

RECEIVED JUN 30 2017

U.S. DEPARTMENT OF LABOR

OFFICE OF WORKERS' COMP PROGRAMS  
PO BOX 8300 DISTRICT 6 JAC  
LONDON, KY 40742-8300  
Phone: (904) 366-0100

June 28, 2017

Date of Injury: |  
Employee:

Dear

Under the schedule award provisions of the Federal Employees' Compensation Act (FECA) at 5 U.S.C. 8107, the Office of Workers' Compensation Programs makes the following:

**AWARD OF COMPENSATION**

1. Degree and Nature of Permanent Partial Impairment (PPI): **additional 24% Left Arm impairment, and an additional 39% Left Leg impairment.**

Previously Paid Impairment:

5% Right Leg on  
10% Left Arm on  
10 % Left Leg on

Current Total Impairment:

0% Right Leg  
0% Right Arm  
34% Left Arm  
49% Left Leg

2. Date of Maximum Medical Improvement:
3. Period of Award:
4. Number of Weeks of Compensation: 187.2 weeks (1,310 days plus .4 fraction of a day)
5. Weekly Pay: \$705.52 X Compensation Rate: 66 2/3% = \$470.35
6. Effective Date of Pay Rate:
7. After Cost-of-Living Adjustments, Your Weekly Compensation is: \$702.75
8. Your Payment and the Period Covered: \$5,923.18
9. Your Continuing Payment each Four Weeks: \$2,811.00

**Payment of your award ends when you have been paid for the last day shown in item 3 above.**

*If you have a disability (a substantially limiting physical or mental impairment), please contact our office/claims examiner for information about the kinds of help available, such as communication assistance (alternate formats or sign language interpretation), accommodations and modifications.*

File Number:  
KC-CA-181-D-S

If you disagree with this decision, you should carefully review the attached appeal rights, and pursue whichever avenue is appropriate to your situation.

Sincerely,

Claims Examiner

Senior Claims Examiner

Enclosures: Appeal Rights  
Important Information  
Medical Reports

✓ PAUL H FELSER, ESQ.  
QUEENSBORO BANK BLDG  
7393 HODGSON MEMORIAL DR  
SUITE 102  
SAVANNAH, GA 31406

Section 8107 of the Federal Employees' Compensation Act (FECA) and its implementing regulations (20 CFR 10.404; see also 20 CFR Part 10) set forth the number of weeks of compensation to be paid for the permanent loss or loss of use of specified members, functions and organs of the body known as permanent impairment. The commencement period of the award is usually the date of maximum medical improvement, the date that the physical condition of the injured member has stabilized and is not expected to improve further.

The FECA, however, does not in most instances specify the manner by which the percentage loss of a member, function or organ shall be determined. To ensure consistent results and equal justice under the law, good administrative practice requires the use of uniform standards applicable to all claimants. The implementing regulations have adopted the American Medical Association, *Guides to the Evaluation of Permanent Impairment*, as the appropriate standard for evaluating schedule losses. Currently, schedule awards are calculated using the Sixth Edition of the AMA *Guides*.

By decisions dated \_\_\_\_\_ and \_\_\_\_\_ you received schedule awards to the extremities delineated on page 1. You disagreed with the \_\_\_\_\_ decision and your representative requested a hearing on the matter. By decision dated \_\_\_\_\_ the Branch of Hearings and Review remanded the case for further development.

The percentage of additional permanent impairment noted was based on the medical findings and report of \_\_\_\_\_ M.D., dated \_\_\_\_\_ and the report of the District Medical Advisor (DMA) dated \_\_\_\_\_. Copies of these reports are provided for your reference.

The District Medical Advisor (DMA) reviewed the second opinion specialist's report and provided a report dated \_\_\_\_\_. The DMA determined that the second opinion specialist incorrectly applied the *Guides* to the examination findings. The DMA concluded the correct percentage of impairment is 0% to the right arm and right leg; 34% left arm (RUE), and 49% left leg (LUE). The weight of medical opinion regarding the percentage of impairment is given to the DMA because he correctly applied the *Guides* to the examination findings. Additionally, the percentages of impairment provided by the DMA provide a greater benefit to the employee and are in accordance with the Sixth Edition of the *AMA Guides*.

The percentage of permanent impairment shown above was calculated by the District Medical Advisor (DMA), who applied the *Guides* to the medical findings provided by the second opinion specialist, Dr. \_\_\_\_\_ and provided an explanation for the calculation. The calculation is proper and in accordance with the *Guides*. The date of maximum medical improvement was determined by the DMA based on the second opinion examination dated \_\_\_\_\_.