

By: Senator(s) Jackson (11th), Simmons,  
Horhn, Butler, Harden, Dawkins, Williamson,  
Jordan, Walls

To: Insurance

SENATE BILL NO. 2930

1 AN ACT TO AMEND SECTION 71-3-17, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE MAXIMUM PERIOD OF TIME ALLOWED FOR THE RECEIPT OF  
3 WORKERS COMPENSATION DISABILITY PAYMENTS; AND FOR RELATED  
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 71-3-17, Mississippi Code of 1972, is  
7 amended as follows:

8 71-3-17. Compensation for disability shall be paid to the  
9 employee as follows:

10 (a) Permanent total disability: In case of total  
11 disability adjudged to be permanent, sixty-six and two-thirds  
12 percent (66-2/3%) of the average weekly wages of the injured  
13 employee, subject to the maximum limitations as to weekly benefits  
14 as set up in this chapter, shall be paid to the employee not to  
15 exceed five hundred (500) weeks or an amount greater than the  
16 multiple of five hundred (500) weeks times sixty-six and  
17 two-thirds percent (66-2/3%) of the average weekly wage for the  
18 state. Loss of both hands, or both arms, or both feet, or both  
19 legs, or both eyes, or of any two (2) thereof shall constitute  
20 permanent total disability. In all other cases permanent total  
21 disability shall be determined in accordance with the facts.

22 (b) Temporary total disability: In case of disability,  
23 total in character but temporary in quality, sixty-six and  
24 two-thirds percent (66-2/3%) of the average weekly wages of the  
25 injured employee, subject to the maximum limitations as to weekly  
26 benefits as set up in this chapter, shall be paid to the employee  
27 during the continuance of such disability not to exceed five  
28 hundred (500) weeks or an amount greater than the multiple of five

29 hundred (500) weeks times sixty-six and two-thirds percent  
 30 (66-2/3%) of the average weekly wage for the state. Provided,  
 31 however, if there arises a conflict in medical opinions of whether  
 32 or not the claimant has reached maximum medical recovery and the  
 33 claimant's benefits have terminated by the carrier, then the  
 34 claimant may demand an immediate hearing before the commissioner  
 35 upon five (5) days' notice to the carrier for a determination by  
 36 the commission of whether or not in fact the claimant has reached  
 37 maximum recovery.

38 (c) Permanent partial disability: In case of  
 39 disability partial in character but permanent in quality, the  
 40 compensation shall be sixty-six and two-thirds percent (66-2/3%)  
 41 of the average weekly wages of the injured employee, subject to  
 42 the maximum limitations as to weekly benefits as set up in this  
 43 chapter, which shall be paid following compensation for temporary  
 44 total disability paid in accordance with subsection (b) of this  
 45 section, and shall be paid to the employee as follows:

| 46 | Member Lost                   | Number Weeks Compensation |
|----|-------------------------------|---------------------------|
| 47 | (1) Arm                       | 200                       |
| 48 | (2) Leg                       | 175                       |
| 49 | (3) Hand                      | 150                       |
| 50 | (4) Foot                      | 125                       |
| 51 | (5) Eye                       | 100                       |
| 52 | (6) Thumb                     | 60                        |
| 53 | (7) First finger              | 35                        |
| 54 | (8) Great toe                 | 30                        |
| 55 | (9) Second finger             | 30                        |
| 56 | (10) Third finger             | 20                        |
| 57 | (11) Toe other than great toe | 10                        |
| 58 | (12) Fourth finger            | 15                        |
| 59 | (13) Testicle, one            | 50                        |
| 60 | (14) Testicle, both           | 150                       |
| 61 | (15) Breast, female, one      | 50                        |



95 wages, subject to the maximum limitations as to weekly benefits as  
96 set up in this chapter, and his wage-earning capacity thereafter  
97 in the same employment or otherwise, payable during the  
98 continuance of such partial disability, but subject to  
99 reconsideration of the degree of such impairment by the commission  
100 on its own motion or upon application of any party in interest.  
101 Such payments shall in no case be made for a longer period than  
102 five hundred (500) weeks.

103 (26) In any case in which there shall be a loss of, or loss  
104 of use of, more than one (1) member or parts of more than one (1)  
105 member set forth in paragraphs (1) to (23) of this subsection, not  
106 amounting to permanent total disability, the award of compensation  
107 shall be for the loss of, or loss of use of, each such member or  
108 parts thereof, which awards shall run consecutively, except that  
109 where the injury affects only two (2) or more digits of the same  
110 hand or foot, paragraph (21) of this subsection shall apply.

111 **SECTION 2.** This act shall take effect and be in force from  
112 and after July 1, 2007.