

House Study Bill 100

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR BILL BY CHAIRPERSON
OLSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring additional workers' compensation payments for
2 scheduled injuries that result in a reduction in the injured
3 employee's earning capacity.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1821YC 82
6 av/gg/14

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1 1 Section 1. Section 85.34, subsection 2, paragraph v, Code
1 2 2007, is amended to read as follows:
1 3 v. In all cases of permanent partial disability described
1 4 or referred to in paragraphs "a" through "t" which cause a
1 5 reduction in the employee's earning capacity greater than the
1 6 weeks compensated in paragraphs "a" through "t", compensation
1 7 shall be paid during the number of weeks in relation to five
1 8 hundred weeks as the reduction in the employee's earning
1 9 capacity caused by the disability bears in relation to the
1 10 earning capacity that the employee possessed when the injury
1 11 occurred.

1 12 ~~v.~~ w. If it is determined that an injury has produced a
1 13 disability less than that specifically described in the
1 14 schedule described in paragraphs "a" through "t", compensation
1 15 shall be paid during the lesser number of weeks of disability
1 16 determined, as will not exceed a total amount equal to the
1 17 same percentage proportion of said scheduled maximum
1 18 compensation.

EXPLANATION

1 19
1 20 This bill amends Code section 85.34 to provide that for
1 21 purposes of workers' compensation, a scheduled injury
1 22 resulting in permanent partial disability that also results in
1 23 a reduction in earning capacity greater than the weeks
1 24 compensated in the schedule for that injury, shall be
1 25 compensated in the same way as an unscheduled injury that
1 26 results in permanent partial disability. In that case
1 27 compensation shall be paid during the number of weeks in
1 28 relation to 500 weeks as the reduction in the employee's
1 29 earning capacity caused by the disability bears in relation to
1 30 the earning capacity that the employee possessed when the
1 31 injury occurred.
1 32 LSB 1821YC 82
1 33 av:rj/gg/14