### Types of Benefits

**Medical Benefits**
Your employer must pay for all reasonable and necessary medical care required to treat your injury. This includes reasonable and necessary travel expenses for treatment. Mileage for use of a private car is reimbursed at 56 cents per mile. (85.27)

Under certain circumstances, if you are required to leave work for medical treatment, you may receive payment of lost wages. (85.27)

A medical care provider cannot seek payment of charges for treatment from you while a contested case proceeding or a dispute as to the reasonableness of a medical treatment fee is pending before the Workers’ Compensation Commissioner. (85.27)

**Disability Benefits**
Your total weekly compensation benefit may not be greater than 80 percent of your spendable earnings. The law defines “spendable earnings” as the amount remaining after payroll taxes are deducted from gross weekly earnings.

Your average gross weekly earnings, number of income tax exemptions and marital status determine your weekly disability benefit amount.

- **The weekly benefit amount** is based on a seven day calendar week.
- **The maximum weekly disability benefit rate** for PPD is $144.00.
- **The maximum weekly disability benefit rate** of TTD, HP, PTD, and death benefits is $167.20.

#### Types of Disability Benefits

**Temporary Total Disability (TTD)**
When you are off work for more than three calendar days because of an accident or disease at work, and are unable to return to work or are medically recovered enough to return to your former work, whichever happens first. If you are off work for more than 14 calendar days, you may be entitled to payment for the three-day waiting period.

**Temporary Partial Disability (TPD)**
If you return to work at a lesser paying job because of the injury, you may be entitled to benefits. The benefit amount is 66 2/3 percent of the difference between your average gross weekly earnings when injured and your actual earnings while temporarily unable to return to full gainful employment. The three-day waiting period (explained above) also applies to temporary partial disability.

### Types of Settlements

**Compromise Settlement (85.35)**
A compromise settlement is possible when you and your employer (and its carrier) disagree as to whether you are entitled to receive workers' compensation benefits. An approved compromise settlement entitles you to all of your rights to future weekly or medical benefits for the settled injury.

### Time Limitations

**Notice of Injury (85.23)**
Unless your employer has notice or knowledge of your asserted injury within 90 days of its occurrence, you may be denied benefits. The 90-day period begins to run when you knew or should have known that your injuries related condition related to your work. Your employer (or its carrier) must make a formal report within four days of notice or knowledge of the alleged injury with the Workers’ Compensation Commissioner.

**Two-Year Statute of Limitation (85.26)**
You must receive a weekly workers' compensation benefits or file an application for arbitration within two years of your alleged injury or benefits may be denied.

### Three-Year Statute of Limitation (85.26)
If you have received Iowa weekly workers' compensation benefits, you have three years from the last payment of those weekly benefits to receive additional benefits voluntarily, or to file a contested case proceeding for benefits. If you do not file within the three-year period you may be denied additional weekly benefits. You can file a contested case proceeding or voluntarily receive medical benefits reasonable and necessary to treat your injury throughout your lifetime.

### Medical Information

Any party making or defending a claim for benefits agrees to release all information concerning the employee's physical or mental condition relative to the claim and waives any privilege for the release of such information. The information shall be made available to any party or the party's representative upon request. (85.27)
20% of 60 weeks, or 12 weeks of PPD benefits.

20% loss, or loss of use, of a thumb would be computed as payable for 100% loss, or loss of use, of the body member.

Appendix A contains the number of weeks of benefits payable for 100% loss, or loss of use, of the body member. If the PPD rating is less than 100%, the percentage rating is multiplied by the number of weeks shown. For example, a 20% loss, or loss of use, of a thumb would be computed as 20% of 60 weeks, or 12 weeks of PPD benefits.

### Appendix A

<table>
<thead>
<tr>
<th>Injury</th>
<th>Weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of thumb</td>
<td>60</td>
</tr>
<tr>
<td>Loss of first finger</td>
<td>35</td>
</tr>
<tr>
<td>Loss of second finger</td>
<td>30</td>
</tr>
<tr>
<td>Loss of third finger</td>
<td>25</td>
</tr>
<tr>
<td>Loss of fourth finger</td>
<td>20</td>
</tr>
<tr>
<td>Loss of hand</td>
<td>190</td>
</tr>
<tr>
<td>Loss of arm</td>
<td>250</td>
</tr>
<tr>
<td>Loss of great toe</td>
<td>40</td>
</tr>
<tr>
<td>Loss of any other toe</td>
<td>15</td>
</tr>
<tr>
<td>Loss of foot</td>
<td>150</td>
</tr>
<tr>
<td>Loss of leg</td>
<td>220</td>
</tr>
<tr>
<td>Loss of eye</td>
<td>140</td>
</tr>
<tr>
<td>Loss of hearing in one ear</td>
<td>50</td>
</tr>
<tr>
<td>Loss of hearing in both ears</td>
<td>175</td>
</tr>
<tr>
<td>Permanent disfigurement, face or head</td>
<td>150</td>
</tr>
<tr>
<td>Body as a whole/industrial disability</td>
<td>500</td>
</tr>
</tbody>
</table>

This text is adapted from the Iowa Workers’ Compensation Division:

**Workers’ Compensation Law for Injured Workers**

**Questions and Answers**

Effective July 1, 2014 - June 30, 2015

This brochure answers questions injured workers commonly ask about workers’ compensation. You may check Iowa Code chapters 85 through 87 and 17A, as well as Iowa Administrative Code chapter 87E, for detailed information. References to Iowa Code sections and Iowa Administrative Rules appear in parentheses.

