

House Amendment 1640

PAG LIN

1 1 Amend Senate File 341, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, by inserting after line 1, the
1 4 following:
1 5 <Sec. _____. Section 86.14, subsection 2, Code 2007,
1 6 is amended to read as follows:
1 7 2. In a proceeding to reopen an award for payments
1 8 or agreement for settlement as provided by section
1 9 86.13, inquiry shall be into whether or not the
1 10 condition of the employee warrants an end to,
1 11 diminishment of, or increase of compensation so
1 12 awarded or agreed upon. A factor that could have been
1 13 considered by the parties in assessing the extent of
1 14 the reduction in the employee's earning capacity and
1 15 that existed or was known about by the parties at the
1 16 time of the prior award or agreement for settlement
1 17 shall not bar a proceeding to reopen the award or
1 18 agreement unless the factor was considered by the
1 19 parties at the time of the award or agreement and was
1 20 properly reflected in the amount of compensation paid.
1 21 Such factors shall include but are not limited to a
1 22 change in the claimant's underlying medical condition,
1 23 cessation of accommodation by the claimant's employer,
1 24 a change in economic factors, or a change in other
1 25 factors considered in assessing the extent of the
1 26 reduction in the employee's earning capacity.>
1 27 #2. Title page, line 2, by inserting after the
1 28 word <state> the following: <and to proceedings to
1 29 reopen an award for payments or agreement for
1 30 settlement of a contested case>.
1 31 #3. By renumbering as necessary.
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1 35 R. OLSON of Polk
1 36 SF 341.202 82
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