

## **WORKERS' COMPENSATION DIVISION[876]**

[Prior to 9/24/86, see Industrial Commissioner[500]. Renamed Division of Industrial Services under the "umbrella" of Employment Services Department by 1986 Iowa Acts, Senate File 2175]

[Prior to 1/29/97 see Industrial Services Division[343]. Reorganized under "umbrella" of the Department of Workforce Development[871] by 1996 Iowa Acts, chapter 1186]

[Prior to 7/29/98 see Industrial Services Division[873]]

### **CHAPTER 1**

#### **PURPOSE AND FUNCTION**

- 1.1(86,17A) Purpose and function
- 1.2(86,17A) Location

### **CHAPTER 2**

#### **GENERAL PROVISIONS**

- 2.1(86) Extending time and continuances
- 2.2(85,85A,85B,86,87) Applicability
- 2.3(86,87) Representative within the state
- 2.4(85,86) Guides to evaluation of permanent impairment
- 2.5(85,85A,85B,86) Use of workers' compensation electronic system (WCES) for submission of filings
- 2.6(85,85A,85B,86) Information to employees
- 2.7(86) Official record
- 2.8(86) Document requirements

### **CHAPTER 3**

#### **FORMS**

- 3.1(17A) Forms

### **CHAPTER 4**

#### **CONTESTED CASES**

- 4.1(85,85A,85B,86,87,17A) Contested cases
- 4.2(86) Separate evidentiary hearing or consolidation of proceedings
- 4.3(85,85A,86,87) Compliance proceedings
- 4.4(86) Request for hearing
- 4.5(86) Commencement by the workers' compensation commissioner
- 4.6(85,86,17A) Original notice and petition
- 4.7(86,17A) Delivery of notice, orders, rulings and decisions
- 4.8(86) Filing of notice
- 4.9(17A) Appearance and responses, pleadings, motions and settlements
- 4.10(86,87) Insurance carrier as a party
- 4.11(86) Signatures on documents and papers
- 4.12(86) Service on parties
- 4.13(86) Method of service
- 4.14(86) Filing of documents and papers
- 4.15(86) Proof of service
- 4.16 Reserved
- 4.17(17A,85,86) Service of records and reports
- 4.18(17A,85,86) Medical evidence and discovery
- 4.19(86) Prehearing procedure
- 4.20(86) Prehearing conference
- 4.21(86) Prehearing conference record
- 4.22(86) Orders
- 4.23(86) Assignment for hearing
- 4.24(17A,86) Rehearing
- 4.25(17A,86) Appeal when rehearing requested
- 4.26 Reserved
- 4.27(17A,86) Appeal
- 4.28(17A,86) Briefing requirements on appeal
- 4.29(86,17A) Review upon motion
- 4.30(86,17A) Transcript on appeal or review

|                   |  |
|-------------------|--|
| 4.31(86)          | Completion of contested case record                |
| 4.32(86,17A)      | Recording of proceedings                           |
| 4.33(86)          | Costs  |
| 4.34(86)          | Dismissal for lack of prosecution                  |
| 4.35(86)          | Rules of civil procedure                           |
| 4.36(86)          | Compliance with order or rules                     |
| 4.37(86,17A)      | Waiver of contested case provisions                |
| 4.38(17A)         | Recusal  |
| 4.39(17A,86)      | Filing by facsimile transmission (fax)             |
| 4.40(73GA,ch1261) | Dispute resolution                                 |
| 4.41 to 4.44      | Reserved   |
| 4.45(17A,86)      | Length of briefs                                   |
| 4.46(17A,85,86)   | Contested case proceedings—health service disputes |
| 4.47              | Reserved   |
| 4.48(17A,85,86)   | Application for alternate care                     |
| 4.49(17A,85,86)   | Method of holding hearing                          |
| 4.50(85)          | Vocational training, education, and supplies       |
| 4.51(86)          | Agency notice of judicial review matters           |
| 4.52(86)          | Rules of electronic procedure                      |

