

FEB 4 1998

STATE GOVERNMENT

HOUSE FILE
BY MURPHY

2159

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to establishing, for purposes of establishing
2 disability and providing death benefits under the statewide
3 fire and police retirement system, a presumption that
4 infectious diseases are work-related.

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

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HF 2159

1 Section 1. Section 411.6, subsection 5, paragraph c, Code
2 1997, is amended to read as follows:

3 c. Disease under this section shall mean heart disease, or
4 any disease of the lungs or respiratory tract, or an
5 infectious disease, and shall be presumed to have been
6 contracted while on active duty as a result of strain or the
7 inhalation of noxious fumes, poison, or gases. For purposes
8 of this paragraph, "infectious disease" includes, but is not
9 limited to, hepatitis in any form, tuberculosis, HIV or AIDS
10 as defined in section 141.21, and all forms of cancer.

11 However, if a person's membership in the system first
12 commenced on or after July 1, 1992, and the heart disease,
13 infectious disease, or disease of the lungs or respiratory
14 tract would not exist, but for a medical condition that was
15 known to exist on the date that membership commenced, the
16 presumption established in this paragraph shall not apply.

17 Sec. 2. Section 411.6, subsection 9, paragraph b,
18 unnumbered paragraph 2, Code 1997, is amended to read as
19 follows:

20 Disease under this subsection shall mean heart disease, or
21 any disease of the lungs or respiratory tract, or an
22 infectious disease, and shall be presumed to have been
23 contracted while on active duty as a result of strain or the
24 inhalation of noxious fumes, poison, or gases. For purposes
25 of this paragraph, "infectious disease" includes, but is not
26 limited to, hepatitis in any form, tuberculosis, HIV or AIDS
27 as defined in section 141.21, and all forms of cancer.

28 EXPLANATION

29 This bill provides that infectious diseases contracted by a
30 member of the statewide fire and police retirement system are
31 presumed to be disease contracted while on active duty due to
32 the job for purposes of establishing disability or providing a
33 death benefit. The bill also provides that the presumption
34 will not apply to members who join the system on or after July
35 1, 1992, and in which the infectious disease would not have

1 existed but for a medical condition that was known on the date
2 the member joined.

3 This bill may impose a state mandate as defined in section
4 25B.3. The state mandate funding requirement in section
5 25B.2, however, does not apply to public employee retirement
6 systems.

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