



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 156, between lines 10 and 11, begin a new paragraph and
- 2 insert:
- 3 "SECTION 190. IC 22-3-3-10, AS AMENDED BY P.L.160-2022,
- 4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2025]: Sec. 10. (a) With respect to injuries in the following
- 6 schedule occurring on and after July 1, 1990, and before July 1, 1991,
- 7 the employee shall receive, in addition to temporary total disability
- 8 benefits not exceeding seventy-eight (78) weeks on account of the
- 9 injury, a weekly compensation of sixty percent (60%) of the employee's
- 10 average weekly wages, not to exceed two hundred dollars (\$200)
- 11 average weekly wages, for the period stated for the injury.
- 12 (1) Amputation: For the loss by separation of the thumb, sixty
- 13 (60) weeks, of the index finger forty (40) weeks, of the second
- 14 finger thirty-five (35) weeks, of the third or ring finger thirty (30)
- 15 weeks, of the fourth or little finger twenty (20) weeks, of the hand
- 16 by separation below the elbow joint two hundred (200) weeks, or
- 17 the arm above the elbow two hundred fifty (250) weeks, of the big
- 18 toe sixty (60) weeks, of the second toe thirty (30) weeks, of the
- 19 third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks,
- 20 of the fifth or little toe ten (10) weeks, for loss occurring on and
- 21 after April 1, 1959, by separation of the foot below the knee joint,
- 22 one hundred seventy-five (175) weeks and of the leg above the
- 23 knee joint two hundred twenty-five (225) weeks. The loss of more
- 24 than one (1) phalange of a thumb or toes shall be considered as
- 25 the loss of the entire thumb or toe. The loss of more than two (2)
- 26 phalanges of a finger shall be considered as the loss of the entire
- 27 finger. The loss of not more than one (1) phalange of a thumb or

1 toe shall be considered as the loss of one-half (1/2) of the thumb
 2 or toe and compensation shall be paid for one-half (1/2) of the
 3 period for the loss of the entire thumb or toe. The loss of not more
 4 than one (1) phalange of a finger shall be considered as the loss
 5 of one-third (1/3) of the finger and compensation shall be paid for
 6 one-third (1/3) the period for the loss of the entire finger. The loss
 7 of more than one (1) phalange of the finger but not more than two
 8 (2) phalanges of the finger, shall be considered as the loss of
 9 one-half (1/2) of the finger and compensation shall be paid for
 10 one-half (1/2) of the period for the loss of the entire finger.

11 (2) For the loss by separation of both hands or both feet or the
 12 total sight of both eyes, or any two (2) such losses in the same
 13 accident, five hundred (500) weeks.

14 (3) For the permanent and complete loss of vision by enucleation
 15 or its reduction to one-tenth (1/10) of normal vision with glasses,
 16 one hundred seventy-five (175) weeks.

17 (4) For the permanent and complete loss of hearing in one (1) ear,
 18 seventy-five (75) weeks, and in both ears, two hundred (200)
 19 weeks.

20 (5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of
 21 both testicles, one hundred fifty (150) weeks.

22 (b) With respect to injuries in the schedule set forth in subsection
 23 (e) occurring on and after July 1, 1979, and before July 1, 1988, the
 24 employee shall receive, in addition to temporary total disability benefits
 25 not exceeding fifty-two (52) weeks on account of the injury, a weekly
 26 compensation of sixty percent (60%) of the employee's average weekly
 27 wages not to exceed one hundred twenty-five dollars (\$125) average
 28 weekly wages for the period stated for the injury.

29 (c) With respect to injuries in the schedule set forth in subsection (e)
 30 occurring on and after July 1, 1988, and before July 1, 1989, the
 31 employee shall receive, in addition to temporary total disability benefits
 32 not exceeding seventy-eight (78) weeks on account of the injury, a
 33 weekly compensation of sixty percent (60%) of the employee's average
 34 weekly wages, not to exceed one hundred sixty-six dollars (\$166)
 35 average weekly wages, for the period stated for the injury.

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

43 (e) With respect to injuries in the following schedule occurring on
 44 and after July 1, 1990, and before July 1, 1991, the employee shall
 45 receive, in addition to temporary total disability benefits not exceeding
 46 seventy-eight (78) weeks on account of the injury, a weekly

1 compensation of sixty percent (60%) of the employee's average weekly
2 wages, not to exceed two hundred dollars (\$200) average weekly
3 wages, for the period stated for the injury.

