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H.B. 676
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Brinkman

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SUMMARY

- Specifies that permanent partial disability (PPD) compensation must be paid in weekly installments.
- Requires weekly PPD and scheduled loss payments to stop when an employee dies.
- Specifies that compensation for partial loss of sight is based on the loss of vision after any corrective surgery or other corrections to vision.
- Applies to workers' compensation claims arising on or after the bill's effective date.

DETAILED ANALYSIS

Permanent partial disability and schedule losses

A claimant's compensation for permanent partial disability (PPD) under the Workers' Compensation Law¹ is determined based on either the percentage of PPD resulting from a workplace injury or occupational disease or the loss or loss of use of a specified body part. With respect to percentage of PPD, the maximum number of weeks of PPD a claimant may receive is 200 weeks. The number of weeks the claimant actually receives PPD is determined by multiplying the percentage of the employee's disability due to the injury or occupational disease by 200. Thus, for example, if a claimant is 25% disabled, the employee receives PPD for 50 weeks.²

With respect to PPD compensation for the loss or loss of use of specific body parts, this compensation is based on a schedule listing various body parts and prescribing payments of compensation for a fixed number of weeks for the loss or loss of use of a listed part.

¹ R.C. Chapters 4121, 4123, 4127, and 4131.

² R.C. 4123.57(A).

Compensation for the loss or loss of use of a body part on the schedule is often referred to as “scheduled loss” compensation.³

Payment and termination

The bill specifies that PPD, regardless of type, must be paid in weekly installments (current law references that scheduled loss is paid weekly). The bill also specifies that both forms of PPD compensation stop when the injured employee dies.

Under the bill, weekly installments due to the claimant for weeks that occurred before death, or for the remainder of the week in which the claimant died, are payable to the spouse or dependents if there is no spouse. Currently, compensation that has accrued or is to accrue is payable to these dependents.

Current law also permits PPD and scheduled loss compensation to be commuted to one or more lump sum payments under special circumstances and in accordance with procedures established by the Administrator of Workers’ Compensation. The bill does not eliminate the option of lump sum payments when appropriate.⁴

Scheduled loss for partial vision loss

The bill specifies that scheduled loss compensation for the permanent partial loss of vision is based on the loss of vision after any corrective surgery or other corrections to vision. Currently, any improvement from corneal surgery or other correction to vision after a workplace injury or occupational disease is not factored in for purposes of determining the percentage of vision lost as a result of the injury or occupational disease.⁵

Affected claims

The bill applies to workers’ compensation claims that arise on or after the bill’s effective date.⁶

HISTORY

Action	Date
Introduced	05-16-22

ANHB0676IN-134/ks

³ R.C. 4123.57(B).

⁴ R.C. 4123.57 and Ohio Administrative Code 4123-3-37 and R.C. 4123.64, not in the bill; see also Ohio Industrial Commission, [Adjudications Before the Ohio Industrial Commission: Memo E5 Permanent Partial Disability-Payment over Omitted Periods \(PDF\)](#), available by conducting a keyword “Memo E5” search on the Commission’s website: www.ic.ohio.gov.

⁵ R.C. 4123.57; see also, *State ex rel. Kroger Co. v. Stover*, 31 Ohio St.3d 229 (1987).

⁶ Section 3.