



Illinois Workers' Compensation Commission

100 W. Randolph, Suite 8-200
Chicago, IL 60601
312-814-6500

Pat Quinn, Governor

Mitch Weisz, Chairman

MEMORANDUM

TO: Arbitrators at the Workers' Compensation Commission

FROM: Chairman Mitch Weisz

RE: Section 8.1b of the Act – Permanent Partial Disability Awards

DATE: November 28, 2011

The Commission has become aware that the new Section 8.1b of the Act, which sets forth the standard for the determination of permanent partial disability, may be subject to a variety of different interpretations. The Commission discussed the new Section 8.1b at its last Commission meeting on November 17, 2011. The Commission was also presented with a memo prepared by Secretary of the Commission, Kimberly Janas, which discussed the possible interpretations of Section 8.1b.

The Commission voted unanimously to provide the following recommendations to the Arbitrators:

- 1. An impairment report is not required to be submitted by the parties with a settlement contract.**
- 2. If an impairment rating is not entered into evidence, the Arbitrator is not precluded from entering a finding of disability.**

The preceding two statements are simply provided as guidance of the Commission's review of the new law and some current relevant arguments and interpretations and are not a rule of general applicability. Each Commissioner and Arbitrator should issue a decision that responds to the factual situation on review before them.