4 (1) Loss of use: The total permanent loss of the use of an arm,
5 hand, thumb, finger, leg, foot, toe, or phalange shall be considered
6 as the equivalent of the loss by separation of the arm, hand,
7 thumb, finger, leg, foot, toe, or phalange, and compensation shall
8 be paid for the same period as for the loss thereof by separation.

9 (2) Partial loss of use: For the permanent partial loss of the use of
10 an arm, hand, thumb, finger, leg, foot, toe, or phalange,
11 compensation shall be paid for the proportionate loss of the use of
12 such arm, hand, thumb, finger, leg, foot, toe, or phalange.

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

15 (4) For any permanent reduction of the sight of an eye less than a
16 total loss as specified in subsection (a)(3), compensation shall be
17 paid for a period proportionate to the degree of such permanent
18 reduction without correction or glasses. However, when such
19 permanent reduction without correction or glasses would result in
20 one hundred percent (100%) loss of vision, but correction or
21 glasses would result in restoration of vision, then in such event
22 compensation shall be paid for fifty percent (50%) of such total
23 loss of vision without glasses, plus an additional amount equal to
24 the proportionate amount of such reduction with glasses, not to
25 exceed an additional fifty percent (50%).

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

30 (6) In all other cases of permanent partial impairment,
31 compensation proportionate to the degree of such permanent
32 partial impairment, in the discretion of the worker's compensation
33 board, not exceeding five hundred (500) weeks.

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

40 (f) With respect to injuries in the following schedule occurring on
41 and after July 1, 1991, the employee shall receive in addition to
42 temporary total disability benefits, not exceeding one hundred
43 twenty-five (125) weeks on account of the injury, compensation in an
44 amount determined under the following schedule to be paid weekly at
45 a rate of sixty-six and two-thirds percent ($66 \frac{2}{3}\%$) of the employee's
46 average weekly wages during the fifty-two (52) weeks immediately

- 1 preceding the week in which the injury occurred.
- 2 (1) Amputation: For the loss by separation of the thumb, twelve
- 3 (12) degrees of permanent impairment; of the index finger, eight
- 4 (8) degrees of permanent impairment; of the second finger, seven
- 5 (7) degrees of permanent impairment; of the third or ring finger,
- 6 six (6) degrees of permanent impairment; of the fourth or little
- 7 finger, four (4) degrees of permanent impairment; of the hand by
- 8 separation below the elbow joint, forty (40) degrees of permanent
- 9 impairment; of the arm above the elbow, fifty (50) degrees of
- 10 permanent impairment; of the big toe, twelve (12) degrees of
- 11 permanent impairment; of the second toe, six (6) degrees of
- 12 permanent impairment; of the third toe, four (4) degrees of
- 13 permanent impairment; of the fourth toe, three (3) degrees of
- 14 permanent impairment; of the fifth or little toe, two (2) degrees of
- 15 permanent impairment; by separation of the foot below the knee
- 16 joint, thirty-five (35) degrees of permanent impairment; and of the
- 17 leg above the knee joint, forty-five (45) degrees of permanent
- 18 impairment.
- 19 (2) Amputations: For the loss by separation of any of the body
- 20 parts described in subdivision (1) on or after July 1, 1997, and for
- 21 the loss by separation of any of the body parts described in
- 22 subdivision (3), (5), or (7), on or after July 1, 1999, the dollar
- 23 values per degree applying on the date of the injury as described
- 24 in subsection (g) shall be multiplied by two (2). However, the
- 25 doubling provision of this subdivision does not apply to a loss of
- 26 use that is not a loss by separation.
- 27 (3) The loss of more than one (1) phalange of a thumb or toe shall
- 28 be considered as the loss of the entire thumb or toe. The loss of
- 29 more than two (2) phalanges of a finger shall be considered as the
- 30 loss of the entire finger. The loss of not more than one (1)
- 31 phalange of a thumb or toe shall be considered as the loss of
- 32 one-half (1/2) of the degrees of permanent impairment for the loss
- 33 of the entire thumb or toe. The loss of not more than one (1)
- 34 phalange of a finger shall be considered as the loss of one-third
- 35 (1/3) of the finger and compensation shall be paid for one-third
- 36 (1/3) of the degrees payable for the loss of the entire finger. The
- 37 loss of more than one (1) phalange of the finger but not more than
- 38 two (2) phalanges of the finger shall be considered as the loss of
- 39 one-half (1/2) of the finger and compensation shall be paid for
- 40 one-half (1/2) of the degrees payable for the loss of the entire
- 41 finger.
- 42 (4) For the loss by separation of both hands or both feet or the
- 43 total sight of both eyes or any two (2) such losses in the same
- 44 accident, one hundred (100) degrees of permanent impairment.
- 45 (5) For the permanent and complete loss of vision by enucleation,
- 46 thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For injuries resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) Visual impairments shall be based on the Functional Vision Score (FVS) assessing the visual acuity and visual field to evaluate any reduction in ability to perform vision-related Activities of Daily Living (ADL). Unless such loss is otherwise specified in subdivision (5), visual impairments shall be paid as a whole person rating.

