

**Senate File 367 - Introduced**

SENATE FILE 367

BY BOULTON

**A BILL FOR**

1 An Act including the loss of or lost use of a shoulder as a  
2 compensable injury for second injury fund benefits.

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

1 Section 1. Section 85.64, subsection 1, Code 2023, is  
2 amended to read as follows:

3 1. If an employee who has previously lost, or lost the use  
4 of, one shoulder, one hand, one arm, one foot, one leg, or  
5 one eye, becomes permanently disabled by a compensable injury  
6 which has resulted in the loss of or loss of use of another  
7 such member or organ, the employer shall be liable only for  
8 the degree of disability which would have resulted from the  
9 latter injury if there had been no preexisting disability. In  
10 addition to such compensation, and after the expiration of  
11 the full period provided by law for the payments thereof by  
12 the employer, the employee shall be paid out of the "Second  
13 Injury Fund" created by this subchapter the remainder of such  
14 compensation as would be payable for the degree of permanent  
15 disability involved after first deducting from such remainder  
16 the compensable value of the previously lost member or organ.

17

EXPLANATION

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

20 This bill includes the loss of or lost use of a shoulder as a  
21 compensable injury for second injury fund benefits.