

2. Sections 4, 5, 6, and 10 apply retroactively to tax years ending on or after September 10, 2001.

Sec. 12. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 21, 2003

CHAPTER 140

WORKERS' COMPENSATION — MISCELLANEOUS CHANGES

H.F. 225

AN ACT modifying workers' compensation laws and providing an effective date.

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

Section 1. Section 85.28, Code 2003, is amended to read as follows:

85.28 BURIAL EXPENSE.

When death ensues from the injury, the employer shall pay the reasonable expenses of burial of such employee, not to exceed ~~five~~ seven thousand ~~five hundred~~ dollars, which shall be in addition to other compensation or any other benefit provided for in this chapter.

Sec. 2. Section 85.48, Code 2003, is amended to read as follows:

85.48 PARTIAL COMMUTATION.

When partial commutation is ordered, the workers' compensation commissioner shall fix the lump sum to be paid at an amount which will equal the future payments for the period commuted, capitalized at their present value upon the basis of interest at the rate provided in section 535.3 for court judgments and decrees, ~~with provisions.~~ Provisions shall be made for the payment of weekly compensation not included in the commutation, subject to the law applicable to such unpaid weekly payments; with all remaining payments, if any, to be paid at over the same period of time as though the commutation had not been made by either eliminating weekly payments from the first or last part of the payment period or by a pro rata reduction in the weekly benefit amount over the entire payment period.

Sec. 3. Section 85.65A, subsection 5, Code 2003, is amended to read as follows:

5. This section is repealed July 1, ~~2003~~ 2008.

Sec. 4. Section 86.42, Code 2003, is amended to read as follows:

86.42 JUDGMENT BY DISTRICT COURT ON AWARD.

Any party in interest may present a ~~certified~~ file-stamped copy of an order or decision of the commissioner, from which a timely petition for judicial review has not been filed or if judicial review has been filed, which has not had execution or enforcement stayed as provided in section 17A.19, subsection 5, or an order or decision of a deputy commissioner from which a timely appeal has not been taken within the agency and which has become final by the passage of time as provided by rule and section 17A.15, or an agreement for settlement approved by the commissioner, and all papers in connection therewith, to the district court where judicial review of the agency action may be commenced. The court shall render a decree or judgment and cause the clerk to notify the parties. The decree or judgment, in the absence of a petition

for judicial review or if judicial review has been commenced, in the absence of a stay of execution or enforcement of the decision or order of the workers' compensation commissioner, or in the absence of an act of any party which prevents a decision of a deputy workers' compensation commissioner from becoming final, has the same effect and in all proceedings in relation thereto is the same as though rendered in a suit duly heard and determined by the court.

Sec. 5. Section 86.43, Code 2003, is amended to read as follows:
86.43 JUDGMENT — MODIFICATION ~~OF~~.

Upon the presentation to the court of a certified file-stamped copy of a decision of the workers' compensation commissioner, ending, diminishing, or increasing the compensation under the provisions of this chapter, the court shall revoke or modify the decree or judgment to conform to such decision.

Sec. 6. EFFECTIVE DATE. The amendment to section 85.65A, subsection 5, in this Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 21, 2003

CHAPTER 141

POLICY AND SERVICES FOR THE ELDERLY

H.F. 386

AN ACT relating to the department of elder affairs including provisions relating to the elder Iowans Act.

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

Section 1. Section 231.3, subsections 1, 3, and 4, Code 2003, are amended to read as follows:

1. An adequate income ~~in retirement~~.
3. Suitable housing, ~~appropriate to the special~~ that reflects the needs of older people.
4. Full restorative services for those who require institutional care, and a comprehensive array of community-based, long-term care services adequate to sustain older people in their communities and, whenever possible, in their homes, including support for caregivers.

Sec. 2. Section 231.4, Code 2003, is amended to read as follows:
231.4 DEFINITIONS.

For purposes of this chapter, unless the context otherwise requires:

1. "Administrative action" means an action or decision made by an owner, employee, or agent of a long-term care facility, or by a governmental agency, which affects the service provided to residents covered in this chapter.
2. "Commission" means the commission of elder affairs.
3. ~~"Comprehensive and coordinated system" means a system for providing all necessary supportive services, including nutrition services, in a manner designed to:~~
 - a. ~~Facilitate accessibility to, and utilization of, all supportive services and nutrition services provided within the geographic area served by the system by any public or private agency or organization.~~