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

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

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

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

(1) With respect to injuries occurring on and after July 1, 2010,

and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars (\$1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars (\$1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars (\$2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars (\$3,500) per degree.

(2) With respect to injuries occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars (\$1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars (\$1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars (\$2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars (\$3,687) per degree.

(3) With respect to injuries occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars (\$1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars (\$1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars (\$3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars (\$3,873) per degree.

(4) With respect to injuries occurring on and after July 1, 2016, and before July 1, 2023, for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars (\$1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars (\$1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars (\$3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars (\$4,060) per degree.

(5) With respect to injuries occurring on and after July 1, 2023, and before July 1, 2024, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred three dollars (\$1,803) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand eleven dollars (\$2,011) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand two hundred

eighty-two dollars (\$3,282) per degree; for each degree of permanent impairment above fifty (50), four thousand one hundred eighty-two dollars (\$4,182) per degree.

(6) With respect to injuries occurring on and after July 1, 2024, and before July 1, 2025, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred fifty-seven dollars (\$1,857) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seventy-one dollars (\$2,071) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty dollars (\$3,380) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred seven dollars (\$4,307) per degree.

(7) With respect to injuries occurring on and after July 1, 2025, and before July 1, 2026, for each degree of permanent impairment from one (1) to ten (10), ~~one thousand nine hundred thirteen dollars (\$1,913)~~ **two thousand forty-three dollars (\$2,043)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), ~~two thousand one hundred thirty-three dollars (\$2,133)~~ **two thousand two hundred seventy-eight dollars (\$2,278)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), ~~three thousand four hundred eighty-one dollars (\$3,481)~~ **three thousand seven hundred eighteen dollars (\$3,718)** per degree; for each degree of permanent impairment above fifty (50), ~~four thousand four hundred thirty-six dollars (\$4,436)~~ **four thousand seven hundred thirty-eight dollars (\$4,738)** per degree.

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

(9) With respect to injuries occurring on and after July 1, 2027, and before July 1, 2028, for each degree of permanent impairment from one (1) to ten (10), two thousand two hundred fifty-three dollars (\$2,253) per degree; for each degree of permanent impairment from eleven (11) to

thirty-five (35), two thousand five hundred twelve dollars (\$2,512) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand ninety-nine dollars (\$4,099) per degree; for each degree of permanent impairment above fifty (50), five thousand two hundred twenty-three dollars (\$5,223) per degree.

(10) With respect to injuries occurring on and after July 1, 2028, and before July 1, 2029, for each degree of permanent impairment from one (1) to ten (10), two thousand three hundred forty-three dollars (\$2,343) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand six hundred twelve dollars (\$2,612) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand two hundred sixty-three dollars (\$4,263) per degree; for each degree of permanent impairment above fifty (50), five thousand four hundred thirty-two dollars (\$5,432) per degree.

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

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

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

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

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

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

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

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

(6) With respect to injuries occurring on or after July 1, 2024, and before July 1, 2025, one thousand two hundred forty-one dollars (\$1,241).

(7) With respect to injuries occurring on or after July 1, 2025, and before July 1, 2026, ~~one thousand two hundred seventy-eight dollars (\$1,278):~~ **one thousand three hundred sixty-five dollars (\$1,365).**

(8) With respect to injuries occurring on or after July 1, 2026, ~~and before July 1, 2027, one thousand three hundred sixteen dollars (\$1,316):~~ **one thousand four hundred forty-seven dollars (\$1,447).**

(9) With respect to injuries occurring on or after July 1, 2027, and before July 1, 2028, one thousand five hundred five dollars (\$1,505).

