

JAN 10 2000

STATE GOVERNMENT

HOUSE FILE 2007  
BY SUNDERBRUCH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

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

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

*HF 2007*

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1 Section 1. Section 97A.6, subsection 5, paragraph c, Code  
2 1999, 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,  
7 exposure, or the inhalation of noxious fumes, poison, or  
8 gases. For purposes of this paragraph, "infectious disease"  
9 includes, but is not limited to, hepatitis in any form,  
10 tuberculosis, and HIV or AIDS as defined in section 141A.1.

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 5, paragraph c, Code  
18 1999, is amended to read as follows:

19 c. Disease under this section shall mean heart disease, or  
20 any disease of the lungs or respiratory tract, or an  
21 infectious disease, and shall be presumed to have been  
22 contracted while on active duty as a result of strain or the  
23 inhalation of noxious fumes, poison, or gases. For purposes  
24 of this paragraph, "infectious disease" includes, but is not  
25 limited to, hepatitis in any form, tuberculosis, and HIV or  
26 AIDS as defined in section 141A.1. However, if a person's  
27 membership in the system first commenced on or after July 1,  
28 1992, and the heart disease, infectious disease, or disease of  
29 the lungs or respiratory tract would not exist, but for a  
30 medical condition that was known to exist on the date that  
31 membership commenced, the presumption established in this  
32 paragraph shall not apply.

33 Sec. 3. Section 411.6, subsection 9, unnumbered paragraph  
34 2, Code 1999, is amended to read as follows:

35 Disease under this subsection shall mean heart disease, or

1 any disease of the lungs or respiratory tract, or an  
2 infectious disease, and shall be presumed to have been  
3 contracted while on active duty as a result of strain or the  
4 inhalation of noxious fumes, poison, or gases. For purposes  
5 of this paragraph, "infectious disease" includes, but is not  
6 limited to, hepatitis in any form, tuberculosis, and HIV or  
7 AIDS as defined in section 141A.1.

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## EXPLANATION

9 This bill provides that infectious diseases contracted by a  
10 member of the statewide fire and police retirement system or  
11 member of the public safety peace officers' retirement system  
12 are presumed to be diseases contracted while on active duty  
13 due to the job for purposes of establishing disability or  
14 providing a death benefit. The bill also provides that the  
15 presumption will not apply to members who joined the system on  
16 or after July 1, 1992, and in which the infectious disease  
17 would not have existed but for a medical condition that was  
18 known on the date the member joined.

19 The bill may impose a state mandate as defined in Code  
20 section 25B.3. The state mandate funding requirement in Code  
21 section 25B.2, however, does not apply to public employee  
22 retirement systems.

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