

86.39 Fees — approval.

1. All fees or claims for legal, medical, hospital, and burial services rendered under [this chapter](#) and [chapters 85, 85A, 85B](#), and [87](#) are subject to the approval of the workers' compensation commissioner. For services rendered in the district court and appellate courts, the attorney fee is subject to the approval of a judge of the district court.

2. An attorney shall not recover fees for legal services based on the amount of compensation voluntarily paid or agreed to be paid to an employee for temporary or permanent disability under [this chapter](#), or [chapter 85, 85A, 85B](#), or [87](#). An attorney shall only recover a fee based on the amount of compensation that the attorney demonstrates would not have been paid to the employee but for the efforts of the attorney. Any disputes over the recovery of attorney fees under [this subsection](#) shall be resolved by the workers' compensation commissioner.

[S13, §2477-m20, -m35; C24, 27, 31, 35, 39, §1462; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §86.39]

[86 Acts, ch 1238, §50](#); [88 Acts, ch 1158, §14](#); [98 Acts, ch 1061, §11](#); [2000 Acts, ch 1007, §5](#); [2017 Acts, ch 23, §21, 24](#)

Referred to in [§85.27](#)

2017 amendment applies to injuries occurring on or after July 1, 2017; [2017 Acts, ch 23, §24](#)