

January 29, 1951.
Judiciary No. 1.

House File 255

By UHLENHOPP, SLOANE, STRAWMAN,
PAUL, MUNGER, AUBREY, POSTON
and PEDRICK.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to amend chapter eighty-five A (85A), Code 1950,
relating to Iowa occupational disease law.

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

1 Section 1. Chapter eighty-five A (85A), Code 1950, is
2 hereby amended by striking sections eight-five A point eight
3 (85A.8) and eighty-five A point nine (85A.9) and inserting
4 in lieu thereof the following: "Any disease which can be
5 fairly traceable to the employment. Compensation shall not
6 be paid, however, for any condition which existed prior to
7 the happeneing of a compensable injury nor for any disability
8 chargeable to such condition. Ordinary diseases of life to
9 which the general public outside of the employment is exposed
10 shall not be compensable except where the disease follows
11 as an incident to, and in its inception, is caused by a
12 hazard to which an employee is subjected to in the course of
13 his employment. The disease must be incidental to the
14 character of the business and not independent of the relation
15 of employer and employee. It need not have been foreseen or

16 expected, but after it is contracted, it must appear to have
17 had its origin in a risk connected with the employment and
18 to have flowed from that source as a rational consequence.”

1 Sec. 2. Section eighty-five A point eleven (85A.11),
2 subsection two (2), line eight (8), Code 1950, is hereby
3 amended by adding after the period (.) following the word
4 “test” the following: “The employer shall make the necessary
5 arrangements for such tests and give adequate notice to the
6 employee.”

1 Sec. 3. Section eighty-five A point eighteen (85A.18),
2 Code 1950, is hereby amended by striking everything after
3 the period (.) in line seven (7).

EXPLANATION OF H. F. 255

Since the enactment of the Iowa occupational disease law numerous cases of diseases occurring during the course of employment have come to the attention of the Industrial Commissioner which are not presently included in the law. We believe the law should be broadened to include all occupational diseases.

The law now requires the employment to submit to tests within a period of time. The average employee does not know the requirements of the law. We feel it should be the duty of the employer to make arrangements for the employee to submit to such tests rather than to place the burden upon the employee.

The present act provides for notice of disability or death to be in writing. Notice to the employer as provided in Section 85.27 should be adequate.