

5223.0500 MUSCULOSKELETAL SCHEDULE; HIP AND UPPER LEG.

Subpart 1. **General.** For permanent partial impairment to the hip and upper leg, disability of the whole body is as provided in subparts 2 to 4. The percent of whole body disability under this part may not exceed the percent of whole body disability for amputation of the leg at the hip under part 5223.0550. Each mutually exclusive impairing condition must be rated separately and the ratings must be combined as described in part 5223.0300, subpart 3, item E.

If an impairing condition is represented by a category designated as exclusive under subpart 2, it must be rated by that category only and that rating may not be combined with a rating under any other category of this part for that impairing condition.

If an impairing condition is represented by a category designated as combinable under subpart 3, it must be rated under that category and under the appropriate categories describing loss of function under subpart 4. The ratings obtained must be combined as described in part 5223.0300, subpart 3, item E.

If an impairing condition is not represented by a category designated either exclusive or combinable, it must be rated only under the appropriate categories describing loss of function under subpart 4.

Subp. 2. Exclusive categories.

A. Painful organic syndrome, as defined in part 5223.0310, subpart 40, not elsewhere specified and substantiated by appropriate, consistent, and reproducible clinical or medical imaging findings which results in persistent limitation of active range of motion or persistent deviation of gait but no limitation of passive range of motion, zero percent.

B. Nerve entrapment syndrome of the femoral, obturator, or sciatic nerve at the pelvis, hip, or upper leg:

(1) resolved with treatment, zero percent;

(2) pain and paresthesia recurring or persisting despite treatment, but not substantiated by persistent findings on electrodiagnostic testing, zero percent;

(3) pain and paresthesia persisting despite treatment, or recurring and persisting despite treatment and substantiated by persistent findings on electrodiagnostic testing, two percent;

(4) objectively demonstrable motor or sensory loss, the rating is as provided in parts 5223.0420 and 5223.0430.

C. Nonunion of femoral shaft fracture requiring nonweight bearing orthosis for ambulation, 20 percent.

Subp. 3. Combinable categories.

A. Traumatic or surgical discrepancy of the lower extremity:

- (1) less than 1.0 centimeters, zero percent;
- (2) 1.0 centimeters to 1.9 centimeters, three percent;
- (3) 2.0 centimeters to 3.2 centimeters, 4.5 percent;
- (4) 3.3 centimeters to 4.4 centimeters, six percent;
- (5) 4.5 centimeters and greater, nine percent.

B. Arthroplasty, eight percent.

C. Fractures:

- (1) nonunion of hip fracture, 12 percent;
- (2) fracture requiring femoral endoprosthesis, six percent;
- (3) hip pinning for fracture, three percent;
- (4) fracture or dislocation involving the femur not otherwise ratable under subpart 2 or 3 or part 5223.0510, zero percent.

Subp. 4. Categories describing loss of function. Function of the hip is measured by the available passive range of motion in three arcs: flexion or extension, abduction or adduction, and rotation. Examination with goniometer is performed to determine the limits of passive range of motion in each arc.

If there is impairment in more than one arc, the rating for each arc is added to determine the final rating for loss of function.

A. Extent of range of flexion or extension:

- (1) extension is greater than zero degrees and flexion is:
 - (a) to greater than 90 degrees, zero percent;
 - (b) limited to between 61 degrees and 90 degrees, two percent;
 - (c) limited to between 31 degrees and 60 degrees, four percent;
 - (d) limited to between zero degrees and 30 degrees, six percent;
 - (e) less than zero degrees, that is, there is an extension contracture, seven percent;
- (2) extension is limited to between zero and 19 degrees flexion, that is, there is a flexion contracture, and flexion is:
 - (a) to greater than 90 degrees, zero percent;

- (b) limited to between 61 degrees and 90 degrees, two percent;
- (c) limited to between 31 degrees and 60 degrees, four percent;
- (d) limited to less than 31 degrees, six percent;

(3) extension is limited to between 20 degrees and 30 degrees flexion, that is, there is a flexion contracture, and flexion is:

- (a) to greater than 90 degrees, two percent;
- (b) limited to between 61 degrees and 90 degrees, four percent;
- (c) limited to between 31 degrees and 60 degrees, six percent;
- (d) limited to less than 31 degrees, eight percent;

(4) extension is limited to between 31 degrees and 45 degrees flexion, that is, there is a flexion contracture, and flexion is:

