

5223.0460 MUSCULOSKELETAL SCHEDULE; ELBOW AND FOREARM.

Subpart 1. **General.** For permanent partial impairment to the elbow and forearm, 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 arm at the elbow under part 5223.0540. 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. Flail elbow, 39 percent.

B. Resection head of radius, five percent.

C. Painful organic syndrome, as defined in part 5223.0310, subpart 40, including chronic epicondylitis, medial or lateral, not elsewhere specified, and substantiated by appropriate, consistent, and reproducible clinical findings which results in persistent limitation of active range of motion but no limitation of passive range of motion, zero percent.

D. Nerve entrapment syndrome of the radial, median, or ulnar nerve at the elbow or in the forearm:

(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 5223.0400 and 5223.0410.

Subp. 3. **Combinable categories.**

- A. Arthroplasty:
 - (1) total elbow, 17 percent;
 - (2) radial head, five percent.
- B. Elbow instability: excessive passive mediolateral motion in comparison to normal:
 - (1) subluxation in extension, reduced by flexion:
 - (a) intermittent, five percent;
 - (b) continuous, ten percent;
 - (2) dislocation:
 - (a) intermittent or elicited only by examination, six percent;
 - (b) spontaneous continuous, ten percent.
- C. Elbow lateral deviation: permanent deformity; measured with elbow in full passive extension:
 - (1) less than 30 degrees, zero percent;
 - (2) greater than or equal to 30 degrees, three percent.
- D. Fracture or dislocation involving humerus, radius, or ulna, not otherwise ratable under subpart 2 or 3 or part 5223.0450 or 5223.0470, zero percent.

Subp. 4. **Categories describing loss of function.** Function at the elbow or forearm is measured by the available passive range of motion at the elbow.

The passive range of motion is measured in two arcs: flexion or extension and supination or pronation. Examination with goniometer is performed to determine the limitation of passive range of motion in each arc. If there is impairment in more than one arc, the ratings for each arc are added to determine the overall disability for loss of motion.

- A. Extent of range of flexion or extension:
 - (1) extension is limited to between zero and 30 degrees flexion, that is, any flexion contracture is less than 30 degrees, and flexion is:
 - (a) to greater than 100 degrees, zero percent;
 - (b) to between 61 degrees and 100 degrees, six percent;
 - (c) to between 31 degrees and 60 degrees, 15 percent;
 - (d) to less than 31 degrees, 25 percent;

(2) extension is limited to between 31 degrees and 60 degrees flexion, that is, there is a flexion contracture, and flexion is:

- (a) to greater than 100 degrees, three percent;
- (b) to between 61 degrees and 100 degrees, nine percent;
- (c) to less than 61 degrees, 18 percent;

(3) extension is limited to between 61 degrees and 100 degrees flexion, that is, there is a flexion contracture, and flexion is:

- (a) to greater than 100 degrees, seven percent;
- (b) to less than 101 degrees, 13 percent;

(4) extension is limited to greater than 100 degrees flexion, that is, there is a flexion contracture, and flexion is to greater than 100 degrees flexion, 25 percent;

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

- (a) between zero degrees and 30 degrees, 25 percent;
- (b) between 31 degrees and 60 degrees, 18 percent;
- (c) between 61 degrees and 100 degrees, 13 percent;
- (d) at greater than 100 degrees, 25 percent.

B. Extent of range of rotation:

(1) pronation is greater than 45 degrees and supination is:

- (a) to greater than 45 degrees, zero percent;
- (b) to between zero degrees and 45 degrees, one percent;
- (c) limited to between one degree and 45 degrees pronation, that is, there is a pronation contracture, three percent;
- (d) limited to greater than 45 degrees pronation, that is, there is a pronation contracture, 17 percent;

(2) pronation is limited to between one degree and 45 degrees and supination is:

- (a) to greater than 45 degrees, five percent;
- (b) to between zero degrees and 45 degrees, six percent;
- (c) limited to between one degree and 45 degrees pronation, that is, there is a pronation contracture, eight percent;

(3) pronation is limited to between zero degrees and 45 degrees supination, that is, there is a supination contracture, and supination is:

- (a) to greater than 45 degrees, 11 percent;
- (b) to between zero degrees and 45 degrees, 12 percent;

(4) pronation is limited to greater than 45 degrees supination, that is, there is a supination contracture, 17 percent;

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

- (a) at greater than 45 degrees of supination, 17 percent;
- (b) between ten degrees of supination and 45 degrees of supination, 12 percent;
- (c) between nine degrees of supination and 45 degrees of pronation, eight percent;
- (d) at greater than 45 degrees of pronation, 17 percent.

Statutory Authority: *MS s 176.105*

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