



TO: Senate Commerce Committee

FROM: Steven Graham
Spirit AeroSystems

RE: Senate Bill 167

DATE: February 18, 2015

Dear Committee Members:

The 2011 legislators substantially amended the Kansas Workers Compensation Act. These numerous amendments became effective May 15, 2011. An issue subject to negotiation was the transition from the use of the *AMA Guides, 4th Edition* to the *AMA Guides, 6th Edition*, for the purpose of finding the extent of permanent impairment following a work-related accident. It was ultimately determined the use of the *6th Edition* would become applicable for injuries occurring on or after January 1, 2015.

Presently, the Committee on Commerce is considering Senate Bill No. 167 which would amend K.S.A. 44-510d to extinguish the use of the *6th Edition* and revert back to the *4th Edition* of the *AMA Guides*. This will serve as Notice that Spirit AeroSystems, Inc. opposes Senate Bill No. 167 for the following reasons:

1. Any consideration to abolish the use of the *6th Edition* is premature.
 - The impact following the use of the *6th Edition* is unknown. The only impetus behind Senate Bill No. 167 is speculation and unsupported fear.
2. Application of the *6th Edition* is not new.
 - Over 20 states and the Federal Government use the *AMA Guides, 6th Edition*.

If the Committee finds it necessary to amend K.S.A. 44-510d and 44-510e through Senate Bill No. 167, Spirit AeroSystems, Inc. urges as a compromise, the language "equals or" be stricken from the proposed amendment to K.S.A. 44-510e(2)(C)(i). According, (i) would read as follows:

The percentage of functional impairment determined to be caused solely by the injury exceed 10% to the body as a whole or the overall functional impairment is equal to exceeds 12½% to the body as a whole in cases where there is pre-existing impairment; and.

Thank you for your consideration.