

CHAPTER 2
TORT CLAIMS

[Prior to 5/4/88, see Appeal Board, State[60] Ch 2]

Chapter rescission date pursuant to Iowa Code section 17A.7: 12/17/30

543—2.1(669) Form of claims.

2.1(1) *Place of filing.* Tort claims will be filed with the executive secretary at the board's address. The board may make forms available to facilitate submission of a claim.

2.1(2) *Names, signatures, and verification.* To be valid, a claim needs to be legible and state the name, address, telephone number, and age of the person making the claim; the name, address and telephone number of the claimant's attorney preparing the claim, if any; and their signatures. Claims must also be verified as being true and that the information provided is accurate to the best of the claimant's knowledge.

2.1(3) *Designation by number.* The executive secretary will assign a number to each claim. Thereafter, claims may be referred to by the assigned number.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.2(669) Content. Valid claims need to include all information as required by the board's official submission form.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.3(669) Attorney general. The executive secretary will convey each claim to the special assistant attorney general assigned to the board. The special assistant attorney general will investigate the claim and is empowered to administer oaths, take testimony, and conduct discovery in accordance with the Iowa Rules of Civil Procedure. The special assistant attorney general may compel the attendance of witnesses and certify to any district court for contempt.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.4(669) Notification. The special assistant attorney general will notify the claimant or the claimant's attorney, in writing, of the board's determination and any award.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.5(669) Release. The claimant is obligated to execute a release of the claim and covenant not to sue in consideration of acceptance of the award.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.6(669) Acceptance. Return of the executed release and covenant not to sue will constitute acceptance of the award in full settlement of the claim.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.7(669) Warrant. Upon acceptance of the award, completion of the release, and a determination by the board that attorneys' fees requested are reasonable, the board will issue a warrant in the agreed amount, payable to claimant and the claimant's attorney.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

543—2.8(669) Withdrawal. Submitted claims may be withdrawn at any time through written notice addressed to the board at the board's mailing address.

[ARC 9696C, IAB 11/12/25, effective 12/17/25]

These rules are intended to implement Iowa Code chapter 17A and section 669.3(3).

[Filed ARC 9696C (Notice ARC 9461C, IAB 8/6/25), IAB 11/12/25, effective 12/17/25]