**What is Workers’ Compensation?**

The Iowa Workers’ Compensation law requires most employers to provide wage loss and medical benefits to employees who are injured while working. (85.61(7))

**Types of Injuries Covered**

In Iowa, an injury may include any health condition caused by work activities other than the normal building up and tearing down of body tissues. Diseases and hearing losses caused by work activities or exposures are also injuries. (85A, 85B)

Preexisting health conditions are not considered injuries unless work aggravates or worsens them.

**Eligibility for Workers’ Compensation Benefits**

Most workers who are injured in Iowa while working in Iowa are eligible for benefits. Employers hired in Iowa or whose employment is principally in Iowa may be eligible for benefits even if they are injured outside of the state. (85.71)

The law exempts a few types of employees, however. If you are uncertain as to whether employees in your job classification are eligible for benefits, consult with a Workers’ Compensation Compliance Administrator with the Division of Workers’ Compensation.

**Choosing the Medical Care**

The employer has the right to choose the medical care and medical medical care reasonably suited to treat your injury. If you are dissatisfied with that care, you should discuss the problem with your employer (or its insurance carrier). You can request alternate care, and if your employer (or its carrier) does not allow that care, you may file a petition for alternate medical care before the Iowa Workers’ Compensation Commissioner. (85.27)

If an employer-retained physician gives a rating of permanent impairment that you feel is too low, you may have another examination by a doctor of your choice at your employer’s expense. (85.39)

**How are Disputes Handled?**

When you and your employer (and its insurance carrier) work together and openly communicate, the majority of workers’ compensation claim disputes can be resolved. You have a right to know why your employer (and its carrier) has taken any action and the relevant evidence supporting the action.

When a dispute cannot be resolved among the parties, you are encouraged to contact a Workers’ Compensation Compliance Administrator in the Iowa Workers’ Compensation Commissioner’s Office to discuss the situation. If the dispute cannot then be resolved, you may file a contested case proceeding before the Iowa Workers’ Compensation Commissioner. While the commissioner does not require it, most employees are represented by legal counsel in a contested case proceeding.

**Who Oversees Disputes?**

The Iowa Workers’ Compensation Commissioner is the head of the Division of Workers’ Compensation which is part of Iowa Workforce Development. The commissioner is responsible for administering, regulating and enforcing the workers’ compensation laws. By law, the Division of Workers’ Compensation cannot represent the interest of any party. The Division does provide information regarding the workers’ compensation law, the rights of the parties and the procedures the parties can follow to resolve their disputes.

**Who Pays the Benefits?**

Employers subject to the law must either purchase insurance through a private insurance company or qualify as a self-insurer. (85.3, 87.1, 87.11)

If the employer provides coverage by purchasing an insurance policy, the insurance company (or a claim administrator) pays the injured worker the workers’ compensation benefits. If the employer is self-insured, the employer (or a claim administrator) pays the injured worker the workers’ compensation benefits.

If an employer fails to provide insurance coverage as the law provides, the employee may choose to either file a contested case proceeding before the Workers’ Compensation Commissioner or to bring a civil action for damages in the appropriate district court. (87.21)

An employer must either obtain workers’ compensation insurance coverage or obtain relief from insurance or furnish a bond before engaging in business. An employer who willfully and knowingly engages in business before doing any of these is guilty of a class “D” felony. (87.14A)

**When are the Benefits to be Paid?**

The law encourages prompt payment of weekly and medical benefits so that injured workers will not suffer undue hardship. Most insurance carriers or self-insured employers require a written report of injury (usually from the employer) and medical evidence of the injury before beginning payments. Weekly payments of disability benefits are to begin on the eleventh day of disability. If benefits are not paid when due, you may be entitled to interest on late payments. If benefits are unreasonably delayed or denied, you may be entitled to penalty benefits. (85.30, 86.13)

Once benefits start, payments can only stop when you have returned to work or after your employer (or its carrier) has given you thirty days notice that payments are stopping. The notice must tell you why payments are stopping and advise you that you may file a claim with the Workers’ Compensation Commissioner. (86.13)

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request for individuals with disabilities. For Deaf or Hard of Hearing, Use Relay 711. (60-0026 (06-14)

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www.iowaworkforce.org/wc
Monday - Friday 8:00 AM - 4:30 PM