- (a) to greater than 90 degrees, ten percent;
- (b) limited to between 61 degrees and 90 degrees, 12 percent;
- (c) limited to less than 61 degrees, 14 percent;

(5) extension is limited to between 46 degrees and 60 degrees flexion, that is, there is a flexion contracture, and flexion is:

- (a) to greater than 90 degrees, 20 percent;
- (b) limited to between 61 degrees and 90 degrees, 22 percent;
- (c) limited to less than 61 degrees, 24 percent;

(6) extension is limited to greater than 60 degrees flexion, that is, there is a flexion contracture, 40 percent;

(7) ankylosis, as defined in part 5223.0310, subpart 7, in flexion or extension occurs:

- (a) in extension, 40 percent;
- (b) between zero degrees and 30 degrees flexion, 20 percent;
- (c) between 31 degrees and 60 degrees flexion, 24 percent;
- (d) at greater than 60 degrees flexion, 40 percent.

B. Extent of range of abduction or adduction:

(1) adduction is greater than 20 degrees and abduction is:

- (a) to greater than 20 degrees, zero percent;
- (b) limited to between one degree and 20 degrees, one percent;

(c) limited to between zero degrees and 20 degrees adduction, that is, there is an adduction contracture, four percent;

(d) limited to greater than 20 degrees, that is, there is an adduction contracture, eight percent;

(2) adduction is limited to between zero degrees and 20 degrees and abduction is:

(a) to greater than 20 degrees, one percent;

(b) limited to between one degree and 20 degrees, two percent;

(c) limited to between zero degrees and 20 degrees adduction, that is, there is an adduction contracture, five percent;

(3) adduction is limited to between zero degrees and 20 degrees abduction, that is, there is an abduction contracture, and abduction is:

(a) to greater than 20 degrees, four percent;

(b) limited to between zero degrees and 20 degrees, five percent;

(4) adduction is limited to greater than 20 degrees abduction, that is, there is an abduction contracture, eight percent;

(5) ankylosis, as defined in part 5223.0310, subpart 7, in abduction or adduction occurs:

(a) in adduction, eight percent;

(b) between zero degrees and 20 degrees abduction, five percent;

(c) at greater than 20 degrees abduction, eight percent.

C. Extent of range of rotation:

(1) external rotation is greater than 30 degrees and internal rotation is:

(a) to greater than 20 degrees, zero percent;

(b) limited to between one degree and 20 degrees, two percent;

(c) limited to between zero degrees and 20 degrees external rotation, that is, there is an external contracture, two percent;

(d) limited to between 21 degrees and 30 degrees external rotation, that is, there is an external rotation contracture, four percent;

(e) limited to greater than 30 degrees external rotation, that is, there is an external rotation contracture, eight percent;

(2) external rotation is limited to between 21 degrees and 30 degrees and internal rotation is:

- (a) to greater than 20 degrees, zero percent;
- (b) limited to between one degree and 20 degrees, two percent;
- (c) limited to between zero degrees and 20 degrees external rotation, that is, there is an external rotation contracture, two percent;
- (d) limited to between 21 degrees and 30 degrees external rotation, that is, there is an external rotation contracture, four percent;

(3) external rotation is limited to between zero degrees and 20 degrees and internal rotation is:

- (a) to greater than 20 degrees, two percent;
- (b) limited to between one degree and 20 degrees, four percent;
- (c) limited to between zero degrees and 20 degrees external rotation, that is, there is an external rotation contracture, four percent;

(4) external rotation is limited to between zero degrees and 20 degrees internal rotation, that is, there is an internal rotation contracture, and internal rotation is:

- (a) to greater than 20 degrees, two percent;
- (b) limited to between zero degrees and 20 degrees, four percent;

(5) external rotation is limited to between 21 degrees and 30 degrees internal rotation, that is, there is an internal rotation contracture, four percent;

(6) external rotation is limited to greater than 30 degrees internal rotation, that is, there is an internal rotation contracture, eight percent;

(7) ankylosis, as defined in part 5223.0310, subpart 7, in rotation occurs:

- (a) at greater than 20 degrees internal rotation, eight percent;
- (b) between 20 degrees internal rotation and 20 degrees external rotation, four percent;
- (c) at greater than 20 degrees external rotation, eight percent.

Statutory Authority: *MS s 176.105*

History: *17 SR 3364; 35 SR 138*

Published Electronically: *August 16, 2010*