Table of Contents

CHAPTER 1. INTRODUCTION

- § 1:1 Generally
- § 1:2 Workers' compensation in Iowa
- § 1:3 Construction

CHAPTER 2. EMPLOYER AND EMPLOYEE

- § 2:1 Employer-employee relationship
- § 2:2 Employer and employee defined
- § 2:3 Persons not considered employees
- § 2:4 Persons not covered
- § 2:5 Casual employees
- § 2:6 Domestic employees
- § 2:7 Agricultural employees
- § 2:8 Independent contractors
- § 2:9 Partners, limited liability company members, limited liability partners and sole proprietors
- § 2:10 Corporate officers and directors
- § 2:11 Nonprofit organizations
- § 2:12 Volunteer fire fighters and reserve peace officers
- § 2:13 Medical care providers
- § 2:14 Inmates
- § 2:15 Real estate agents
- § 2:16 Elected and appointed officials
- § 2:17 Students

CHAPTER 3. INDEPENDENT CONTRACTORS

- § 3:1 Generally
- § 3:2 Borrowed servant
- § 3:3 Factors determining relationship

CHAPTER 4. INJURY

- § 4:1 Generally
- § 4:2 Cumulative injury
- § 4:3 Aggravation of a preexisting condition
- § 4:4 Waiver of physical defect not allowed
- § 4:5 Sequelae of injuries
- § 4:6 Heart attacks
- § 4:7 Emotional/psychological injury

CHAPTER 5. ARISING OUT OF EMPLOYMENT

- § 5:1 Generally
- § 5:2 Lightning
- § 5:3 Windstorms and tornadoes
- § 5:4 Exposure to temperature extremes
- § 5:5 Increased risk of injury

CHAPTER 6. IN COURSE OF EMPLOYMENT

- § 6:1 Generally
- § 6:2 On or about premises
- § 6:3 Residing on premises
- § 6:4 Lunchtime and break
- § 6:5 Personal comfort
- § 6:6 Emergencies
- § 6:7 Recreational and social activities
- § 6:8 Horseplay
- § 6:9 Violation of statute or rule
- § 6:10 Unusual and rash act
- § 6:11 Going and coming rule
- § 6:12 Employer-furnished transportation
- § 6:13 Special errands
- § 6:14 Dual purpose
- § 6:15 Traveling employees
- § 6:16 Deviation

CHAPTER 7. DEFENSES

- § 7:1 Generally
- § 7:2 Willful intent to injure self or another
- § 7:3 Intoxication
- § 7:4 Willful act of third party

CHAPTER 8. EXCLUSIVE REMEDY

- § 8:1 Generally
- § 8:2 Extent of employer's immunity
- § 8:3 Co-employee's limited immunity
- § 8:4 Third parties
- § 8:5 Contribution
- § 8:6 Indemnity
- § 8:7 Retaliatory discharge
- § 8:8 Bad faith against the insurance carrier

CHAPTER 9. JURISDICTION

- § 9:1 Generally
- § 9:2 Forum shopping and full faith and credit
- § 9:3 Injuries outside Iowa are date dependent

CHAPTER 10. NOTICE

- § 10:1 Generally
- § 10:2 What constitutes actual knowledge
- § 10:3 Who is the employer
- § 10:4 Formal notice
- § 10:5 Sufficiency of formal notice
- § 10:6 Service of formal notice
- § 10:7 Occupational disease cases
- § 10:8 Cumulative injury cases
- § 10:9 Discovery rule
- § 10:10 Seriousness of injury unrecognized in injuries before July 1, 2017
- § 10:11 Requirement of notice not same as requirement for filing claim
- § 10:12 Burden of proof of failure to give notice to employer
- § 10:13 Effect of payments

CHAPTER 11. STATUTE OF LIMITATIONS

- § 11:1 Generally
- § 11:2 Commencing the action
- § 11:3 Under notice of payments since July 1, 1982
- § 11:4 No weekly benefits paid
- § 11:5 Weekly benefits paid
- § 11:6 Following an award or agreement for settlement
- § 11:7 Medical benefits
- § 11:8 Occupational disease
- § 11:9 Cumulative injury
- § 11:10 Occupational hearing loss
- § 11:11 Discovery rule on two-year statute
- § 11:12 No discovery rule on three-year statute
- § 11:13 Failure to file forms
- § 11:14 Effect of commutation
- § 11:15 Equitable estoppel
- § 11:16 Contingent Settlement
- § 11:17 Third party settlement credit

CHAPTER 12. RATE

§ 12:1 Generally

§ 12:2	Bonus
§ 12:3	Exemption and marital status
§ 12:4	Overtime and premium pay
§ 12:5	Hourly, daily, or output wages
§ 12:6	Earnings not determined
§ 12:7	No wages
§ 12:8	Professional athletes
§ 12:9	Part-time employee
§ 12:10	Volunteer fire fighters, emergency medical care
	providers and reserve peace officers
§ 12:11	Apprentice or trainee
§ 12:12	Inmates
§ 12:13	Proprietor, partner, limited liability company member or corporate officer
§ 12:14	Elected or appointed official
§ 12:15	Temporary partial disability
§ 12:16	Maximums and minimums
~	
	PTER 13. DISABILITY BENEFITS
§ 13:1	Generally
§ 13:2	Temporary disability
§ 13:3	Temporary partial disability
§ 13:4	Healing period
§ 13:5	Permanent partial disability—Scheduled members
§ 13:6	—Body as a whole
§ 13:7	Successive disabilities
§ 13:8	Permanent total disability
§ 13:9	Odd-lot doctrine
§ 13:10	Termination of weekly benefits
§ 13:11	Penalty benefits
§ 13:12	Credits
§ 13:13	Garnishment
CHA	PTER 14. DEATH BENEFITS
§ 14:1	Generally
§ 14:2	Death unrelated to injury
§ 14:3	Decedent with no dependents
§ 14:4	Conclusively presumed dependent—Spouse
§ 14:5	—Children
§ 14:6	Actual dependents
§ 14:7	Parental dependents
§ 14:8	Alien dependents
§ 14:9	Apportionment

