

5223.0330 EYE.

Subpart 1. **General.** For permanent partial impairment to vision from any cause, disability of the whole body is as provided in subparts 2 and 3. Permanent partial disability 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. Permanent partial disability due to impairment of the jaw and facial bones is as provided in part 5223.0320, subpart 6, and may be combined with ratings under this part as described in part 5223.0300, subpart 3, item E.

Subp. 2. **Complete loss of vision.**

- A. Complete loss of vision in both eyes, 85 percent.
- B. Complete loss of vision in one eye:
 - (1) if vision in the other eye is completely normal in regard to acuity, motility, and visual field, 24 percent; or
 - (2) if vision in the other eye is not completely normal, rate as provided in subpart 3.
- C. Enucleation:
 - (1) unilateral:
 - (a) if vision in the other eye is completely normal in regard to acuity, motility, and visual field, 24 percent; or
 - (b) if vision in the other eye is not completely normal, rate as provided in subpart 3;
 - (2) bilateral, 85 percent.
- D. In all other cases of loss of vision, the rating is as provided in subpart 3.

Subp. 3. **Incomplete loss of vision.**

A. Disability shall not be determined until all medically acceptable attempts to correct the defect have been made. Before the final examination on which disability must be determined, at least six months shall elapse after all visible inflammation has disappeared. In cases of disturbance of extrinsic ocular muscles, optic nerve atrophy, injury of the retina, sympathetic ophthalmia, and traumatic cataract, at least 12 months shall elapse before the final examination is made. Testing shall be conducted with corrective lenses applied, unless indicated otherwise in this part.

B. The primary coordinate factors of vision are central visual acuity, visual field efficiency, and ocular motility.

(1) The maximum limit for each coordinate function is established in units (a) to (c).

(a) The maximum limit of central visual acuity is the ability to recognize letters or characters which subtend an angle of five minutes, each unit part of which subtends a one-minute angle at the distance viewed. A 20/20 Snellen rating is 100 percent maximum central visual acuity for distance vision. A 14/14 Snellen rating is 100 percent maximum central visual acuity for near vision, as defined in part 5223.0310, subpart 38.

(b) The maximum visual field is 500 degrees. It is the sum of the degrees in the eight principal meridians from the point of fixation to the outermost limits of visual perception. One hundred percent visual field efficiency is the visual field that extends from the point of fixation 85 degrees temporally, 85 degrees down temporally, 65 degrees direct down, 50 degrees down nasally, 60 degrees nasally, 55 degrees up nasally, 45 degrees direct up, and 55 degrees up temporally.

(c) Maximum ocular motility is present if there is absence of diplopia in all parts of the field of binocular fixation, and if normal binocular motor coordination is present.

(2) The minimum limit for each coordinate function is established in units (a) to (c).

(a) The minimum limit of central visual acuity is a 20/800 Snellen rating for distance vision and a 14/140 Snellen rating for near vision.

(b) The minimum limit for field vision is established as a concentric central contraction of the visual field to five degrees.

(c) The minimum limit for ocular motility is established by the presence of diplopia in all parts of the field of binocular fixation or by absence of binocular motor coordination.

C. The measurement of the coordinate factors of vision shall be performed as specified in subitems (1) to (3).

(1) Central visual acuity shall be measured in a 20/20 Snellen rating for distance vision and a 14/14 Snellen rating for near vision, with each eye being measured separately, with correction. Test illumination shall be at least five foot-candles.

(a) Using the corrected near vision and the corrected far vision for an eye, refer to the table for loss of central vision, as defined in part 5223.0310, subpart 54, and locate the appropriate percentage of loss using the upper figure of the two provided. This is the percentage loss of central vision for that eye.

(b) In cases with aphakia, or pseudophakia as defined in part 5223.0310, subpart 42, proceed as in unit (a), but use the lower figure of the two provided in the table. This is the percentage loss of central vision corrected for aphakia or pseudophakia for that eye.

(2) For each eye, the extent of the field of vision shall be determined by perimetric test methods. The result shall be plotted on the visual field chart as defined in part 5223.0310, subpart 60.

(a) The amount of radial contraction in the eight principal meridians shall be determined. The sum of the degrees of field vision lost on these meridians, divided by 500, is the visual field loss of one eye, expressed as a percentage. If the eye has a concentric central contraction of the field to a diameter of five degrees, the visual loss is 100 percent.

