

Permanent Partial Disability

Explaining permanent partial disability benefits and how to get them:



Permanent partial disability (PPD) benefits are compensation for the permanent or partial loss of use/loss of range of motion of a body part due to a work related injury. Virginia does not give PPD awards for the neck or the back as the award applies to the extremities only.

***PPD typically comes at the “end” of your medical treatment-** Before you can get a PPD rating, the doctor must declare that you have reached maximum medical improvement (MMI); which means that you are as recovered as you are going to get and that there is nothing more medically that can be done for you to improve your condition, however you may still need some medical care in the future (such as pain management). You cannot collect PPD at the same time you are on temporary total disability (TTD) for lost wages.

***You need to have an FCE-** Once you have reached MMI, the doctor can refer you to a physical therapist to have a functional capacity evaluation (FCE). An FCE determines your impairment rating and any permanent work restrictions you may have as a result of your injury. Functional Capacity Exams can be tricky, and sometimes deceptive, so you need to make sure you give full effort for the entire examination, you don't want the report to come back saying that you are exaggerating your limitations. That being said, do not force yourself to do things your body cannot handle; it may be a good idea to **skip any pain medications on the day of the exam** as this exam should measure your true functional abilities. Also, keep in mind that you are not only being evaluated in the exam room, but you are likely being watched from the minute you pull in to the parking lot until you leave the parking lot. Once the FCE is completed, the doctor has to agree with the evaluation and sign off on the impairment rating and work restrictions.

***Agreement forms-** Once everyone agrees to the impairment rating in the FCE, agreement forms will be drafted and need to be signed by all parties and submitted to the Virginia Workers' Compensation Commission (VWC) so an Award Order can be entered. If the parties cannot agree on the rating, a hearing will be set to determine the appropriate impairment rating.

***Calculating PPD-** Each body part is assigned a predetermined number of weeks by the VWC (refer to the index in "Ultimate Guide to Workers' Compensation in Virginia" for these figures). The formula for calculating PPD is: the rating the doctor gives you ("R"), multiplied by 2/3rds of your average weekly wage ("A"), multiplied by the number of weeks assigned for that particular body part ("W").

$$R \times A \times W =$$

\$ _____ PPD Award

***Payment of PPD benefits-** Payment for PPD is normally broken up into a weekly sum, like TTD checks. You can request that you receive your PPD payment as a lump sum but this will cost you 10% of the total award (generally). I don't recommend taking this 10% loss because on *some occasions*, adjusters will pay the full sum due for PPD benefits just to be rid of the paperwork. Also, PPD benefits are typically due from the date your doctor approves the impairment rating. Several months may go by before an award is entered so you would be receiving a lump sum for the back due months anyway.



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