

CHAPTER 42  
AUDIOMETRIC EXAMINATIONS

S. F. 320

AN ACT relating to the performance of audiometric examinations under the Iowa Occupational Hearing Loss Act.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 85B.9, Code 1981, is amended to read as follows:

85B.9 MEASURING HEARING LOSS. Pure tone air conduction audiometric instruments, properly calibrated according to accepted national standards used to define occupational hearing loss shall be used for measuring hearing ~~loss levels~~, and the audiograms shall be taken and the tests given in an environment ~~such as is~~ prescribed by accepted national standards. If more than one audiogram is taken following notice of an occupational hearing loss claim, the audiogram having the lowest threshold ~~will~~ shall be used to calculate occupational hearing loss. If the ~~losses measured levels~~ of hearing average less than those levels that constitute an occupational hearing loss, the losses of hearing are not a compensable hearing disability. If the ~~losses measured levels~~ of hearing average ninety-two decibels American national standards institute (ANSI) or international standards organization (ISO), or more in the four frequencies, then the ~~losses-are~~ levels constitute total, or one hundred percent, compensable hearing loss. In measuring hearing ~~impairment loss~~ the lowest measured ~~losses levels~~ in each of the four frequencies shall be added together and divided by four to determine the average decibel ~~loss level~~. For each resulting average decibel of-loss level exceeding twenty-five decibels ANSI or ISO, an allowance of one and one-half percent shall be made up to the maximum of one hundred percent, which is reached at the average level of ninety-two decibels ANSI or ISO. In determining the binaural percentage of loss, the percentage of ~~impairment loss~~ in the better ear shall be multiplied by five. The resulting figure shall be added to the percentage of ~~impairment loss~~ in the poorer ear, and the sum of the two divided by six. The final percentage shall represent the binaural hearing ~~impairment loss~~. Audiometric examinations shall be made by a person who is certified by the council of accreditation in occupational hearing conservation or by persons trained by formal course work in air conduction audiometry at an accredited educational institution or licensed as audiologists under chapter 147, as physicians under chapter 148, as osteopathic physicians under chapter 150, or as osteopathic physicians and surgeons under chapter 150A if such licensed persons are trained in air conduction audiometry. The interpretation of the audiometric examination shall be by the employer's regular or consulting physician who is trained and has had experience with such interpretation, or by a licensed audiologist. If the employee disputes the interpretation, the employee may select a

physician similarly trained and experienced or a licensed audiologist to give an interpretation of the audiometric examination. This section is applicable in the event of partial permanent or total permanent occupational hearing loss in one or both ears.

Approved April 27, 1981

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CHAPTER 43  
CIGARETTE TAX

S. F. 576

AN ACT relating to the state cigarette and little cigar tax by increasing the rate of tax for a two-year period, setting the discount percent for a two-year period on the sale of cigarette and little cigar tax stamps, imposing a one-time inventory tax, and providing a one-time inventory tax refund.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 98.6, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding subsection 1, there is imposed for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 and shall be collected and paid to the department a tax on all cigarettes used or otherwise disposed of in this state for any purpose at the rate of nine mills on each cigarette which shall not be considered as part of the basic cost of cigarettes as defined in section 551A.2.

Sec. 2. Section 98.8, subsection 1, Code 1981, is amended to read as follows:

1. Stamps shall be sold by and purchased from the department. The department shall sell stamps to the holder of a state distributor's permit which has not been revoked and to no other person. Stamps shall be sold to such the permit holders at a discount of not to exceed five percent ~~from~~ of the face value. However, for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, stamps shall be sold to permit holders at a discount of two percent of the face value. Stamps shall be sold in unbroken books of one thousand stamps, unbroken rolls of thirty thousand stamps, or unbroken lots of any other form authorized by the director.

Sec. 3.

1. All persons required to be licensed under section 98.13 as distributors having in their possession prior to delivery for resale as of the close of business on June 30, 1981 cigarettes or little cigars upon which the tax under section 98.6 or 98.43 has been paid, unused cigarette and little cigar tax stamps which have been paid for under section 98.8, or unused metered imprints which have been paid for under section 98.12 shall be subject to an inventory tax on such items as provided in this section.