

# House Amendment 8172

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1 1 Amend House File 2305 as follows:  
1 2 #1. Page 1, by inserting before line 1 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 85.27, subsection 3, Code 2003,  
1 5 is amended to read as follows:  
1 6 3. Notwithstanding section 85.26, subsection 4,  
1 7 charges believed to be excessive or unnecessary may be  
1 8 referred by the employer, insurance carrier, or health  
1 9 service provider to the workers' compensation  
1 10 commissioner for determination, and the commissioner  
1 11 may utilize the procedures provided in sections 86.38  
1 12 and 86.39, or set by rule, and conduct such inquiry as  
1 13 the commissioner deems necessary. Any health service  
1 14 provider charges not in dispute shall be paid directly  
1 15 to the health service provider prior to utilization of  
1 16 procedures provided in sections 86.38 and 86.39 or set  
1 17 by rule. A health service provider rendering  
1 18 treatment to an employee whose injury is compensable  
1 19 under this section agrees to be bound by such charges  
1 20 as allowed by the workers' compensation commissioner  
1 21 and shall not recover in law or equity any amount in  
1 22 excess of charges set by the commissioner. When a  
1 23 dispute under chapter 85, 85A, or 85B regarding  
1 24 reasonableness of a fee for medical services arises  
1 25 between a health service provider and an employer or  
1 26 insurance carrier, the health service provider,  
1 27 employer, or insurance carrier shall not seek payment  
1 28 from the injured employee. The workers' compensation  
1 29 commissioner, in consultation with the insurance  
1 30 commissioner, shall adopt a fee schedule for medical  
1 31 services provided as described in this section. The  
1 32 fee schedule shall be set to ensure that workers'  
1 33 compensation premiums charged to employers in this  
1 34 state shall be kept at a minimum and to avoid  
1 35 substantial increases due to increases in the cost of  
1 36 medical services. In addition, the fee schedule shall  
1 37 be set, if applicable, at an amount that does not  
1 38 exceed the rates set for similar services for purposes  
1 39 of Medicaid as approved by the department of human  
1 40 services.>  
1 41 #2. By renumbering as necessary.  
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1 45 HUSER of Polk  
1 46 HF 2305.301 80  
1 47 rj/cf

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