

85.65 Payments to second injury fund.

1. The employer, or, if insured, the insurance carrier in each case of compensable injury causing death, shall pay to the treasurer of state for the second injury fund the sum of twelve thousand dollars in a case where there are dependents and forty-five thousand dollars in a case where there are no dependents. The payment shall be made at the time compensation payments are begun, or at the time the burial expenses are paid in a case where there are no dependents. However, the payments shall be required only in cases of injury resulting in death coming within the purview of [this chapter](#) and occurring after July 1, 1978. These payments shall be in addition to any payments of compensation to injured employees or their dependents, or of burial expenses as provided in [this chapter](#).

2. *a.* The employer, or, if insured, the insurance carrier shall pay to the treasurer of state for the second injury fund the sum of moneys designated for the purpose of covering the estimated cost of repair or replacement of a permanent prosthetic device for an injured worker pursuant to [section 85.35](#), [85.45](#), or [85.48](#).

b. (1) Upon receipt of moneys pursuant to paragraph “a”, the treasurer of state shall credit the employee for the full amount received.

(2) Moneys received by the treasurer of state pursuant to this paragraph for a permanent prosthetic device that was not medically necessary prior to an injury shall be credited to the injured worker in a new account relating to that permanent prosthetic device.

(3) Moneys received by the treasurer of state pursuant to this paragraph for an existing permanent prosthetic device that requires alteration due to an injury shall be credited to the employee’s account relating to that prosthetic device if one exists, or credited to a new account if one is not in existence for that prosthetic device.

c. Moneys credited to an employee pursuant to [this subsection](#) may only be used for the purposes designated in [section 85.67A](#) and only in relation to the permanent prosthetic device for which the account was created.

[C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §85.65; [82 Acts, ch 1161, §20](#)]

[89 Acts, ch 33, §1](#); [98 Acts, ch 1113, §1, 7](#); [2022 Acts, ch 1128, §7](#)

Referred to in [§10A.314](#), [85.27](#), [85.35](#), [85.45](#), [85.48](#), [85.67A](#), [85.68](#)