(10) With respect to injuries occurring on or after July 1, 2028, and before July 1, 2029, one thousand five hundred sixty-five dollars (\$1,565).

(11) With respect to injuries occurring on or after July 1, 2029, and before July 1, 2030, one thousand six hundred twenty-eight dollars (\$1,628).

(12) With respect to injuries occurring on or after July 1, 2030, one thousand six hundred ninety-three dollars (\$1,693).

SECTION 191. IC 22-3-3-22, AS AMENDED BY P.L.160-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22. (a) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

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

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

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

(2) with respect to injuries occurring on and after July 1, 2014, and before July 1, 2015:

(A) not more than one thousand forty dollars (\$1,040); and

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

(3) with respect to injuries occurring on and after July 1, 2015,

- 1 and before July 1, 2016:
- 2 (A) not more than one thousand one hundred five dollars
- 3 (\$1,105); and
- 4 (B) not less than seventy-five dollars (\$75);
- 5 (4) with respect to injuries occurring on and after July 1, 2016,
- 6 and before July 1, 2023:
- 7 (A) not more than one thousand one hundred seventy dollars
- 8 (\$1,170); and
- 9 (B) not less than seventy-five dollars (\$75);
- 10 (5) with respect to injuries occurring on and after July 1, 2023,
- 11 and before July 1, 2024:
- 12 (A) not more than one thousand two hundred five dollars
- 13 (\$1,205); and
- 14 (B) not less than seventy-five dollars (\$75);
- 15 (6) with respect to injuries occurring on and after July 1, 2024,
- 16 and before July 1, 2025:
- 17 (A) not more than one thousand two hundred forty-one dollars
- 18 (\$1,241); and
- 19 (B) not less than seventy-five dollars (\$75);
- 20 (7) with respect to injuries occurring on and after July 1, 2025,
- 21 and before July 1, 2026:
- 22 (A) not more than ~~one thousand two hundred seventy-eight~~
- 23 ~~dollars (\$1,278);~~ **one thousand three hundred sixty-five**
- 24 **dollars (\$1,365);** and
- 25 (B) not less than seventy-five dollars (\$75); ~~and~~
- 26 (8) with respect to injuries occurring on and after July 1, 2026,
- 27 **and before July 1, 2027:**
- 28 (A) not more than ~~one thousand three hundred sixteen dollars~~
- 29 ~~(\$1,316);~~ **one thousand four hundred forty-seven dollars**
- 30 **(\$1,447);** and
- 31 (B) not less than seventy-five dollars (\$75);
- 32 **(9) with respect to injuries occurring on and after July 1,**
- 33 **2027, and before July 1, 2028:**
- 34 **(A) not more than one thousand five hundred five dollars**
- 35 **(\$1,505); and**
- 36 **(B) not less than seventy-five dollars (\$75);**
- 37 **(10) with respect to injuries occurring on and after July 1,**
- 38 **2028, and before July 1, 2029:**
- 39 **(A) not more than one thousand five hundred sixty-five**
- 40 **dollars (\$1,565); and**
- 41 **(B) not less than seventy-five dollars (\$75);**
- 42 **(11) with respect to injuries occurring on and after July 1,**
- 43 **2029, and before July 1, 2030:**
- 44 **(A) not more than one thousand six hundred twenty-eight**
- 45 **dollars (\$1,628); and**
- 46 **(B) not less than seventy-five dollars (\$75); and**

1 **(12) with respect to injuries occurring on and after July 1,**
 2 **2030:**

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

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

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

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

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

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

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

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

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

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

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

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

38 (9) With respect to an injury occurring on and after July 1,
 39 **2027, and before July 1, 2028, five hundred one thousand**
 40 **dollars (\$501,000).**

41 (10) With respect to an injury occurring on and after July 1,
 42 **2028, and before July 1, 2029, five hundred twenty-one**
 43 **thousand dollars (\$521,000).**

44 (11) With respect to an injury occurring on and after July 1,
 45 **2029, and before July 1, 2030, five hundred forty-two**
 46 **thousand dollars (\$542,000).**

(12) With respect to an injury occurring on and after July 1, 2030, five hundred sixty-four thousand dollars (\$564,000).

