

Ind 80

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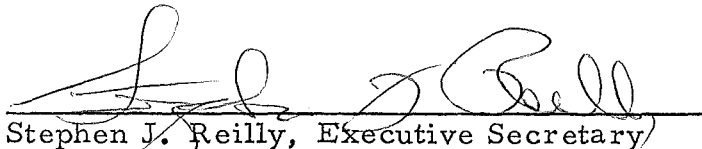
STATE OF WISCONSIN)
) ss.
DEPARTMENT OF INDUSTRY,)
LABOR AND HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Stephen J. Reilly, Executive Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said Department, do hereby certify that the attached rules to Wisconsin Administrative Code, Section Ind 80.25, Loss of Hearing, were adopted by the Department of Industry, Labor and Human Relations on July 29, 1975.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Capitol in the City of Madison, this 30 day of July, A. D., 1975.


Stephen J. Reilly, Executive Secretary

ORDER OF

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section 101.01-101.20, Wis. Stats., the Department of Industry, Labor and Human Relations hereby amends and adopts rules of Wisconsin Administrative Code Section Ind 80.25, Loss of Hearing; Determination.

The following rule is to be used to determine loss of hearing impairment.

Section Ind 80.25(1) is amended to read:

(1) HARMFUL NOISE. Hearing loss resulting from hazardous noise exposure depends upon several factors, namely, the overall intensity (sound pressure level), the daily exposure, the frequency characteristic of the noise spectrum and the total lifetime exposure. Noise exposure level of 90 decibels or more as measured on the A scale of a sound level meter for eight hours a day is considered to be harmful.

Section Ind 80.25(2) is amended to read:

(2) MEASUREMENT OF NOISE. Noise shall be measured with a sound level meter which meets ANSI standard S1.4-1971 and shall be measured on the "A" weighted network for "slow response." Noise levels reaching maxima at intervals of one second or less shall be classified as being continuous. The measurement of noise is primarily the function of acoustical engineers and properly trained personnel. Noise should be scientifically measured by properly trained individuals using approved calibrated instruments which at the present time include sound level meters, octave band analyzers and oscilloscopes, the latter particularly for impact-type noises. See Wisconsin Administrative Code sections Ind 11.03-11.06, inclusive. Register, July 1971, No. 187.

Section Ind 80.25(3) is amended to read:

(3) MEASURE OF HEARING ACUITY. The use of pure tone air conduction audiometry performed under proper testing conditions is recommended for establishing the hearing acuity of workers. The audiometer should be one which meets the specifications of ANSI standard 53.6-1969 (4). The audiometer should be periodically calibrated. Preemployment records should include a satisfactory personal and occupational history as they may pertain to hearing status. Otological examination should be made where indicated. See Wisconsin Administrative Code section Ind 11.10. Register, August 1972, No. 200; Ind 11.11. Register, July 1971, No. 187; and Ind 11.12. Register, August 1972, No. 200.

Section Ind 80.25(4) is amended to read:

(4) FORMULA FOR MEASURING HEARING IMPAIRMENT. For the purpose of determining the hearing impairment, pure tone air conduction audiometry is used, measuring all frequencies between 500 and 6,000 Hz. This formula uses the average of the three speech frequencies of 1,000, 2,000, and 3,000 Hz. Audiometric measurement for these three frequencies averaging 35 decibels or less on the ANSI calibration does not constitute any practical hearing impairment. A table for evaluating hearing impairment based upon the average readings of these three frequencies follows below. No deduction is made for presbycusis.

Section Ind 80.25(5) is repealed.

Section Ind 80.25(6) is renumbered Ind 80.25(5):

(5) DIAGNOSIS AND EVALUATION. The diagnosis of occupational hearing loss is based upon the occupational and medical history, the results of the otological and audiometric examinations and their evaluation.

Section Ind 80.25(7) is renumbered Ind 80.25(6):

(6) TREATMENT. There is no known medical or surgical treatment for improving or restoring hearing loss due to hazardous noise exposure.

Section Ind 80.25(7) is adopted to read:

(7) ALLOWANCE FOR TINNITUS. In addition to the above impairment, if tinnitus has permanently resulted due to work exposure, an allowance of 5 percent loss of hearing impairment for the affected ear or ears shall be computed.

Section Ind 80.25(8) is amended to read:

(8) HEARING IMPAIRMENT TABLE

Average Decibel Loss ANSI	Percent of Compensable Hearing Impairment	Average Decibel Loss ANSI	Percent of Compensable Hearing Impairment
35	0	66	54.25
36	1.75	67	56.00
37	3.50	68	57.75
38	5.25	69	59.50
39	7.00	70	61.25
40	8.75	71	63.00
41	10.50	72	64.75
42	12.25	73	66.50
43	14.00	74	68.25
44	15.75	75	70.00
45	17.50	76	71.75
46	19.25	77	73.50
47	21.00	78	75.25
48	22.75	79	77.00
49	24.50	80	78.75
50	26.25	81	80.50
51	28.00	82	82.25
52	29.75	83	84.00
53	31.50	84	85.75
54	33.25	85	87.50
55	35.00	86	89.25
56	36.75	87	91.00
57	38.50	88	92.75
58	40.25	89	94.50
59	42.00	90	96.25
60	43.75	91	98.00
61	45.50	92	99.75
62	47.25		
63	49.00		
64	50.75		
65	52.50		

METHOD FOR DETERMINING PERCENT OF HEARING IMPAIRMENT.

- (a) Obtain for each ear the average hearing level in decibels at the three frequencies, 1,000, 2,000 and 3,000 Hz.
- (b) See table for converting to percentage of hearing impairment in each ear.
- (c) To determine the percentage of impairment for both ears, multiply the lesser loss by 4, add the greater loss and divide by 5.

Example: Hearing levels in dbs (ANSI reference level):

Frequencies	250	500	1000	2000	3000	4000	6000
Right ear	20	25	40	50	60	65	70
Left ear	30	40	45	55	65	65	70

Right ear -	1000 -	40		Left ear -	1000 -	45
	2000 -	50			2000 -	55
	3000 -	<u>60</u>			3000 -	<u>65</u>
	Total	150		Total	165	

$$150 \div 3 = 50 \text{ db}$$

$$165 \div 3 = 55 \text{ db}$$

$$50 \text{ db} = 26.25\% \text{ impairment, right ear}$$

$$55 \text{ db} = 35\% \text{ impairment, left ear}$$

To determine bilateral percentage of impairment:

Multiply the less loss 26.25% by 4 = 105%

Add greater loss 35%

140%

Divide 140 by 5

= 28% bilateral impairment

The rules attached hereto shall become effective on the first day of the month following publication in the Wisconsin Administrative Code as provided in section 227, Wis. Stats.