## CHAPTER 5 DECLARATORY ORDERS

|           |  |
|-----------|--|
| 5.1(17A)  | Petition for declaratory order                   |
| 5.2(17A)  | Notice of petition                               |
| 5.3(17A)  | Intervention                                     |
| 5.4(17A)  | Briefs   |
| 5.5(17A)  | Inquiries  |
| 5.6(17A)  | Service and filing of petitions and other papers |
| 5.7(17A)  | Consideration                                    |
| 5.8(17A)  | Action on petition                               |
| 5.9(17A)  | Refusal to issue order                           |
| 5.10(17A) | Contents of order—effective date                 |
| 5.11(17A) | Copies of orders                                 |
| 5.12(17A) | Effect of a declaratory order                    |
| 5.13(17A) | Filing fee                                       |

## CHAPTER 6 SETTLEMENTS AND COMMUTATIONS

|            |   |
|------------|---|
| 6.1(85,86) | Settlements under Iowa Code section 85.35 |
| 6.2(85,86) | Commutation                               |
| 6.3(85,86) | Commutation tables                        |
| 6.4(85,86) | Forms for commutation                     |
| 6.5(85)    | Statement of awareness                    |
| 6.6(86)    | Twenty-page limitation                    |
| 6.7(85,86) | Claimant statement                        |
| 6.8(85,86) | Failure to timely file settlement         |

## CHAPTER 7 PETITION FOR RULE MAKING (Uniform Rules)

|          |                          |
|----------|--------------------------|
| 7.1(17A) | Petition for rule making |
| 7.3(17A) | Inquiries                |

## CHAPTER 8 SUBSTANTIVE AND INTERPRETIVE RULES

|         |                                |
|---------|--------------------------------|
| 8.1(85) | Transportation expense         |
| 8.2(85) | Overtime                       |
| 8.3     | Reserved                       |
| 8.4(85) | Salary in lieu of compensation |

|             |  |
|-------------|--|
| 8.5(85)     | Appliances   |
| 8.6(85,85A) | Calendar days—decimal equivalent                                       |
| 8.7(86)     | Short paper  |
| 8.8(85,17A) | Payroll tax tables   |
| 8.9(85)     | Rate determination   |
| 8.10(85,86) | Exchange of records  |
| 8.11(85B)   | Apportionment of age-related loss for occupational hearing loss claims |
| 8.12(85)    | Offer of suitable work   |

## CHAPTER 9

### PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

(Uniform Rules)

|                    |   |
|--------------------|---|
| 9.1(17A,22,85-87)  | Definitions   |
| 9.3(17A,22,85-87)  | Requests for access to records  |
| 9.6(17A,22,85-87)  | Procedure by which additions, dissents, or objections may be entered into certain records |
| 9.8(17A,22,85-87)  | Notice to suppliers of information  |
| 9.9(17A,22,85-87)  | Disclosure without the consent of the subject   |
| 9.10(17A,22,85-87) | Routine use   |
| 9.11(17A,22,85-87) | Release to subject  |
| 9.12(17A,22,85-87) | Availability of records   |
| 9.13(17A,22,85-87) | Personally identifiable information   |
| 9.14(17A,22,85-87) | Applicability   |

## CHAPTER 10

### INFORMAL DISPUTE RESOLUTION PROCEDURES

|                 |  |
|-----------------|--|
| 10.1(17A,85,86) | Informal dispute resolution procedures |
| 10.2            | Reserved                               |
| 10.3(17A,85,86) | Health service dispute resolution      |

## CHAPTER 11

### ELECTRONIC DATA INTERCHANGE (EDI)

|             |                     |
|-------------|---------------------|
| 11.1(85,86) | Purpose             |
| 11.2(85,86) | Definitions         |
| 11.3(85,86) | Form of reporting   |
| 11.4(85,86) | Manner of reporting |
| 11.5        | Reserved            |
| 11.6(85,86) | Mandatory reporting |
| 11.7(85,86) | Required reports    |

## CHAPTER 12

### FORMAL REVIEW AND WAIVER OF RULES

|           |                              |
|-----------|------------------------------|
| 12.1(17A) | Requests to review           |
| 12.2(17A) | Review of rules              |
| 12.3(17A) | Form of criticism            |
| 12.4(17A) | Requests for waiver of rules |