

## **Degolier, Virgil**

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### **CAUSAL RELATIONSHIP**

#### **Audiologist**

Hearing loss must be established by medical evidence. The testimony of an audiologist is therefore insufficient to make a prima facie case for causal relationship and extent of permanent partial disability. ...*In re Virgil Degolier*, BIIA Dec., 60,471 (1983) [Editor's Note: Consider the effect of the analysis of ER 702 contained in *Frausto v. Yakima HMA*, 188 Wn.2d 227 (2017) on this decision.]

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1 published, although it was considered by our industrial appeals judge, and by counsel for all parties,  
2 to be properly in evidence herein. Even when so considered it is questionable whether it would be  
3 competent evidence to establish the degree of the claimant's hearing loss due to environmental  
4 working conditions and the degree of his hearing loss due to other causes. It is our conviction that  
5 such a segregation and causal relationship question can only be established by the testimony of a  
6 physician, preferably an otolaryngologist. We do not doubt the professional ability of an audiologist  
7 to measure the hearing loss, but causal relationship depends on an interpretation of history  
8 combined with accurate medical diagnosis. It is not shown by this record that a Ph.D in audiology  
9 similarly qualifies an individual to make the same reasoned medical judgments. We will agree with  
10 the Proposed Decision and Order that any increase or decrease in the claimant's award as made  
11 by the department would have to be based on evidence supported by one so qualified.

12 We have long adhered to the proposition established by the case law cited in the Proposed  
13 Decision and Order, that ratings concerning the extent of physical and mental impairment, i.e.,  
14 permanent partial disability, must be supported by competent medical evidence. We will not  
15 supplant that interpretation of the law in this appeal.

16 After consideration of the Proposed Decision and Order and the Petition for Review filed  
17 thereto, and a careful review of the entire record before us, we are persuaded that the disposition  
18 made by the Proposed Decision and Order is correct as a matter of fact and as a matter of law.

19 Proposed Finding No. 2 is deleted, and replaced by the Board's Finding No. 2 as follows:

- 20 2. The record before this Board contains no probative evidence to show the  
21 incorrectness of the Department's order of August 12, 1981, making a  
22 permanent partial disability award to the claimant for occupational  
23 hearing loss of 38.40% complete loss of hearing in both ears.

24 The proposed findings, as above amended, conclusions and order are hereby adopted as  
25 this Board's final findings, conclusions and order and are incorporated herein by this reference.

26 It is so ORDERED.

27 Dated this 18th day of May, 1983.

28 BOARD OF INDUSTRIAL INSURANCE APPEALS

29 /s/

30 MICHAEL L. HALL

Chairman

31 /s/

32 FRANK E. FENNERTY, JR.

Member

33 /s/

34 PHILLIP T. BORK

Member