

Labor and Industrial Relations: Conlon, Chair; Kirkenlager and Gettings.

JAN 8 1979

HOUSE FILE 10

Labor and Industrial Relations  
Subcommittee 1/10 Do Pass 1/31 (p. 428)

By EVANS

House File 10

Do Pass 2/1

Labor and Industrial Relations  
Jensen, Chairperson  
Hulse  
Orr

1 House, Date 2-8-79 (p. 498) Passed Senate, Date 3-12-79 (p. 131)

Ayes 93 Nays 0 Vote: Ayes 44 Nays 1

Approved June 5, 1979

Repassed House as amended by Senate  
4-30-79 (p. 1920)  
81-10

# A BILL FOR

1 An Act relating to furnishing prosthetic devices for injured  
2 workers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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## FISCAL NOTE HOUSE FILE 10

Requested by Representative Evans  
January 4, 1979

In compliance with a written request, there is submitted a Fiscal Note for H. F. 10, pursuant to Joint Rule 16:

LSB 18H, An Act relating to furnishing prosthetic devices for injured workers.

This proposal provides that employers shall furnish replacement or repair prosthetic appliances if they are destroyed or damaged as the result of an accident in the course of the employee's employment. The effective date is January first following enactment.

This bill would have a limited impact of unknown amount based solely upon replacement of prosthetic devices of state employees (or other self-insured governmental units). There is no way to estimate the impact of this proposal.

Source: Industrial Commissioner

FILED  
JANUARY 18, 1979

GERRY D. RANKIN  
Legislative Fiscal Bureau

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1 Section 1. Section eighty-five point twenty-seven (85.27),  
2 unnumbered paragraph one (1), Code 1979, is amended to read  
3 as follows:

4 The employer, for all injuries compensable under this  
5 chapter or chapter 85A, shall furnish reasonable surgical,  
6 medical, dental, osteopathic, chiropractic, podiatry,  
7 physical rehabilitation, nursing, ambulance and hospital  
8 services and supplies therefor and shall allow reasonably  
9 necessary transportation expenses incurred for such services.

10 The employer shall also furnish reasonable and necessary  
11 crutches, artificial members and appliances but shall not  
12 be required to furnish more than one set of permanent  
13 prosthetic device devices.

14 Sec. 2. Section eighty-five point twenty-seven (85.27),  
15 Code 1979, is amended by adding the following new unnumbered  
16 paragraph:

17 NEW UNNUMBERED PARAGRAPH. When an artificial member or  
18 orthopedic appliance, whether or not previously furnished  
19 by the employer, is damaged or made unusable by circumstances  
20 arising out of and in the course of employment other than  
21 through ordinary wear and tear, the employer shall repair  
22 or replace it. When any crutch, artificial member or  
23 appliance, whether or not previously furnished by the employer,  
24 is damaged or made unusable in conjunction with a personal  
25 injury entitling the employee to disability benefits, or  
26 services as provided by this section, the employer shall  
27 repair or replace it.

3197-  
S-3193

3199-  
S-3193

28 Sec. 3. This Act is effective January first following  
29 its enactment.

30 EXPLANATION

31 This bill provides that employers shall furnish replacement  
32 or repair prosthetic appliances if they are destroyed or  
33 damaged as the result of an accident in the course of the  
34 employee's employment. The effective date is January first  
35 following enactment.

LSB 18H 68

zz/rh/8A

HOUSE FILE 10

H-3199

- 1 Amend House File 10 as follows:
- 2 1. Page 1, line 24, by inserting before
- 3 the word "is" the word "either".
- 4 2. Page 1, line 26, by inserting after the
- 5 word "section" the words "or is damaged in
- 6 connection with employee actions taken which
- 7 avoid such personal injury".

H-3199 FILED *Last 2/8 (p. 495)*  
FEBRUARY 1, 1979

BY JOCHUM of Dubuque

HOUSE FILE 10

S-3193

- 1 Amend House File 10 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 24, by inserting before the word
- 4 "is" the word "either".
- 5 2. Page 1, line 26, by inserting after the word
- 6 "section" the words "or is damaged in connection
- 7 with employee actions taken which avoid such per-
- 8 sonal injury".

S-3193 FILED *Adopted 3/12 (p. 731)*  
MARCH 9, 1979

BY ROBERT M. CARR

SENATE AMENDMENT TO  
HOUSE FILE 10

H-3397

- 1 Amend House File 10 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 24, by inserting before the word
- 4 "is" the word "either".
- 5 2. Page 1, line 26, by inserting after the word
- 6 "section" the words "or is damaged in connection
- 7 with employee actions taken which avoid such per-
- 8 sonal injury".

H-3397 FILED  
MARCH 14, 1979

*House concurred 4/30 (p. 1920)*

HOUSE FILE 10

H-3436

- 1 Amend Senate Amendment H-3397 to House File
- 2 10 as follows:
- 3 1. Page 1, by striking lines 1 through 8.

H-3436 FILED *W/Drawn 4/30 (p. 1920)*  
MARCH 15, 1979

BY CONLON of Muscatine  
CRABB of Crawford  
POPE of Polk

HOUSE FILE 10

AN ACT

RELATING TO FURNISHING PROSTHETIC DEVICES FOR INJURED WORKERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section eighty-five point twenty-seven (85.27), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The employer, for all injuries compensable under this chapter or chapter 85A, shall furnish reasonable surgical, medical, dental, osteopathic, chiropractic, podiatric, physical rehabilitation, nursing, ambulance and hospital services and supplies therefor and shall allow reasonably necessary transportation expenses incurred for such services. The employer shall also furnish reasonable and necessary crutches, artificial members and appliances but shall not be required to furnish more than one set of permanent prosthetic device devices.

Sec. 2. Section eighty-five point twenty-seven (85.27), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. When an artificial member or orthopedic appliance, whether or not previously furnished by the employer, is damaged or made unusable by circumstances arising out of and in the course of employment other than through ordinary wear and tear, the employer shall repair or replace it. When any crutch, artificial member or appliance, whether or not previously furnished by the employer, either is damaged or made unusable in conjunction with a personal injury entitling the employee to disability benefits, or services as provided by this section or is damaged in connection with employee actions taken which avoid such personal injury, the employer shall repair or replace it.

Sec. 3. This Act is effective January first following its enactment.

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FLOYD H. MILLEN  
Speaker of the House

\_\_\_\_\_  
TERRY E. BRANSTAD  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 10, Sixty-eighth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House  
Approved June 5, 1979

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ROBERT D. RAY  
Governor