

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Ritter offered the following:

Amendment

Remove line(s) 319-346, and insert:

(38) "Catastrophic injury" means a permanent impairment constituted by:

(a) Spinal cord injury involving severe paralysis of an arm, a leg, or the trunk;

(b) Amputation of an arm, a hand, a foot, or a leg involving the effective loss of use of that appendage;

(c) Severe brain or closed-head injury as evidenced by:

- 1. Severe sensory or motor disturbances;
- 2. Severe communication disturbances;
- 3. Severe complex integrated disturbances of cerebral function;
- 4. Severe episodic neurological disorders; or

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27 5. Other severe brain and closed-head injury conditions at
28 least as severe in nature as any condition provided in
29 subparagraphs 1.-4.;

30 (d) Second-degree or third-degree burns of 25 percent or
31 more of the total body surface or third-degree burns of 5
32 percent or more to the face and hands;

33 (e) Total or industrial blindness; or

34 (f) Cases in which the employee establishes that he or she
35 is not able to uninterruptedly perform even sedentary work
36 within a 50-mile radius of the employee's residence due to
37 physical or mental limitation. In such cases, permanent total
38 disability shall be determined in accordance with the facts. No
39 compensation shall be payable if the employee is engaged in, or
40 is physically capable of engaging in, gainful employment, and
41 the burden of establishing entitlement to permanent total
42 disability shall be upon the employee. ~~Any other injury that~~
43 ~~would otherwise qualify under this chapter of a nature and~~
44 ~~severity that would qualify an employee to receive disability~~
45 ~~income benefits under Title II or supplemental security income~~
46 ~~benefits under Title XVI of the federal Social Security Act as~~
47 ~~the Social Security Act existed on July 1, 1992, without regard~~
48 ~~to any time limitations provided under that act.~~