

FEB 11 1998

LABOR & INDUSTRIAL RELATIONS

HOUSE FILE 2224
BY CARROLL

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

A BILL FOR

1 An Act concerning factors used in determining the unscheduled
2 permanent partial disability of an injured employee for
3 purposes of workers' compensation coverage.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

file 2224

1 Section 1. Section 85.34, Code Supplement 1997, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 7. PERMANENT PARTIAL DISABILITY FACTORS.

4 Except as provided in subsection 6, for purposes of subsection
5 2, paragraph "u", the degree of permanent partial disability
6 of an injured employee shall be determined as provided in this
7 subsection. Factors to be considered in determining permanent
8 partial disability for purposes of subsection 2, paragraph
9 "u", include the employee's medical condition prior to the
10 injury, immediately after the injury, and presently; the situs
11 of the injury, its severity, and the length of the healing
12 period; the work experience of the employee, prior to the
13 injury, and after the injury, and the potential for
14 rehabilitation; the employee's qualifications intellectually,
15 emotionally, and physically; the employee's earnings prior and
16 subsequent to the injury; the employee's age; the employee's
17 education; the employee's motivation; the employee's
18 functional impairment as a result of the injury; and any
19 inability because of the injury to engage in employment for
20 which the employee is fitted. The industrial commissioner
21 shall, by rule, develop a system of weighting guidelines that
22 indicate how each of the factors described in this subsection
23 is to be considered in determining industrial disability.

24 EXPLANATION

25 This bill establishes the factors to be used in determining
26 the extent of an injured employee's permanent partial
27 disability (sometimes referred to as industrial disability)
28 for purposes of determining the employee's workers'
29 compensation benefits based upon a permanent partial
30 disability that is not a scheduled injury. The bill further
31 provides that the industrial commissioner shall, by rule,
32 develop a system of guidelines concerning the weight to be
33 given each factor in determining this type of permanent
34 partial disability.

35