

House File 2065 - Introduced

HOUSE FILE 2065

BY SHERMAN

A BILL FOR

1 An Act relating to workers' compensation claims for mental
2 injuries.

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

1 Section 1. NEW SECTION. 85.17 Mental injury.

2 1. In order for an injury of a purely mental nature that is
3 not associated with any physical injury to be compensable under
4 this chapter, the employee claiming the injury must establish
5 that the injury was caused by workplace stress of greater
6 magnitude than the day-to-day mental stresses experienced
7 by other employees employed in the same or similar jobs,
8 regardless of whether such employees are employed by the same
9 employer.

10 2. Subsection 1 applies in addition to all other
11 requirements of this chapter. Subsection 1 does not apply
12 to an employee who is an emergency medical care provider
13 as defined in section 147A.1, a fire fighter, or a peace
14 officer as defined in section 801.4 if a court determines
15 that the employee's workplace stress was due to extreme
16 circumstances related to the employee's employment in one of
17 these occupations.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill establishes a requirement for an employee claiming
22 workers' compensation for an injury of a purely mental nature
23 that is not associated with any physical injury. In order for
24 such an injury to be compensable, the employee claiming the
25 injury must establish that the injury was caused by workplace
26 stress of greater magnitude than the day-to-day mental stresses
27 experienced by other employees employed in the same or similar
28 jobs, regardless of whether such employees are employed by the
29 same employer.

30 This requirement applies in addition to all other
31 requirements for workers' compensation claims under Code
32 chapter 85. The requirement does not apply to an employee
33 who is an emergency medical care provider, a fire fighter,
34 or a peace officer if a court determines that the employee's
35 workplace stress was due to extreme circumstances related to

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1 the employee's employment in one of these occupations.