SECTION 192. IC 22-3-7-16, AS AMENDED BY P.L.160-2022, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) Compensation shall be allowed on account of disablement from occupational disease resulting in only temporary total disability to work or temporary partial disability to work beginning with the eighth day of such disability except for the medical benefits provided for in section 17 of this chapter. Compensation shall be allowed for the first seven (7) calendar days only as provided in this section. The first weekly installment of compensation for temporary disability is due fourteen (14) days after the disability begins. Not later than fourteen (14) days from the date that the first installment of compensation is due, the employer or the employer's insurance carrier shall file a report of payment of compensation with the worker's compensation board electronically and tender to the employee or to the employee's dependents, with all compensation due, a properly prepared compensation agreement in a form prescribed by the board. The presentation to the employee or to the employee's dependents of the check, draft, or electronic payment from the employer or the employer's insurance carrier for the proper amount, drawn upon a bank in which money is on deposit to pay the same on demand, shall be sufficient tender of the compensation.

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

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

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

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

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

12 In each instance, the employer must provide written notice to the
13 injured worker on a form approved by the board. In all other cases the
14 employer must notify the employee in writing of the employer's intent
15 to terminate the payment of temporary total disability benefits, and of
16 the availability of employment, if any, on a form approved by the
17 board. In all instances, the employer must file an electronic notice of
18 the termination with the board.

19 (d) If the employee disagrees with the termination or proposed
20 termination, the employee must give written notice of disagreement to
21 the board and the employer within seven (7) days after receipt of the
22 notice of intent to terminate benefits. If the board and employer do not
23 receive a notice of disagreement under this section, the employee's
24 temporary total disability benefits shall be terminated. Upon receipt of
25 the notice of disagreement, the board shall immediately contact the
26 parties, which may be by telephone or other means and attempt to
27 resolve the disagreement. If the board is unable to resolve the
28 disagreement within ten (10) days of receipt of the notice of
29 disagreement, the board shall immediately arrange for an evaluation of
30 the employee by an independent medical examiner. The independent
31 medical examiner shall be selected by mutual agreement of the parties
32 or, if the parties are unable to agree, appointed by the board under
33 IC 22-3-4-11. If the independent medical examiner determines that the
34 employee is no longer temporarily disabled or is still temporarily
35 disabled but can return to employment that the employer has made
36 available to the employee, or if the employee fails or refuses to appear
37 for examination by the independent medical examiner, temporary total
38 disability benefits may be terminated. If either party disagrees with the
39 opinion of the independent medical examiner, the party shall apply to
40 the board for a hearing under section 27 of this chapter.

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

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

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

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

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

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of

permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; of separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

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

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation

shall be paid in the same amount as for the loss by separation.
 However, the doubling provision of subdivision (2) does not
 apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of
 an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a
 phalange, compensation shall be paid for the proportionate loss of
 the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For disablements resulting in total permanent disability, the
 amount payable for impairment or five hundred (500) weeks of
 compensation, whichever is greater.

(11) Visual impairments shall be based on the Functional Vision
 Score (FVS) assessing the visual acuity and visual field to
 evaluate any reduction in ability to perform vision-related
 Activities of Daily Living (ADL). Unless such loss is otherwise
 specified in subdivision (5), visual impairments shall be paid as
 a whole person rating.

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

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

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

(j) With respect to disablements occurring on and after July 1, 1991,
 compensation for permanent partial impairment shall be paid according
 to the degree of permanent impairment for the disablement determined
 under subsection (i) and the following:

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

1 (2) With respect to disablements occurring on and after July 1,
2 2014, and before July 1, 2015, for each degree of permanent
3 impairment from one (1) to ten (10), one thousand five hundred
4 seventeen dollars (\$1,517) per degree; for each degree of
5 permanent impairment from eleven (11) to thirty-five (35), one
6 thousand seven hundred seventeen dollars (\$1,717) per degree;
7 for each degree of permanent impairment from thirty-six (36) to
8 fifty (50), two thousand eight hundred sixty-two dollars (\$2,862)
9 per degree; for each degree of permanent impairment above fifty
10 (50), three thousand six hundred eighty-seven dollars (\$3,687) per
11 degree.

