

876—6.1(85,86) Settlements under Iowa Code section 85.35. All proposed settlements shall be submitted to the workers' compensation commissioner for approval. An agreement for settlement pursuant to Iowa Code section 85.35(2) shall be on Form 14-0021. A compromise settlement pursuant to Iowa Code section 85.35(3) shall be on Form 14-0025. A combination settlement pursuant to Iowa Code section 85.35(4) shall be on Form 14-0159. A contingent settlement pursuant to Iowa Code section 85.35(5) shall be on Form 14-0161.

6.1(1) Evidence that a settlement should be approved as required by Iowa Code section 85.35(7) shall accompany the settlement or be incorporated into the settlement forms. It is presumed that the showing required by Iowa Code section 85.35(7) has been made if the claimant is represented by an attorney licensed to practice law in this state.

6.1(2) The documents for a compromise settlement shall identify either the specific date or dates of injury or the specific injurious condition or conditions, or both. The documents for a compromise settlement, including any addendum to the documents, shall not contain any language that either expressly states or implies that the proposed compromise settlement is a final settlement of any and all injuries, known or unknown, that an employee may have sustained while employed by the employer. If a compromise settlement is submitted that does not comply with this subrule, the workers' compensation commissioner shall return the proposed compromise settlement to the party that submitted it.

6.1(3) Approval of a compromise settlement pursuant to Iowa Code section 85.35(3) is a final bar to rights under the Iowa workers' compensation law, and the approved compromise settlement is not subject to review under Iowa Code section 85.26(2).

6.1(4) Nothing in this rule shall prohibit the approval of settlements in other appropriate cases when allowed by Iowa Code section 85.35(7).

This rule is intended to implement Iowa Code section 85.35.
[ARC 3528C, IAB 12/20/17, effective 1/24/18]