(b) If the impairment of field is irregular and not fairly disclosed by the eight radii, the determination shall be based on a number of radii greater than eight and the divisor in unit (a) shall be changed accordingly.

(c) If there is a loss of a quadrant or a half-field, the degrees of field vision lost in each included meridian are added to one-half the sum of the two boundary meridians.

(3) Ocular motility shall be measured in all parts of the motor field with any useful correction applied.

(a) All directions of gaze shall be tested with use of a test light and without the addition of colored lenses or correcting prisms. The extent of diplopia is determined on the perimeter at 330 millimeters or on a tangent screen at a distance of one meter from the eye.

(b) Plot the test results on a motility chart, as defined in part 5223.0310, subpart 37.

(c) Determine the percentage loss of ocular motility from the motility chart by adding the percentages for loss of ocular motility due to diplopia in the meridian of maximum impairment on the motility charts. This percentage is assigned to the injured eye or, if both eyes are injured, to the eye with the greatest impairment of central visual acuity and field vision. The eye with the greatest impairment means the eye for which the loss of central vision and visual field is the greatest. For the purpose of calculation, a value of zero percent is deemed to be one percent. For the other eye, the percentage loss of ocular motility is zero.

D. The visual impairment of one eye is the combination of the percentage losses of central vision acuity, visual field, and ocular motility as described in part 5223.0300, subpart 3, item E. This combination is calculated by combining the loss of vision and the

loss of visual field for each eye. The combined loss for the eye with the larger combined loss is combined with the loss of ocular motility.

Impairment of the eye shall be increased by adding two percent for each of the following conditions which are present due to the injury:

- (1) loss of color vision;
- (2) loss of adaptation to light and dark;
- (3) metamorphopsia;
- (4) entropion or ectropion uncorrected by surgery;
- (5) lagophthalmos;
- (6) epiphora;
- (7) muscle disturbances such as ocular tics not included under diplopia;
- (8) for dates of injury on or after August 9, 2010, corneal transplant.

E. The procedure for determining whole body disability due to vision loss is described in subitems (1) to (5). The better eye has the lower percentage impairment. The poorer eye has the greater percentage impairment.

- (1) Multiply the percentage impairment of the better eye by three.
- (2) Add the percentage impairment of the poorer eye to the product obtained in subitem (1).
- (3) Divide the sum obtained in subitem (2) by four.
- (4) The quotient obtained in subitem (3) is the percentage impairment of the visual system. Fractions shall be rounded to the nearest whole number percentage by rounding up from the midpoint and rounding down from below the midpoint.
- (5) The percentage impairment of the visual system is translated to the percentage disability of the whole body by Table 3.

Table 3

Eye Schedule

Impairment of Visual System, Percent	Disability of Whole Body, Percent	Impairment of Visual System, Percent	Disability of Whole Body, Percent
0	0	45	42
1	1	46	43
2	2	47	44

3	3	48	45
4	4	49	46
5	5	50	47
6	6	51	48
7	7	52	49
8	8	53	50
9	8	54	51
10	9	55	52
11	10	56	53
12	11	57	54
13	12	58	55
14	13	59	56
15	14	60	57
16	15	61	58
17	16	62	59
18	17	63	59
19	18	64	60
20	19	65	61
21	20	66	62
22	21	67	63
23	22	68	64
24	23	69	65
25	24	70	66
26	25	71	67
27	25	72	68
28	26	73	69
29	27	74	70
30	28	75	71
31	29	76	72
32	30	77	73

33	31	78	74
34	32	79	75
35	33	80	76
36	34	81	76
37	35	82	77
38	36	83	78
39	37	84	79
40	38	85	80
41	39	86	81
42	40	87	82
43	41	88	83
44	42	89	84
		90-100	85

Subp. 4. **Extraocular muscle.** Impairment of extraocular muscle is ratable only under subpart 3.

Subp. 5. **Ocular adnexa.** Impairment of the eyelid, eyelashes, conjunctiva, lacrimal duct, or lacrimal gland are ratable only under subpart 3 or part 5223.0650, subpart 2.

Statutory Authority: *MS s 176.105*

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