12 (3) With respect to disablements occurring on and after July 1,
13 2015, and before July 1, 2016, for each degree of permanent
14 impairment from one (1) to ten (10), one thousand six hundred
15 thirty-three dollars (\$1,633) per degree; for each degree of
16 permanent impairment from eleven (11) to thirty-five (35), one
17 thousand eight hundred thirty-five dollars (\$1,835) per degree; for
18 each degree of permanent impairment from thirty-six (36) to fifty
19 (50), three thousand twenty-four dollars (\$3,024) per degree; for
20 each degree of permanent impairment above fifty (50), three
21 thousand eight hundred seventy-three dollars (\$3,873) per degree.

22 (4) With respect to disablements occurring on and after July 1,
23 2016, and before July 1, 2023, for each degree of permanent
24 impairment from one (1) to ten (10), one thousand seven hundred
25 fifty dollars (\$1,750) per degree; for each degree of permanent
26 impairment from eleven (11) to thirty-five (35), one thousand nine
27 hundred fifty-two dollars (\$1,952) per degree; for each degree of
28 permanent impairment from thirty-six (36) to fifty (50), three
29 thousand one hundred eighty-six dollars (\$3,186) per degree; for
30 each degree of permanent impairment above fifty (50), four
31 thousand sixty dollars (\$4,060) per degree.

32 (5) With respect to disablements occurring on and after July 1,
33 2023, and before July 1, 2024, for each degree of permanent
34 impairment from one (1) to ten (10), one thousand eight hundred
35 three dollars (\$1,803) per degree; for each degree of permanent
36 impairment from eleven (11) to thirty-five (35), two thousand
37 eleven dollars (\$2,011) per degree; for each degree of permanent
38 impairment from thirty-six (36) to fifty (50), three thousand two
39 hundred eighty-two dollars (\$3,282) per degree; for each degree
40 of permanent impairment above fifty (50), four thousand one
41 hundred eighty-two dollars (\$4,182) per degree.

42 (6) With respect to disablements occurring on and after July 1,
43 2024, and before July 1, 2025, for each degree of permanent
44 impairment from one (1) to ten (10), one thousand eight hundred
45 fifty-seven dollars (\$1,857) per degree; for each degree of
46 permanent impairment from eleven (11) to thirty-five (35), two

thousand seventy-one dollars (\$2,071) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty dollars (\$3,380) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred seven dollars (\$4,307) per degree.

(7) With respect to disablements occurring on and after July 1, 2025, and before July 1, 2026, for each degree of permanent impairment from one (1) to ten (10), ~~one thousand nine hundred thirteen dollars (\$1,913)~~ **two thousand forty-three dollars (\$2,043)** per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), ~~two thousand one hundred thirty-three dollars (\$2,133)~~ **two thousand two hundred seventy-eight dollars (\$2,278)** per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), ~~three thousand four hundred eighty-one dollars (\$3,481)~~ **three thousand seven hundred eighteen dollars (\$3,718)** per degree; for each degree of permanent impairment above fifty (50), ~~four thousand four hundred thirty-six dollars (\$4,436)~~ **four thousand seven hundred thirty-eight dollars (\$4,738)** per degree.

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

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

(10) With respect to disablements occurring on and after July 1, 2028, and before July 1, 2029, for each degree of permanent

impairment from one (1) to ten (10), two thousand three hundred forty-three dollars (\$2,343) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand six hundred twelve dollars (\$2,612) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand two hundred sixty-three dollars (\$4,263) per degree; for each degree of permanent impairment above fifty (50), five thousand four hundred thirty-two dollars (\$5,432) per degree. (11) With respect to disablements occurring on and after July 1, 2029, and before July 1, 2030, for each degree of permanent impairment from one (1) to ten (10), two thousand four hundred thirty-seven dollars (\$2,437) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seven hundred sixteen dollars (\$2,716) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand four hundred thirty-four dollars (\$4,434) per degree; for each degree of permanent impairment above fifty (50), five thousand six hundred forty-nine dollars (\$5,649) per degree. (12) With respect to disablements occurring on and after July 1, 2030, for each degree of permanent impairment from one (1) to ten (10), two thousand five hundred thirty-four dollars (\$2,534) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand eight hundred twenty-five dollars (\$2,825) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand six hundred eleven dollars (\$4,611) per degree; for each degree of permanent impairment above fifty (50), five thousand eight hundred seventy-five dollars (\$5,875) per degree.

