

CHAPTER 20
RECOGNITION OF AGENTS
[Prior to 11/24/04, see 581—Ch 21]

495—20.1(97B) Recognition of agents.

20.1(1) *Recognition of agents in general.* When a claimant desires to be represented by an agent before the system, the claimant shall designate in writing the name of a representative and the nature of the business the representative is authorized to transact. Such designation on the part of the claimant shall constitute for IPERS sufficient proof of the acceptability of the individual to serve as the claimant's agent. An attorney in good standing may be so designated by the claimant.

20.1(2) *Payment to incompetents.* When it appears that the interest of a claimant or retired member would be served, IPERS may recognize an agent to represent the individual in the transaction of the affairs with IPERS. Recognition may be obtained through the filing with IPERS of a copy of the guardianship, trusteeship, power of attorney, conservatorship, or social security representative payee documents by the individual so designated. Such persons have all the rights and obligations of the member. Notwithstanding the foregoing, none of the foregoing representatives shall have the right to name the representative as the member's beneficiary unless approved to do so by a court having jurisdiction of the matter, or unless expressly authorized to do so in a power of attorney executed by the member.

495—20.2(97B) Agreements by agents. An individual serving in the capacity of an agent establishes an agreement with IPERS to transact all business with IPERS in such a manner that the interests of the retired member or claimant are best served. Payments made to the agent on behalf of the individual will be used for the direct benefit of the retired member or claimant. Failure to adhere to the agreement will cause discontinuance of the agency relationship and may serve as the basis for legal action by IPERS or the member.

These rules are intended to implement Iowa Code sections 97B.34 and 97B.37.

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