollars (\$5,649) per degree.**
 13 **(12) With respect to disablements occurring on and after July**
 14 **1, 2030, for each degree of permanent impairment from one**
 15 **(1) to ten (10), two thousand five hundred thirty-four dollars**
 16 **(\$2,534) per degree; for each degree of permanent**
 17 **impairment from eleven (11) to thirty-five (35), two thousand**
 18 **eight hundred twenty-five dollars (\$2,825) per degree; for**
 19 **each degree of permanent impairment from thirty-six (36) to**
 20 **fifty (50), four thousand six hundred eleven dollars (\$4,611)**
 21 **per degree; for each degree of permanent impairment above**
 22 **fifty (50), five thousand eight hundred seventy-five dollars**
 23 **(\$5,875) per degree.**

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

27 (1) With respect to disablements occurring on or after July 1,
 28 2009, and before July 1, 2014, nine hundred seventy-five dollars
 29 (\$975).

30 (2) With respect to disablements occurring on or after July 1,
 31 2014, and before July 1, 2015, one thousand forty dollars
 32 (\$1,040).

33 (3) With respect to disablements occurring on or after July 1,
 34 2015, and before July 1, 2016, one thousand one hundred five
 35 dollars (\$1,105).

36 (4) With respect to disablements occurring on or after July 1,
 37 2016, and before July 1, 2023, one thousand one hundred seventy
 38 dollars (\$1,170).

39 (5) With respect to disablements occurring on or after July 1,
 40 2023, and before July 1, 2024, one thousand two hundred five
 41 dollars (\$1,205).

42 (6) With respect to disablements occurring on or after July 1,



- 1 2024, and before July 1, 2025, one thousand two hundred
2 forty-one dollars (\$1,241).
- 3 (7) With respect to disablements occurring on or after July 1,
4 2025, and before July 1, 2026, ~~one thousand two hundred~~
5 ~~seventy-eight dollars (\$1,278)~~. **one thousand three hundred**
6 **sixty-five dollars (\$1,365)**.
- 7 (8) With respect to disablements occurring on or after July 1,
8 2026, **and before July 1, 2027, one thousand three hundred**
9 ~~sixteen dollars (\$1,316)~~. **one thousand four hundred**
10 **forty-seven dollars (\$1,447)**.
- 11 (9) **With respect to disablements occurring on or after July 1,**
12 **2027, and before July 1, 2028, one thousand five hundred five**
13 **dollars (\$1,505)**.
- 14 (10) **With respect to disablements occurring on or after July**
15 **1, 2028, and before July 1, 2029, one thousand five hundred**
16 **sixty-five dollars (\$1,565)**.
- 17 (11) **With respect to disablements occurring on or after July**
18 **1, 2029, and before July 1, 2030, one thousand six hundred**
19 **twenty-eight dollars (\$1,628)**.
- 20 (12) **With respect to disablements occurring on or after July**
21 **1, 2030, one thousand six hundred ninety-three dollars**
22 **(\$1,693)**.
- 23 (l) If any employee, only partially disabled, refuses employment
24 suitable to the employee's capacity procured for the employee, the
25 employee shall not be entitled to any compensation at any time during
26 the continuance of such refusal unless, in the opinion of the worker's
27 compensation board, such refusal was justifiable. The employee must
28 be served with a notice setting forth the consequences of the refusal
29 under this subsection. The notice must be in a form prescribed by the
30 worker's compensation board.
- 31 (m) If an employee has sustained a permanent impairment or
32 disability from an accidental injury other than an occupational disease
33 in another employment than that in which the employee suffered a
34 subsequent disability from an occupational disease, such as herein
35 specified, the employee shall be entitled to compensation for the
36 subsequent disability in the same amount as if the previous impairment
37 or disability had not occurred. However, if the permanent impairment
38 or disability resulting from an occupational disease for which
39 compensation is claimed results only in the aggravation or increase of
40 a previously sustained permanent impairment from an occupational
41 disease or physical condition regardless of the source or cause of such
42 previously sustained impairment from an occupational disease or



1 physical condition, the board shall determine the extent of the
2 previously sustained permanent impairment from an occupational
3 disease or physical condition as well as the extent of the aggravation or
4 increase resulting from the subsequent permanent impairment or
5 disability, and shall award compensation only for that part of said
6 occupational disease or physical condition resulting from the
7 subsequent permanent impairment. An amputation of any part of the
8 body or loss of any or all of the vision of one (1) or both eyes caused by
9 an occupational disease shall be considered as a permanent impairment
10 or physical condition.

