

# House Amendment 5496

## Amendment Text

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1 1 Amend [Senate File 2062](#), as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 3, by inserting after line 14 the  
1 4 following:

1 5 "Sec. \_\_\_\_ Section [85.36](#), subsection 9, paragraph  
1 6 a, Code Supplement 1995, is amended to read as  
1 7 follows:

1 8 a. In computing the compensation to be allowed a  
1 9 volunteer fire fighter, emergency medical care  
1 10 provider, reserve peace officer, volunteer ambulance  
1 11 driver, volunteer emergency rescue technician as  
1 12 defined in section 147A.1, or emergency medical  
1 13 technician trainee, the earnings as a fire fighter,  
1 14 emergency medical care provider, reserve peace  
1 15 officer, volunteer ambulance driver, volunteer  
1 16 emergency rescue technician, or emergency medical  
1 17 technician trainee shall be disregarded and the  
1 18 volunteer fire fighter, emergency medical care  
1 19 provider, reserve peace officer, volunteer ambulance  
1 20 driver, volunteer emergency rescue technician, or  
1 21 emergency medical technician trainee shall be paid an  
1 22 amount equal to the compensation the volunteer fire  
1 23 fighter, emergency medical care provider, reserve  
1 24 peace officer, volunteer ambulance driver, volunteer  
1 25 emergency rescue technician, or emergency medical  
1 26 technician trainee would be paid if injured in the  
1 27 normal course of the volunteer fire fighter's,  
1 28 emergency medical care provider's, reserve peace  
1 29 officer's, volunteer ambulance driver's, volunteer  
1 30 emergency rescue technician's, or emergency medical  
1 31 technician trainee's regular employment or an amount  
1 32 equal to one hundred and forty percent of the  
1 33 statewide average weekly wage, whichever is greater.

1 34 Sec. \_\_\_\_ Section [85.61](#), subsection 2, Code  
1 35 Supplement 1995, is amended to read as follows:

1 36 2. "Employer" includes and applies to a person,  
1 37 firm, association, or corporation, state, county,  
1 38 municipal corporation, school corporation, area  
1 39 education agency, township as an employer of volunteer  
1 40 fire fighters, volunteer emergency rescue technicians,  
1 41 and emergency medical care providers only, benefited  
1 42 fire district, and the legal representatives of a  
1 43 deceased employer. "Employer" includes and applies to  
1 44 a rehabilitation facility approved for purchase-of-  
1 45 service contracts or for referrals by the department  
1 46 of human services or the department of education.

1 47 Sec. \_\_\_\_ Section [85.61](#), subsection 7, unnumbered  
1 48 paragraph 3, Code Supplement 1995, is amended to read  
1 49 as follows:

1 50 Personal injuries sustained by volunteer emergency  
2 1 rescue technicians or emergency medical care providers  
2 2 as defined in section 147A.1 arise in the course of  
2 3 employment if the injuries are sustained at any time  
2 4 from the time the volunteer emergency rescue  
2 5 technicians or emergency medical care providers are  
2 6 summoned to duty until the time those duties have been  
2 7 fully discharged.

2 8 Sec. \_\_\_\_\_. Section [85.61](#), subsection 11, unnumbered  
2 9 paragraph 3, Code Supplement 1995, is amended to read  
2 10 as follows:

2 11 "Worker" or "employee" includes an emergency  
2 12 medical care provider as defined in section 147A.1, a  
2 13 volunteer emergency rescue technician as defined in  
2 14 section 147A.1, a volunteer ambulance driver, or an  
2 15 emergency medical technician trainee, only if an  
2 16 agreement is reached between such worker or employee  
2 17 and the employer for whom the volunteer services are  
2 18 provided that workers' compensation coverage under  
2 19 chapters 85, 85A, and 85B is to be provided by the  
2 20 employer. An emergency medical care provider or  
2 21 volunteer emergency rescue technician who is a worker  
2 22 or employee under this paragraph is not a casual  
2 23 employee. "Volunteer ambulance driver" means a person  
2 24 performing services as a volunteer ambulance driver at  
2 25 the request of the person in charge of a fire  
2 26 department or ambulance service of a municipality.  
2 27 "Emergency medical technician trainee" means a person  
2 28 enrolled in and training for emergency medical  
2 29 technician certification."

2 30 #2. Page 8, by inserting after line 12 the  
2 31 following:

2 32 "Sec. \_\_\_\_\_. Section 707A.1, subsection 1, as  
2 33 enacted by 1996 Iowa Acts, [Senate File 2066](#), section  
2 34 1, is amended to read as follows:

2 35 1. "Licensed health care professional" means a  
2 36 physician and surgeon,

~~— podiatrist~~

- podiatric physician,

2 37 osteopath, osteopathic physician and surgeon,  
2 38 physician assistant, nurse, dentist, or pharmacist  
2 39 required to be licensed under chapter 147."

2 40 #3. Page 9, line 10, by inserting before the word  
2 41 "Section" the following: "1."

2 42 #4. Page 9, by inserting after line 12 the  
2 43 following:

2 44 "2. The sections of this Act which amend section  
2 45 85.36, subsection 9, paragraph "a", and section 85.61,  
2 46 subsection 2, subsection 7, unnumbered paragraph 3,  
2 47 and subsection 11, unnumbered paragraph 3, being  
2 48 deemed of immediate importance, take effect upon  
2 49 enactment and apply retroactively to July 1, 1995."

2 50 #5. By renumbering and correcting internal  
3 1 references as necessary.

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3 5 \_\_\_\_\_  
3 5 COMMITTEE ON [JUDICIARY](#)

3 6 HURLEY of Fayette, Chairperson

3 7 [SF 2062.701](#) 76

3 8 mc/sc