

**5223.0240 BURNS.**

Subpart 1. **General.** The whole body disability due to burns is not equal to the percent of body surface area which is burned. The percentage of body surface area affected must be determined according to Lund and Browder. The ratings determined under subparts 1 to 4 must be combined as set forth at Minnesota Statutes, section 176.105, subdivision 4, paragraph (c), provided that the maximum disability to the whole body under this schedule must not exceed 70 percent. Loss of motion or body parts except the face must be rated under the musculoskeletal schedules and must not be considered as included in a rating under this part unless specifically provided otherwise.

Subp. 2. **Burns other than electrical conduction.** A rating under this part is the rating assigned by items A to F combined as provided in Minnesota Statutes, section 176.105, subdivision 4, paragraph (c):

A. Any burn that heals within one month and leaves no hypertrophic scar, 0 percent.

B. Cold intolerance of the hands, face, or head as evidenced by the wearing of heavy gloves or additional scarves at 35 degrees Fahrenheit; a scar of at least ten square centimeters must be present for an affected member to be rated under this item:

- (1) dominant hand, 4 percent;
- (2) nondominant hand, 3 percent;
- (3) both hands, 6 percent;
- (4) face, 3 percent; or
- (5) face and both hands, 10 percent.

C. Heat intolerance is evidenced by fatigue, malaise, nausea, and an oral temperature of at least 100 degrees Fahrenheit upon exposure to an environmental temperature of 90 degrees Fahrenheit at 60 percent relative humidity, 5 percent.

D. Sensitivity to sun exposure as evidenced by the need to cover the skin or use sun screen to prevent sunburn; a scar of at least ten square centimeters must be present for an affected member to be rated under this item:

- (1) dominant hand, 4 percent;
- (2) nondominant hand, 3 percent;
- (3) both hands, 6 percent;
- (4) face, 3 percent; or
- (5) face and both hands, 10 percent.

E. Sensitivity to dust, chemical, or petroleum exposure; altered sweating; or apocrine gland dysfunction. For one or any combination of these conditions, the whole body disability is:

- (1) If the sensitivity affects less than 5 percent of the body surface area, 0 percent.
- (2) If the sensitivity affects 5 to 20 percent of the body surface area, 2 percent.
- (3) If the sensitivity affects 20 percent or more of the body surface area, 3 percent.

F. Sensory loss due to burns:

- (1) Loss of sensation on palmar surface of hands shall be rated as provided by part 5223.0090, subpart 3.
- (2) Sensory loss in less than 5 percent of the body surface area, 0 percent.
- (3) Sensory loss in 5 to 20 percent of the body surface area, 2 percent.
- (4) Sensory loss in more than 20 percent of the body surface area, 5 percent.

**Subp. 3. Electrical conduction injuries.**

A. Associated sensory loss and concomitant thermal injuries must be rated as provided in subpart 1.

B. Peripheral nerve deficits must be rated as provided in the musculoskeletal schedule.

The ratings under items A and B must be combined in the manner set forth at Minnesota Statutes, section 176.105, subdivision 4, paragraph (c).

**Subp. 4. Cosmetic disfigurement.** This part applies to disfigurement on the face, the head, the neck, or the hands due to burns. Where there is surgery, this rating is done after correction by plastic surgery. The final rating under this schedule shall not be done until hypertrophic scarring is matured or more than 24 months after the injury. The ratings under the items of this part must be combined in the manner set forth at Minnesota Statutes, section 176.105, subdivision 4, paragraph (c).

A. The face is the anterior head from the forehead, to and including the chin.

- (1) Loss of facial features:
  - (a) Deformity of nasal tip or deformity, thinning, or eversion of ala nasi, 5 percent.
  - (b) Loss of more than 50 percent of nasal cartilage or of both ala nasi, 25 percent.

- (2) Eyes:
    - (a) Loss of one eyebrow, 2.5 percent.
    - (b) Loss of two eyebrows, 5 percent.
    - (c) Ectropion unaccompanied by visual impairment:
      - i. Lower lid pulled from eye when mouth is opened and neck extended, 5 percent.
      - ii. Lower lid pulled away with no movement of face or neck, 10 percent.
      - iii. Cornea unprotected when sleeping, 15 percent.
    - (d) Epiphora unaccompanied by visual impairment, 10 percent.
  - (3) Mouth. A rating under this subitem is the arithmetic sum of units (a) to (d).
    - (a) Noncongenital microstomia or distortion affecting eating and dental hygiene, 10 percent.
    - (b) Eversion of the upper lip, 7.5 percent.
    - (c) Eversion of the lower lip, 7.5 percent.
    - (d) Distortion of vermillion border, 10 percent.
  - (4) Ear. Loss of 75 percent or more of one external ear, 5 percent.
  - (5) Hypertrophic scarring of face in areas other than those covered in subitems (1) to (4):
    - (a) Affecting only forehead above the eyebrows, 10 percent.
    - (b) Affecting the lower face from eyebrows to chin, 25 percent.
    - (c) Affecting both the forehead above the eyebrows and the lower face from the eyebrows to chin, 35 percent.
  - (6) Wrinkling of face in areas other than those covered in subitems (1) to (5), one-third of percentages in subitem (5).
- B. Head, Alopecia:
- (1) Anterior hairline:
    - (a) Loss of less than 20 percent of hair on anterior hairline, 0 percent.
    - (b) Loss of 20 to 50 percent of hair on anterior hairline, 2 percent.
    - (c) Loss of more than 50 percent of hair on anterior hairline, 3 percent.

- (2) Elsewhere on head and not affecting anterior hairline:
  - (a) Loss of 0 to 15 percent of hair, 0 percent.
  - (b) Loss of 15 to 30 percent of hair, 1 percent.
  - (c) Loss of 20 to 50 percent of hair, 2 percent.
  - (d) Loss of more than 50 percent of hair, 3 percent.

The ratings under subitems (1) and (2) must be combined as set forth in Minnesota Statutes, section 176.105, subdivision 4, paragraph (c).

C. The anterior neck extends from the ear lobule anteriorly to the ear lobule and downward to mid clavicle. Disfigurement on the posterior neck from the ear lobule posteriorly to the ear lobule shall not be rated under this rule. Ratings under subitems (1) and (2) shall be combined as set forth in Minnesota Statutes, section 176.105, subdivision 4, paragraph (c).

- (1) Hypertrophic scarring or banding:
  - (a) Affecting less than 10 percent of the anterior neck, 0 percent.
  - (b) Affecting 10 to 30 percent of the anterior neck, 10 percent.
  - (c) Affecting 30 to 50 percent of the anterior neck, 12 percent.
  - (d) Affecting more than 50 percent of the anterior neck, 15 percent.
- (2) The chin shelf is the area from the chin backwards to the neck.
  - (a) Chin shelf extends less than 2 inches, 3 percent.
  - (b) Chin shelf extends less than 1 inch, 10 percent.

D. The hand extends from the carpus outward. Loss of body parts and loss of motion are rated in the musculoskeletal schedule.

- (1) Hypertrophic scarring affecting less than 30 percent of dorsum of one hand, 0 percent.
- (2) Hypertrophic scarring affecting 30 to 50 percent of dorsum of one hand, 3 percent.
- (3) Hypertrophic scarring affecting 50 percent or more of dorsum of one hand, 7 percent.

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

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