

**876—6.2(85,86) Commutation.** The following requirements must be met before a commutation will be considered or granted:

**6.2(1)** A first report of injury, an acknowledgment of compensability and an updated supplemental claim activity report must be filed.

**6.2(2)** The commutation forms provided for in 876—6.4(85,86) must be filed.

**6.2(3)** All doctors' and practitioners' reports relevant to the disability of the claimant involved in the commutation must be attached to the commutation forms.

**6.2(4)** Claimant's condition as a result of the injury as shown by the medical reports cannot be one which will be expected to deteriorate. When a partial commutation is sought, this subrule shall diminish in importance.

**6.2(5)** Claimant's condition as a result of the injury shown by the doctors' and practitioners' reports cannot be one which will be expected to require future treatment unless the future treatment is adequately provided for. When a partial commutation is sought, this subrule shall diminish in importance.

**6.2(6)** A detailed statement of claimant's need or other reason for a lump sum of money must be attached to the application. The analysis shall include disclosure of any attorney fee and case expense amount to be paid from the full commutation. If all parties are represented by an attorney, the parties may waive the statement of need, unless the case involves a dependent who is a minor.

**6.2(7)** When multiple dependents are involved, a signed stipulation or order of apportionment identifying the proportion of benefits to be received by each dependent shall be attached to the commutation form.

**6.2(8)** A signed stipulation as to the degree of permanent disability shall be attached to the commutation form.

**6.2(9)** If all parties are represented by an attorney, a commutation of benefits is presumed to be in the best interests of the claimant.

**6.2(10)** If all parties are represented by an attorney, the parties may stipulate to the definitely determined period of compensation.

This rule is intended to implement Iowa Code sections 85.45 and 85.47.

[ARC 3528C, IAB 12/20/17, effective 1/24/18; ARC 6841C, IAB 2/8/23, effective 3/15/23]