

CHAPTER 1162

WORKERS' COMPENSATION INSURANCE

S. F. 460

AN ACT relating to workers' compensation insurance proceedings and rates.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section five hundred fifteen A point six (515A.6), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding any other provision of the Code, the commissioner of insurance shall provide for a hearing in a proceeding involving a workers' compensation insurance rate filing by a licensed rating organization in accordance with the provisions of this subsection and rules promulgated by the commissioner of insurance pursuant to chapter seventeen A (17A) of the Code. Except as otherwise provided herein, the provisions of this subsection shall not be subject to the requirements of chapter seventeen A (17A) of the Code. The procedures for such hearing shall be as follows:

a. The commissioner shall provide notice of the filing of the proposed rates at least thirty days before the effective date of the proposed rates by publishing a notice in the Iowa administrative bulletin.

b. A public hearing shall be held on the proposed rates by the commissioner of insurance if within fifteen days of the date of publication a workers' compensation policyholder or an established organization with one or more workers' compensation policyholders among its members files a written demand with the commissioner of insurance for a hearing on the proposed rates.

c. The commissioner of insurance shall hold the hearing within twenty days after receipt of the written demand for a hearing and shall give not less than ten days written notice of the time and place of the hearing to the person or association filing the demand, to the rating organization, and to any other person requesting such notice.

d. At any such hearing, the rating organization shall bear the burden of proof to support the proposed rates by a preponderance of the evidence. The person or association requesting the hearing, and any other person admitted as a party to the proceeding, shall be given the opportunity to respond and introduce evidence and arguments on all the issues involved.

e. Within fifteen days after the start of the hearing, the commissioner of insurance will approve or disapprove the proposed rates and specify the reasons therefor. The commissioner of insurance may suspend or postpone the effective date of the proposed rates pending the hearing and written decision thereon.

f. Judicial review of the decision of the commissioner of insurance on such rates may be sought in accordance with the provisions of chapter seventeen A (17A) of the Code.

Approved April 14, 1980

CHAPTER 1163
INSOLVENT INSURER
S. F. 2012

AN ACT relating to the definition of insolvent insurer for purposes of the Iowa insurance guaranty association.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section five hundred fifteen B point two (515B.2), subsection five (5), Code 1979, is amended to read as follows:

5. "Insolvent insurer" means an insurer ~~as herein defined which has been determined to be insolvent by a court of competent jurisdiction~~ against which an order of liquidation with a finding of insolvency has been entered on or after the effective date of this Act by a court of competent jurisdiction of this state or of the state of the insurer's domicile, and the order of liquidation has not been stayed or been the subject of a writ of supersedeas or other comparable order.

Approved March 3, 1980