

CHAPTER 2
GENERAL PROVISIONS

[Prior to 9/24/86 see Industrial Commissioner[500]]
[Prior to 1/29/97 see Industrial Services Division[343]]
[Prior to 7/29/98 see Industrial Services Division[873]Ch 2]

876—2.1(86) Extending time and continuances. For good cause the workers' compensation commissioner or the commissioner's designee may modify the time to comply with any rule.

876—2.2(85A,85B,86,87) Applicability. When appropriate, all rules shall apply to Iowa Code chapters 85A, 85B, 86 and 87 as well as chapter 85.

876—2.3(86,87) Representative within the state. All licensed insurers, foreign and domestic, insuring workers' compensation and all employers relieved from insurance pursuant to Iowa Code section 87.11 shall designate one or more persons geographically located within the borders of this state, which person or persons shall be knowledgeable of the Iowa Workers' Compensation Law and Rules and shall be given the authority and have the responsibility to expedite the handling of all matters within the scope of Iowa Code chapters 85, 85A, 85B, 86, and 87.

The Iowa workers' compensation commissioner shall be advised by letter of the name, address, and telephone number of each of the persons so designated. Any change in the identity, address or telephone number of the persons so designated shall be reported to the Iowa workers' compensation commissioner within ten days after such change occurs.

876—2.4(85,86) Guides to evaluation of permanent impairment. The Guides to the Evaluation of Permanent Impairment, Fifth Edition, published by the American Medical Association are adopted as a guide for determining permanent partial disabilities under Iowa Code section 85.34(2) "a" to "s." The extent of loss or percentage of permanent impairment may be determined by use of the Fifth Edition of the guides and payment of weekly compensation for permanent partial scheduled injuries made accordingly. Payment so made shall be recognized by the workers' compensation commissioner as a prima facie showing of compliance by the employer or insurance carrier with the foregoing sections of the Iowa workers' compensation Act. Nothing in this rule shall be construed to prevent the presentations of other medical opinions or other material evidence for the purpose of establishing that the degree of permanent disability to which the claimant would be entitled would be more or less than the entitlement indicated in the Fifth Edition of the AMA guides.

This rule is intended to implement Iowa Code sections 85.34(2) and 86.8.

876—2.5(85,85A,85B,86,87) Electronic filing. Rescinded IAB 9/23/98, effective 10/28/98.

876—2.6(85,85A,85B,86) Information to employees. An employer or its insurance carrier filing a final subsequent report of injury (SROI) with the workers' compensation commissioner (see 876—subrule 3.1(2)) shall also mail a copy of the information contained on the final subsequent report of injury to the employee at the employee's last-known address.

This rule is intended to implement Iowa Code sections 85.26, 86.8, 86.11 and 86.13.

[Emergency filed and effective 9/19/75—published 10/6/75]

[Filed 11/17/75, Notice 10/6/75—published 12/1/75, effective 1/5/76]

[Filed 8/16/76, Notice 7/12/76—published 8/23/76, effective 9/27/76]

[Filed 8/3/77, Notice 6/29/77—published 8/24/77, effective 9/28/77]

[Filed emergency 6/18/82—published 7/7/82, effective 7/1/82]

[Editorially transferred from [500] to [343], IAC Supp. 9/24/86, see IAB 7/16/86]

[Filed 8/26/94, Notice 7/20/94—published 9/14/94, effective 10/19/94]

[Filed 1/13/95, Notice 12/7/94—published 2/1/95, effective 3/8/95]

[Filed 1/10/97, Notice 12/4/96—published 1/29/97, effective 3/5/97]

[Filed emergency 7/1/98—published 7/29/98, effective 7/1/98]

[Filed 9/4/98, Notice 7/29/98—published 9/23/98, effective 10/28/98]

[Filed 5/12/00, Notice 4/5/00—published 5/31/00, effective 7/5/00]

[Filed 2/15/02, Notice 1/9/02—published 3/6/02, effective 4/10/02]

[Filed emergency 4/2/08—published 4/23/08, effective 4/2/08]