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

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

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

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

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

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

(6) With respect to disablements occurring on or after July 1, 2024, and before July 1, 2025, one thousand two hundred forty-one dollars (\$1,241).

(7) With respect to disablements occurring on or after July 1, 2025, and before July 1, 2026, ~~one thousand two hundred seventy-eight dollars (\$1,278).~~ **one thousand three hundred sixty-five dollars (\$1,365).**

(8) With respect to disablements occurring on or after July 1, 2026, ~~and before July 1, 2027, one thousand three hundred sixteen dollars (\$1,316).~~ **one thousand four hundred forty-seven dollars (\$1,447).**

(9) With respect to disablements occurring on or after July 1, 2027, and before July 1, 2028, one thousand five hundred five dollars (\$1,505).

(10) With respect to disablements occurring on or after July 1, 2028, and before July 1, 2029, one thousand five hundred sixty-five dollars (\$1,565).

(11) With respect to disablements occurring on or after July 1, 2029, and before July 1, 2030, one thousand six hundred twenty-eight dollars (\$1,628).

(12) With respect to disablements occurring on or after July 1, 2030, **one thousand six hundred ninety-three dollars (\$1,693).**

(l) If any employee, only partially disabled, refuses employment suitable to the employee's capacity procured for the employee, the employee shall not be entitled to any compensation at any time during the continuance of such refusal unless, in the opinion of the worker's compensation board, such refusal was justifiable. The employee must be served with a notice setting forth the consequences of the refusal under this subsection. The notice must be in a form prescribed by the worker's compensation board.

(m) If an employee has sustained a permanent impairment or disability from an accidental injury other than an occupational disease in another employment than that in which the employee suffered a subsequent disability from an occupational disease, such as herein specified, the employee shall be entitled to compensation for the subsequent disability in the same amount as if the previous impairment or disability had not occurred. However, if the permanent impairment or disability resulting from an occupational disease for which compensation is claimed results only in the aggravation or increase of a previously sustained permanent impairment from an occupational disease or physical condition regardless of the source or cause of such 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.

43 (q) Any payment made by the employer to the employee during the
44 period of the employee's disability, or to the employee's dependents,
45 which, by the terms of this chapter, was not due and payable when
46 made, may, subject to the approval of the worker's compensation board,

1 be deducted from the amount to be paid as compensation, but such
 2 deduction shall be made from the distal end of the period during which
 3 compensation must be paid, except in cases of temporary disability.

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

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

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

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

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

29 SECTION 193. IC 22-3-7-19, AS AMENDED BY P.L.160-2022,
 30 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2025]: Sec. 19. (a) In computing compensation for temporary
 32 total disability, temporary partial disability, and total permanent
 33 disability, the average weekly wages are considered to be:

34 (1) with respect to disablements occurring on and after July 1,
 35 2009, and before July 1, 2014:

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

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

39 (2) with respect to disablements occurring on and after July 1,
 40 2014, and before July 1, 2015:

41 (A) not more than one thousand forty dollars (\$1,040); and

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

43 (3) with respect to disablements occurring on and after July 1,
 44 2015, and before July 1, 2016:

45 (A) not more than one thousand one hundred five dollars
 46 (\$1,105); and

- 1 (B) not less than seventy-five dollars (\$75);
- 2 (4) with respect to disablements occurring on and after July 1,
- 3 2016, and before July 1, 2023:
- 4 (A) not more than one thousand one hundred seventy dollars
- 5 (\$1,170); and
- 6 (B) not less than seventy-five dollars (\$75);
- 7 (5) with respect to disablements occurring on and after July 1,
- 8 2023, and before July 1, 2024:
- 9 (A) not more than one thousand two hundred five dollars
- 10 (\$1,205); and
- 11 (B) not less than seventy-five dollars (\$75);
- 12 (6) with respect to disablements occurring on and after July 1,
- 13 2024, and before July 1, 2025:
- 14 (A) not more than one thousand two hundred forty-one dollars
- 15 (\$1,241); and
- 16 (B) not less than seventy-five dollars (\$75);
- 17 (7) with respect to disablements occurring on and after July 1,
- 18 2025, and before July 1, 2026:
- 19 (A) not more than ~~one thousand two hundred seventy-eight~~
- 20 ~~dollars (\$1,278);~~ **one thousand three hundred sixty-five**
- 21 **dollars (\$1,365);** and
- 22 (B) not less than seventy-five dollars (\$75); ~~and~~
- 23 (8) with respect to disablements occurring on and after July 1,
- 24 2026, **and before July 1, 2027:**
- 25 (A) not more than ~~one thousand three hundred sixteen dollars~~
- 26 ~~(\$1,316);~~ **one thousand four hundred forty-seven dollars**
- 27 **(\$1,447);** and
- 28 (B) not less than seventy-five dollars (\$75);
- 29 **(9) with respect to disablements occurring on and after July**
- 30 **1, 2027, and before July 1, 2028:**
- 31 (A) **not more than one thousand five hundred five dollars**
- 32 **(\$1,505);** and
- 33 (B) **not less than seventy-five dollars (\$75);**
- 34 **(10) with respect to disablements occurring on and after July**
- 35 **1, 2028, and before July 1, 2029:**
- 36 (A) **not more than one thousand five hundred sixty-five**
- 37 **dollars (\$1,565);** and
- 38 (B) **not less than seventy-five dollars (\$75);**
- 39 **(11) with respect to disablements occurring on and after July**
- 40 **1, 2029, and before July 1, 2030:**
- 41 (A) **not more than one thousand six hundred twenty-eight**
- 42 **dollars (\$1,628) and**
- 43 (B) **not less than seventy-five dollars (\$75);** and
- 44 **(12) with respect to disablements occurring on and after July**
- 45 **1, 2030:**
- 46 (A) **not more than one thousand six hundred ninety-three**

dollars (\$1,693); and

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

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

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

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

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

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

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

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

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

(8) With respect to disability or death occurring on and after July 1, 2026, ~~and before July 1, 2027, four hundred thirty-nine thousand dollars (\$439,000).~~ **four hundred eighty-two thousand dollars (\$482,000).**

(9) With respect to disability or death occurring on and after July 1, 2027, and before July 1, 2028, five hundred one thousand dollars (\$501,000).

(10) With respect to disability or death occurring on and after July 1, 2028, and before July 1, 2029, five hundred twenty-one thousand dollars (\$521,000).

(11) With respect to disability or death occurring on and after July 1, 2029, and before July 1, 2030, five hundred forty-two thousand dollars (\$542,000).

(12) With respect to disability or death occurring on and after July 1, 2030, five hundred sixty-four thousand dollars (\$564,000).

(c) For all disabilities occurring on and after July 1, 1985, "average weekly wages" means the earnings of the injured employee during the

1 period of fifty-two (52) weeks immediately preceding the disability
 2 divided by fifty-two (52). If the employee lost seven (7) or more
 3 calendar days during the period, although not in the same week, then
 4 the earnings for the remainder of the fifty-two (52) weeks shall be
 5 divided by the number of weeks and parts of weeks remaining after the
 6 time lost has been deducted. If employment before the date of disability
 7 extended over a period of less than fifty-two (52) weeks, the method of
 8 dividing the earnings during that period by the number of weeks and
 9 parts of weeks during which the employee earned wages shall be
 10 followed if results just and fair to both parties will be obtained. If by
 11 reason of the shortness of the time during which the employee has been
 12 in the employment of the employer or of the casual nature or terms of
 13 the employment it is impracticable to compute the average weekly
 14 wages for the employee, the employee's average weekly wages shall be
 15 considered to be the average weekly amount that, during the fifty-two
 16 (52) weeks before the date of disability, was being earned by a person
 17 in the same grade employed at the same work by the same employer or,
 18 if there is no person so employed, by a person in the same grade
 19 employed in that same class of employment in the same district.
 20 Whenever allowances of any character are made to an employee
 21 instead of wages or a specified part of the wage contract, they shall be
 22 considered a part of the employee's earnings.

23 (d) The provisions of this article may not be construed to result in
 24 an award of benefits in which the number of weeks paid or to be paid
 25 for temporary total disability, temporary partial disability, or permanent
 26 total disability benefits combined exceeds five hundred (500) weeks.
 27 This section shall not be construed to prevent a person from applying
 28 for an award under IC 22-3-3-13. However, in case of permanent total
 29 disability resulting from a disablement occurring on or after January 1,
 30 1998, the minimum total benefit shall not be less than seventy-five
 31 thousand dollars (\$75,000)."

32 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed April 11, 2025.)

Senator POL JR.