CHAPTER 15. MEDICAL BENEFITS

- § 15:1 Generally
- § 15:2 Authorization
- § 15:3 Independent Medical Exams
- § 15:4 Refusal by employee
- § 15:5 Alternate medical care
- § 15:6 Health services disputes
- § 15:7 Medical Benefits Delay and Denial as the Basis for Bad Faith Tort Action

CHAPTER 16. REHABILITATION BENEFITS

- § 16:1 Eligibility
- § 16:2 Filing
- § 16:3 Available benefits

CHAPTER 17. SECOND INJURY FUND

- § 17:1 Generally
- § 17:2 Funding
- § 17:3 Prior loss or loss of use
- § 17:4 Second injury
- § 17:5 Permanent disability
- § 17:6 Filing a claim
- § 17:7 Computing benefits

CHAPTER 18. OCCUPATIONAL DISEASE

- § 18:1 Generally
- § 18:2 Occupational disease defined
- § 18:3 Causation
- § 18:4 Disablement
- § 18:5 Notice
- § 18:6 Brucellosis and pneumoconiosis

CHAPTER 19. HEARING LOSS

- § 19:1 Generally
- § 19:2 Occupational hearing loss defined
- § 19:3 Employer responsibility
- § 19:4 Compensation

CHAPTER 20. REVIEW-REOPENING

- § 20:1 Generally
- § 20:2 Change of condition
- § 20:3 Condition unknown
- § 20:4 Change in earning capacity

§ 20:5 Multiple injuries

CHAPTER 21. PREHEARING MATTERS

- § 21:1 Special library
- § 21:2 Confidential information
- § 21:3 Agency filings
- § 21:4 Information from the opposing party
- § 21:5 Informal dispute resolution
- § 21:6 Commencement of an action
- § 21:7 Declaratory rulings
- § 21:8 Original notice and petition
- § 21:9 Defaults
- § 21:10 Motion to dismiss
- § 21:11 Answer
- § 21:12 Amendment
- § 21:13 Bifurcated and consolidated proceedings
- § 21:14 Discovery
- § 21:15 Surveillance
- § 21:16 Employer/employee examinations
- § 21:17 Exchanging medical evidence
- § 21:18 Medical evidence
- § 21:19 Motion for summary judgment
- § 21:20 Dismissal for lack of prosecution
- § 21:21 Mediation
- § 21:22 Prehearing procedure
- § 21:23 Expert testimony
- § 21:24 Hearing assignment order
- § 21:25 Hearing report
- § 21:26 Venue
- § 21:27 Continuances
- § 21:28 Settlement after assignment
- § 21:29 Interim resolution of liability disputes
- § 21:30 Withdrawal of counsel

CHAPTER 22. HEARING BEFORE DEPUTY COMMISSIONER

- § 22:1 Presiding officer
- § 22:2 Recording of proceedings
- § 22:3 Official notice
- § 22:4 Hearing
- § 22:5 Evidence and exhibits
- § 22:6 Decision
- § 22:7 Interest
- § 22:8 Costs

§ 22:9 Rehearing

CHAPTER 23. APPEAL TO WORKERS' COMPENSATION COMMISSIONER

- § 23:1 Filing
- § 23:2 Hearing
- § 23:3 Record
- § 23:4 Transcript
- § 23:5 Additional evidence
- § 23:6 Briefs
- § 23:7 Disposition
- § 23:8 Interlocutory
- § 23:9 Commissioner's review
- § 23:10 Rehearing
- § 23:11 Judgment

CHAPTER 24. JUDICIAL REVIEW IN DISTRICT COURT

- § 24:1 Right to appeal
- § 24:2 Time, venue, and manner
- § 24:3 Remedies available and grounds
- § 24:4 General appeal principles
- § 24:5 Fees and costs

CHAPTER 25. JUDICIAL REVIEW BY SUPREME COURT

- § 25:1 Appeal from district court
- § 25:2 Manner, time, and service
- § 25:3 Scope of review
- § 25:4 Record and costs

CHAPTER 26. SETTLEMENTS

- § 26:1 Generally
- § 26:2 Late settlement sanction
- § 26:3 Agreement for settlement
- § 26:4 Compromise settlement
- § 26:5 Combination settlement
- § 26:6 Contingent settlement
- § 26:7 Approval of settlement

CHAPTER 27. COMMUTATIONS

§ 27:1 Generally

Workers' Compensation

- § 27:2 Partial commutations
 § 27:3 Full commutations
 § 27:4 Requirements
 § 27:5 Disability benefits
 § 27:6 Death benefits
 § 27:7 Inmates
 § 27:8 Minors
- § 27:9 Presenting and opposing

CHAPTER 28. ATTORNEY FEES

- § 28:1 Generally
- § 28:2 Factors to be considered

CHAPTER 29. INDEMNITY AND SUBROGATION

- § 29:1 Indemnity
- § 29:2 Subrogation
- § 29:3 Lien

Table of Laws and Rules

Table of Cases

Index