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**Workers' Compensation Law Blog**  
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## **Good News for Injured Workers Getting PPD Awards for Back Injuries**

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Last week the Nevada Supreme Court unanimously decided that rating doctors evaluating injured workers with spinal injuries can add one to three additional percentage points to the permanent partial disability award if the rating doctor finds that the spinal injury has substantially impaired activities of daily living (ADL's). The Nevada Self-Insurers Association had filed a lawsuit naming the Nevada Attorney for Injured Workers and the Nevada Division of Industrial Relations, arguing that a section of the American Medical Association Guides to the Evaluation of Permanent Impairment allowing for impairment of ADL's violated Nevada law. A district court judge agreed with the Self Insurers, and entered an order back in June 2008 that allowed insurers to withhold payment of that portion of an injured worker's award for ADL's until the Nevada Supreme Court decided the appeal. Injured workers were then put in the unfair position of having to wait until the Nevada Supreme Court decided the case if they wanted to accept their award in a lump sum payment. Most injured workers could not wait and ended up losing their percentage points for ADL's so that they could accept their permanent partial disability awards immediately.

Click on [this link](#) to read the complete decision by the Nevada Supreme Court. If you are an injured worker who chose to wait for the Nevada Supreme Court to decide this case and did not accept your PPD award in a lump sum, you should contact your adjuster if you do not receive a new PPD offer that includes the ADL's award within the next 30 days. The [Division of Industrial Relations](#) has notified all third-party administrators that they are to comply with the Nevada Supreme Court's decision. Click these links for more information on how [permanent partial disability awards](#) are calculated, or information on how to [contest an award](#) and get a second rating.

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