IDAPA 17 – IDAHO INDUSTRIAL COMMISSION

Fiscal Department

17.11.01 – Administrative Rules of the Peace Officer and Detention Officer Temporary Disability Act

Who does this rule apply to?
This rule applies to peace officers, detention officers, and law enforcement employers

- Victims of Crime;
- Medical Providers; and
- Alleged Offenders

What is the purpose of this rule?
This rule covers the application and dispute process under the Peace Officer and Detention Officer Temporary Disability Fund Act.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

Industrial Commission -
Worker's Compensation and Related Laws:
- 72-1101, et. seq., Idaho Code - Peace Office and Detention Officer Temporary Disability Act

Who do I contact for more information on this rule?

Idaho Industrial Commission
11321 W. Chinden Blvd.
Boise, ID 83714

P.O. Box 87320
Boise, ID 83720-0041
Phone: (208) 334-6000
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17.11.01 – ADMINISTRATIVE RULES OF PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY ACT

000. LEGAL AUTHORITY.
This chapter is adopted under the legal authority of Section 72-1104, Idaho Code. (3-20-20)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is "Administrative Rules of Peace Officer and Detention Officer Temporary Disability Act," IDAPA 17, Title 11, Chapter 01. (3-20-20)

02. Scope. This chapter includes the Industrial Commission's rules regarding the Peace Office Temporary Disability Fund. (3-20-20)

002. -- 009. (RESERVED)

010. DEFINITIONS.
The definitions set forth at Section 72-1103, Idaho Code apply to this chapter. (3-20-20)

011. RULE GOVERNING APPLICATIONS FOR REIMBURSEMENT FROM THE PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY FUND.

01. Eligibility. An employer who has paid the full base salary due to a peace officer or detention officer, as defined in Section 72-1103, Idaho Code, may apply for reimbursement from the Peace Officer and Detention Officer Temporary Disability Fund under the provisions of Section 72-1104, Idaho Code, for the amount of that salary not covered by the workers' compensation income benefit payments remitted to the employer during the time that such officer is: (3-20-20)

a. Temporarily incapacitated and unable to perform employment duties; (3-20-20)

b. Is otherwise eligible to receive workers' compensation benefits; and (3-20-20)

c. Is one whose incapacitating injury was incurred in the performance of employment duties on or after July 1, 2008, either: (3-20-20)

i. When responding to an emergency; or (3-20-20)

ii. When in the pursuit of an actual or suspected violator of the law; or (3-20-20)

iii. The injury was caused by the actions of another person after July 1, 2012. (3-20-20)

02. Application. An employer eligible to seek reimbursement from the Peace Officer and Detention Officer Temporary Disability Fund shall make application on the form provided by the Commission, available online. (3-20-20)

03. Payments. Payments to employers requesting reimbursement from the Peace Officer and Detention Officer Temporary Disability Fund shall be made within thirty (30) days of receipt of an approved request for reimbursement, subject to the availability of money in that fund. (3-20-20)

04. Disputes. Disputes regarding eligibility for reimbursement from The Peace Officer and Detention Officer Temporary Disability Fund will be decided by the Commission upon written request by the employer. There is no appeal from the reimbursement dispute decisions of the Commission under this section. Disputes regarding eligibility of an injured peace officer or detention officer for workers' compensation benefits, including the continuation of salary benefit set out in Section 72-1104, Idaho Code, will be decided in accordance with the Commission's current rules and procedures governing disputes in all other workers' compensation claims. (3-20-20)

012. -- 999. (RESERVED)

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