

**IDAPA 17
TITLE 11
CHAPTER 01**

**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. (6-30-19)T

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. (6-30-19)T

02. Scope. This chapter includes the Industrial Commission's rules regarding the Peace Officer Temporary Disability Fund. (6-30-19)T

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of the rules. (6-30-19)T

003. ADMINISTRATIVE APPEALS.

There is no provision for administrative appeals before the Industrial Commission under these rules. (6-30-19)T

004. INCORPORATION BY REFERENCE.

No documents have been incorporated by reference into these rules. (6-30-19)T

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The Industrial Commission is open Monday-Friday from 8am - 5pm, Mountain Time, excluding state holidays. The office address is 11321 W. Chinden Boulevard, Boise, ID 83714. Mailing address is P.O. Box 83720, Boise, Idaho 83720-0041. Telephone: 208-334-6000; Fax: 208-334-2321; Website: <https://iic.idaho.gov/>. (6-30-19)T

006. PUBLIC RECORDS ACT COMPLIANCE.

Industrial Commission records are exempt from disclosure except as provided for in Section 74-105(10)(a)-(e), Idaho Code. (6-30-19)T

007. -- 009. (RESERVED)

010. DEFINITIONS.

The definitions set forth at Section 72-1103, Idaho Code apply to this chapter. (6-30-19)T

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: (6-30-19)T

a. Temporarily incapacitated and unable to perform employment duties; (6-30-19)T

b. Is otherwise eligible to receive workers' compensation benefits; and (6-30-19)T

c. Is one whose incapacitating injury was incurred in the performance of employment duties on or after July 1, 2008, either: (6-30-19)T

i. When responding to an emergency; or (6-30-19)T

ii. When in the pursuit of an actual or suspected violator of the law; or (6-30-19)T

iii. The injury was caused by the actions of another person after July 1, 2012. (6-30-19)T

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. (6-30-19)T

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. (6-30-19)T

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. (6-30-19)T

013. -- 999. (RESERVED)