

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

175U0460

SENATE HEALTH AND HUMAN SERVICES ENGROSSED NO. **SB 75** - 01/23/2013

Introduced by: Senators Hunhoff (Jean), Krebs, Lederman, Lucas, Monroe, and Tidemann
and Representatives Munsterman, Cronin, Ecklund, Haggar (Jenna),
Magstadt, and Parsley

1 FOR AN ACT ENTITLED, An Act to adopt updated guidelines for the evaluation of permanent
2 impairment in connection with workers' compensation claims.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 62-7-39 be amended to read as follows:

5 62-7-39. An employee, employer, employer's insurer, or self-insured employer shall be
6 permitted to use the results of post-offer base line testing or a functional capacity assessment,
7 as utilized by Guidelines to the Evaluation of Permanent Impairment established by the
8 American Medical Association, ~~fourth~~ sixth edition, ~~June 1993~~ July 2009 reprint, performed
9 during the course of employment, or other medical evidence of impairment for the purpose of
10 determining permanent partial or permanent total disability compensation due to an employee.

11 Section 2. That § 62-1-1.2 be amended to read as follows:

12 62-1-1.2. For the purposes of this chapter, impairment shall be determined by a medical
13 impairment rating, expressed as a percentage to the affected body part, using the Guides to the
14 Evaluation of Permanent Impairment established by the American Medical Association, ~~fourth~~



1 sixth edition, ~~June 1993~~ July 2009 reprint.