11 (n) If an employee suffers a disablement from an occupational
12 disease for which compensation is payable while the employee is still
13 receiving or entitled to compensation for a previous injury by accident
14 or disability by occupational disease in the same employment, the
15 employee shall not at the same time be entitled to compensation for
16 both, unless it be for a permanent injury, such as specified in
17 subsection (i)(1), (i)(4), (i)(5), (i)(8), or (i)(9), but the employee shall
18 be entitled to compensation for that disability and from the time of that
19 disability which will cover the longest period and the largest amount
20 payable under this chapter.

21 (o) If an employee receives a permanent disability from an
22 occupational disease such as specified in subsection (i)(1), (i)(4), (i)(5),
23 (i)(8), or (i)(9) after having sustained another such permanent disability
24 in the same employment the employee shall be entitled to
25 compensation for both such disabilities, but the total compensation
26 shall be paid by extending the period and not by increasing the amount
27 of weekly compensation and, when such previous and subsequent
28 permanent disabilities, in combination result in total permanent
29 disability or permanent total impairment, compensation shall be
30 payable for such permanent total disability or impairment, but
31 payments made for the previous disability or impairment shall be
32 deducted from the total payment of compensation due.

33 (p) When an employee has been awarded or is entitled to an award
34 of compensation for a definite period from an occupational disease
35 wherein disablement occurs on and after April 1, 1963, and such
36 employee dies from other causes than such occupational disease,
37 payment of the unpaid balance of such compensation not exceeding
38 three hundred fifty (350) weeks shall be paid to the employee's
39 dependents of the second and third class as defined in sections 11
40 through 14 of this chapter and compensation, not exceeding five
41 hundred (500) weeks shall be made to the employee's dependents of the
42 first class as defined in sections 11 through 14 of this chapter.



1 (q) Any payment made by the employer to the employee during the
 2 period of the employee's disability, or to the employee's dependents,
 3 which, by the terms of this chapter, was not due and payable when
 4 made, may, subject to the approval of the worker's compensation board,
 5 be deducted from the amount to be paid as compensation, but such
 6 deduction shall be made from the distal end of the period during which
 7 compensation must be paid, except in cases of temporary disability.

8 (r) When so provided in the compensation agreement or in the
 9 award of the worker's compensation board, compensation may be paid
 10 semimonthly, or monthly, instead of weekly.

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

16 (t) Whenever the aggregate payments of compensation, due to any
 17 person under eighteen (18) years of age, exceed one hundred dollars
 18 (\$100), the payment thereof shall be made to a trustee, appointed by the
 19 circuit or superior court, or to a duly qualified guardian, or, upon the
 20 order of the worker's compensation board, to a parent or to such minor
 21 person. The payment of compensation, due to any person eighteen (18)
 22 years of age or over, may be made directly to such person.

23 (u) If an employee, or a dependent, is mentally incompetent, or a
 24 minor at the time when any right or privilege accrues to the employee
 25 under this chapter, the employee's guardian or trustee may, in the
 26 employee's behalf, claim and exercise such right and privilege.

27 (v) All compensation payments named and provided for in this
 28 section, shall mean and be defined to be for only such occupational
 29 diseases and disabilities therefrom as are proved by competent
 30 evidence, of which there are or have been objective conditions or
 31 symptoms proven, not within the physical or mental control of the
 32 employee.

33 SECTION 4. IC 22-3-7-19, AS AMENDED BY P.L.160-2022,
 34 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2025]: Sec. 19. (a) In computing compensation for temporary
 36 total disability, temporary partial disability, and total permanent
 37 disability, the average weekly wages are considered to be:

38 (1) with respect to disablements occurring on and after July 1,
 39 2009, and before July 1, 2014:

40 (A) not more than nine hundred seventy-five dollars (\$975);

41 and

42 (B) not less than seventy-five dollars (\$75);



