

**5223.0320 FACE, NOSE, MOUTH, OR THROAT.**

Subpart 1. **General.** For permanent partial impairment to the face, nose, mouth, or throat other than for cosmetic disfigurement, disability of the whole body is as provided in subparts 2 to 4. Permanent partial impairment due to cosmetic disfigurement is as provided in part 5223.0650 and may be combined with ratings under this part as described in part 5223.0300, subpart 3, item E.

Subp. 2. **Chewing or swallowing.** Signs or symptoms of organic disease of the face, nose, mouth, or throat are present or there is an objectively demonstrated neurological lesion of a type known to interfere with chewing or swallowing; and, in the case of organic disease of the face, nose, mouth, or throat, there is anatomic loss or alteration; and signs or symptoms have persisted despite treatment.

- A. Restricted to mechanical soft diet, ten percent.
- B. Diet restricted to liquids, 25 percent.
- C. Diet by tube feeding or gastrostomy, 50 percent.

Subp. 3. **Articulation.** Signs or symptoms of organic disease of the face, nose, mouth, or throat are present or there is an objectively demonstrated neurological lesion of a type known to interfere with articulation, as defined in part 5223.0310, subpart 9; and, in the case of organic disease of the face, nose, mouth, or throat, there is anatomic loss or alteration, and signs or symptoms have persisted despite treatment.

A. Speech intensity, as defined in part 5223.0310, subpart 46, is sufficient and 95 percent or more of words, that is, nearly all words, are understood by persons who are not family members, but speech is distorted, three percent.

B. Speech intensity can be sustained but is insufficient in noisy environments, or 95 percent or more of words, that is, nearly all words, are understood by family members, as defined in part 5223.0310, subpart 26, but strangers have difficulty understanding anything but basic communications, that is, name, address, or rote information, ten percent.

C. Speech intensity cannot be sustained for more than a few seconds and 95 percent or more of words, that is, nearly all words, are understood by family members though strangers have difficulty understanding anything but basic communications, 15 percent.

D. Speech is understood by family members only, 20 percent.

E. Can produce only a barely heard whisper; or unintelligible except for basic communication with family members, 25 percent.

F. Completely inaudible or completely unintelligible, 35 percent.

Subp. 4. **Upper respiratory tract.** Signs or symptoms of upper respiratory tract obstruction are present, and there is anatomical loss or alteration of nares, nasal cavities, sinuses, eustachian tubes, mouth, pharynx, larynx, upper trachea to fourth ring, or lower trachea to bifurcation, and signs or symptoms have persisted despite treatment.

A. Incomplete or unilateral obstruction of the upper respiratory tract, including, but not limited to, chronic mastoiditis, chronic rhinitis, chronic sinusitis, or chronic eustachian tube defects, two percent.

B. Complete bilateral obstruction of the nose or nasopharynx, five percent.

C. Other disorders, the rating is as provided in part 5223.0560.

Subp. 5. **Temporomandibular joint.** Impairment of the temporomandibular joint is ratable only under subparts 2 and 3 and part 5223.0650, subpart 2.

Subp. 6. **Jaw and facial bones.** Impairment of the jaw and facial bones is ratable only under subparts 2, 3, and 4 and parts 5223.0330 and 5223.0650, subpart 2.

Subp. 7. **Complete loss of teeth.** Ratings under this subpart are not combinable with any other subpart under this part. Ratings under this part may not exceed a total of ten percent whole body impairment.

A. Upper incisors, one percent each.

B. All other teeth, 0.5 percent each.

**Statutory Authority:** *MS s 176.105*

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