

Further Limitations *"If the shoe fits..."*

Strict definitions are not always adequate to describe an injured worker's work capacity. They do not always "fit". Imagine shopping for shoes. You find a pair with (almost) all the characteristics you're looking for (color, type, style, materials), but they're the wrong size. They may be too wide, or too narrow. They may be too short, or too long. You simply can't wear them. They don't fit.

For instance, an individual with a unilateral shoulder injury may be able to perform all of the activities listed in the Department of Labor's "Light" category, but also have a further limitation of not being able to work overhead. Likewise, an individual with a brain injury which impacts cognitive function might be able to return to employment which does not require complex decision-making.

To account for this, for musculoskeletal reports, the Physical Strength Rating form (under the Sedentary and Light work categories) has a line to indicate "Further limitations, if indicated". For Mental and Behavioral reports, the Occupational Activity Assessment form has a category which indicates "This Injured Worker is capable of work with the limitation(s)/modification(s) noted below".

Reporting these further limitations is important to creating an accurate, yet individualized description of an injured worker's capacity. To optimize your report, consider the following:

1. Are the limitations supported by the history and examination findings?
2. Is it your opinion the limitations are due to the allowed conditions?
3. Are the limitations listed on the form inconsistent with any other statements in your report?
4. Are there so many limitations or exceptions to the category chosen that perhaps another category should be considered?

Reporting ADLs *"There are no shortcuts to any place worth going." - Beverly Sills, American operatic soprano*

One of the things we're asked – as expert independent medical specialists when assisting the Industrial Commission in its consideration of permanent total disability – is to describe the impact of the claim allowances on the injured worker's activities of daily living (ADL). Below is a discussion which includes why this is important, and how specialists can best obtain and report this information.

Describing the impact of the allowed condition on ADL is fundamental to the philosophy, purpose, and appropriate use of the *Guides to the Evaluation of Permanent Impairment, Fifth Edition*. Understanding this is requisite to a well-supported opinion. Page 4 of the *Guides* states: "Impairment percentages or ratings developed by medical specialists are consensus-derived estimates that reflect the severity of the medical condition and the degree to which the impairment decreases an individual's ability to perform common activities ADL, *excluding work*."

Best practice while taking a history of the perceived impact of an injury or condition on ADLs is to have the injured worker quantify their responses. Qualitative phrases such as "it's difficult", "I have trouble with", "I get help with" or "not very often" mean different things to different people. These responses beg for follow up to ascertain "how much", "how often", and "how long".

Additionally, a comprehensive history will survey a broad range of activities, as found in Tables 1-2 and 1-3 of the *Guides*; [the April 2012 MediScene newsletter](#) and in [the IC Mental and Behavioral Health and Musculoskeletal templates](#).

Finally, a complete and unambiguous report will clearly distinguish your expert opinion as to which limitations have resulted from the allowed condition(s).

Following these guidelines will lead you down the path to a well-supported expert opinion.

"SUB" SEDENTARY?

Considering the discussion on "further limitations", is it reasonable to assume an individual could be physically capable of some work activities which would be considered "less than sedentary"? Yes. In some cases, it may be appropriate for the examiner to conclude the injured is capable of sedentary work with further limitations. For example, "The injured worker is capable of sedentary work, with further limitations of lifting 5 pounds occasionally, and no walking more than 10 minutes every hour."

Check it out! Take a look at our new report templates at <https://www.ic.ohio.gov>. These are designed to help our independent specialist examiners know exactly what elements are needed for a complete and comprehensive report, in a less cumbersome format. Feel free to download and use them! More on this later!

MediScene Review Questions

You have read the content, now earn some credit!*

DIRECTIONS AND SUBMISSION

After reviewing the material in the newsletter, please fill in your name, date, time spent on the activity, and your answers to the review questions.

When completed, you may print this page and fax it to 614-466-1051, attention Medical Services, subject "MediScene Review Questions", to be placed in your file and held for your future reapplication.

Alternatively, you may save your completed form to your computer by choosing "Print", and then choose "Destination" as "Save to PDF". Please email the saved document as an attachment to medical.services@ic.ohio.gov, subject line "MediScene Review Questions".

1. It is always inappropriate for an IC PTD independent specialist examiner to report an opinion an injured worker who does not have the capacity to lift 10 lbs. occasionally is capable of sedentary work.

- A. True
- B. False

2. An IC PTD independent specialist examiner should consider which of the following when considering an injured worker's residual capacity:

- A. Are the limitations due to the allowed condition(s)?
- B. Are there historical and examination findings to support the limitations?
- C. Are there excessive exceptions to the work capacity category chosen?
- D. Do the stated limitations create any inconsistencies in the report?
- E. All of the above.

3. Best practice for reporting a history of the perceived impact of an injury or condition on ADL requires the specialist examiner to:

- A. Demonstrate an understanding of the philosophy, purpose, and appropriate use of the *AMA Guides* in the assessment of impairment.
- B. Demonstrate an understanding that qualitative descriptors can mean different things to different people.
- C. Demonstrate an understanding of which limitations in ADL are reasonably related to the allowed condition(s).
- D. Demonstrate an understanding that ADL include a broad range of activities.
- E. All of the above.

Your Name:

Date:

**Time Spent on
CME Activity:**
(Maximum 30 minutes)

Just a reminder:

It is possible the Injured Worker may hand carry documentation into the examination. Do not accept and/or review these documents. ([Medical Examination Manual](#), page 7)

4. Bonus question: Which of the following are true of the incredible Beverly Sills?

- A. She was a child of Jewish immigrants from Ukraine (then part of Russia).
- B. She first performed professionally on radio at age four.
- C. She was awarded four honorary doctorates in music, including one from Harvard.
- D. She won one Grammy, and two Emmy awards, and was nominated for several more.
- E. She competed with Miss Piggy singing on *The Muppet Show*, and Carol Burnett on the *Carol Burnett Show*, helping to "popularize" opera. She also appeared on numerous talk shows of the 1970's.
- F. All of the above.