- 1 (2) with respect to disablements occurring on and after July 1,
 2 2014, and before July 1, 2015:
 3 (A) not more than one thousand forty dollars (\$1,040); and
 4 (B) not less than seventy-five dollars (\$75);
 5 (3) with respect to disablements occurring on and after July 1,
 6 2015, and before July 1, 2016:
 7 (A) not more than one thousand one hundred five dollars
 8 (\$1,105); and
 9 (B) not less than seventy-five dollars (\$75);
 10 (4) with respect to disablements occurring on and after July 1,
 11 2016, and before July 1, 2023:
 12 (A) not more than one thousand one hundred seventy dollars
 13 (\$1,170); and
 14 (B) not less than seventy-five dollars (\$75);
 15 (5) with respect to disablements occurring on and after July 1,
 16 2023, and before July 1, 2024:
 17 (A) not more than one thousand two hundred five dollars
 18 (\$1,205); and
 19 (B) not less than seventy-five dollars (\$75);
 20 (6) with respect to disablements occurring on and after July 1,
 21 2024, and before July 1, 2025:
 22 (A) not more than one thousand two hundred forty-one dollars
 23 (\$1,241); and
 24 (B) not less than seventy-five dollars (\$75);
 25 (7) with respect to disablements occurring on and after July 1,
 26 2025, and before July 1, 2026:
 27 (A) not more than ~~one thousand two hundred seventy-eight~~
 28 ~~dollars (\$1,278);~~ **one thousand three hundred sixty-five**
 29 **dollars (\$1,365);** and
 30 (B) not less than seventy-five dollars (\$75); ~~and~~
 31 (8) with respect to disablements occurring on and after July 1,
 32 2026, **and before July 1, 2027:**
 33 (A) not more than ~~one thousand three hundred sixteen~~ dollars
 34 ~~(\$1,316);~~ **one thousand four hundred forty-seven dollars**
 35 **(\$1,447);** and
 36 (B) not less than seventy-five dollars (\$75);
 37 (9) with respect to disablements occurring on and after July
 38 1, 2027, **and before July 1, 2028:**
 39 (A) not more than one thousand five hundred five dollars
 40 (\$1,505); and
 41 (B) not less than seventy-five dollars (\$75);
 42 (10) with respect to disablements occurring on and after July



1 **1, 2028, and before July 1, 2029:**

2 (A) **not more than one thousand five hundred sixty-five**
3 **dollars (\$1,565); and**

4 **(B) not less than seventy-five dollars (\$75);**

5 **(11) with respect to disablements occurring on and after July**
6 **1, 2029, and before July 1, 2030:**

7 (A) **not more than one thousand six hundred twenty-eight**
8 **dollars (\$1,628) and**

9 **(B) not less than seventy-five dollars (\$75); and**

10 **(12) with respect to disablements occurring on and after July**
11 **1, 2030:**

12 (A) **not more than one thousand six hundred ninety-three**
13 **dollars (\$1,693); and**

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

15 (b) The maximum compensation that shall be paid for occupational
16 disease and the results of an occupational disease under this chapter or
17 under any combination of the provisions of this chapter may not exceed
18 the following amounts in any case:

19 (1) With respect to disability or death occurring on and after July
20 1, 2009, and before July 1, 2014, three hundred twenty-five
21 thousand dollars (\$325,000).

22 (2) With respect to disability or death occurring on and after July
23 1, 2014, and before July 1, 2015, three hundred forty-seven
24 thousand dollars (\$347,000).

25 (3) With respect to disability or death occurring on and after July
26 1, 2015, and before July 1, 2016, three hundred sixty-eight
27 thousand dollars (\$368,000).

28 (4) With respect to disability or death occurring on and after July
29 1, 2016, and before July 1, 2023, three hundred ninety thousand
30 dollars (\$390,000).

31 (5) With respect to disability or death occurring on and after July
32 1, 2023, and before July 1, 2024, four hundred two thousand
33 dollars (\$402,000).

34 (6) With respect to disability or death occurring on and after July
35 1, 2024, and before July 1, 2025, four hundred fourteen thousand
36 dollars (\$414,000).

37 (7) With respect to disability or death occurring on and after July
38 1, 2025, and before July 1, 2026, ~~four hundred twenty-six~~
39 ~~thousand dollars (\$426,000).~~ **four hundred fifty-five thousand**
40 **dollars (\$455,000).**

41 (8) With respect to disability or death occurring on and after July
42 1, 2026, **and before July 1, 2027, four hundred thirty-nine**



- 1 ~~thousand dollars (\$439,000):~~ **four hundred eighty-two thousand**
 2 **dollars (\$482,000).**
 3 **(9) With respect to disability or death occurring on and after**
 4 **July 1, 2027, and before July 1, 2028, five hundred one**
 5 **thousand dollars (\$501,000).**
 6 **(10) With respect to disability or death occurring on and after**
 7 **July 1, 2028, and before July 1, 2029, five hundred twenty-one**
 8 **thousand dollars (\$521,000).**
 9 **(11) With respect to disability or death occurring on and after**
 10 **July 1, 2029, and before July 1, 2030, five hundred forty-two**
 11 **thousand dollars (\$542,000).**
 12 **(12) With respect to disability or death occurring on and after**
 13 **July 1, 2030, five hundred sixty-four thousand dollars**
 14 **(\$564,000).**

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

39 (d) The provisions of this article may not be construed to result in
 40 an award of benefits in which the number of weeks paid or to be paid
 41 for temporary total disability, temporary partial disability, or permanent
 42 total disability benefits combined exceeds five hundred (500) weeks.



1 This section shall not be construed to prevent a person from applying
2 for an award under IC 22-3-3-13. However, in case of permanent total
3 disability resulting from a disablement occurring on or after January 1,
4 1998, the minimum total benefit shall not be less than seventy-five
5 thousand dollars (\$75,000).

