

85.48 Partial commutation.

1. 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. Provisions shall be made for the payment of weekly compensation not included in the commutation with all remaining payments to be paid 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.

2. When commuting future payments pursuant to [this section](#), if the claim for workers' compensation benefits was related to an injury that resulted in the injured worker needing a medically necessary permanent prosthetic device or an alteration of an existing medically necessary permanent prosthetic device, a portion of the lump sum payment must be designated for the purposes of covering the estimated cost of repair or replacement of the permanent prosthetic device. Moneys identified pursuant to [this subsection](#) shall be paid to the treasurer of state as custodian of the second injury fund for administration pursuant to [section 85.65, subsection 2, section 85.66, and section 85.67A](#).

[S13, §2477-m15; C24, 27, 31, 35, 39, §1408; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §85.48; [82 Acts, ch 1161, §17](#)]

[98 Acts, ch 1061, §11](#); [2003 Acts, ch 140, §2](#); [2022 Acts, ch 1128, §5](#)

Referred to in [§85.65](#)

Section amended