

**34A-2-102 Definition of terms.**

(1) As used in this chapter:

- (a) "Average weekly wages" means the average weekly wages as determined under Section 34A-2-409.
- (b) "Award" means a final order of the commission as to the amount of compensation due:
  - (i) an injured employee; or
  - (ii) a dependent of a deceased employee.
- (c) "Compensation" means the payments and benefits provided for in this chapter or Chapter 3, Utah Occupational Disease Act.
- (d)
  - (i) "Decision" means a ruling of:
    - (A) an administrative law judge; or
    - (B) in accordance with Section 34A-2-801:
      - (I) the commissioner; or
      - (II) the Appeals Board.
  - (ii) "Decision" includes:
    - (A) an award or denial of a medical, disability, death, or other related benefit under this chapter or Chapter 3, Utah Occupational Disease Act; or
    - (B) another adjudicative ruling in accordance with this chapter or Chapter 3, Utah Occupational Disease Act.
- (e) "Director" means the director of the division, unless the context requires otherwise.
- (f) "Disability" means an administrative determination that may result in an entitlement to compensation as a consequence of becoming medically impaired as to function. Disability can be total or partial, temporary or permanent, industrial or nonindustrial.
- (g) "Division" means the Division of Industrial Accidents.
- (h) "Impairment" is a purely medical condition reflecting an anatomical or functional abnormality or loss. Impairment may be either temporary or permanent, industrial or nonindustrial.
- (i) "Order" means an action of the commission that determines the legal rights, duties, privileges, immunities, or other interests of one or more specific persons, but not a class of persons.
- (j)
  - (i) "Personal injury by accident arising out of and in the course of employment" includes an injury caused by the willful act of a third person directed against an employee because of the employee's employment.
  - (ii) "Personal injury by accident arising out of and in the course of employment" does not include a disease, except as the disease results from the injury.
- (k) "Safe" and "safety," as applied to employment or a place of employment, means the freedom from danger to the life or health of employees reasonably permitted by the nature of the employment.
- (l) "Workers' Compensation Fund" means the nonprofit, quasi-public corporation created in Title 31A, Chapter 33, Workers' Compensation Fund.

(2) As used in this chapter and Chapter 3, Utah Occupational Disease Act:

- (a) "Brother or sister" includes a half brother or sister.
- (b) "Child" includes:
  - (i) a posthumous child; or
  - (ii) a child legally adopted prior to an injury.

Amended by Chapter 90, 2008 General Session