

MUNICIPAL FIRE AND POLICE RETIREMENT
SYSTEM OF IOWA
7155 Lake Drive, Suite 201
West Des Moines, IA 50266

IN THE MATTER OF:

HAROLD BETSWORTH,

Applicant.

DECISION

Iowa Code § 411.6(3) (2024) and
Iowa Code § 411.6(5) (2024)

STATEMENT OF THE CASE

Harold Betsworth (“Applicant”) filed his application for an accidental disability pension on or about May 9, 2025. On September 25, 2025, the Medical Board of the University of Iowa Hospitals and Clinics reported to the System its findings regarding Applicant’s claimed disability. The System made an initial decision awarding an accidental disability pension on October 21, 2025. On November 19, 2025, the City of Sioux City filed an appeal challenging the award of an accidental disability pension. A hearing was held before the Disability Appeals Committee of the Board (comprised of Duane Pitcher, Frank Guihan, and Jennifer Sease) on May 13, 2026, at the offices of the System. Duane Pitcher served as Chair.

Appellant, the City of Sioux City (the “City”) appeared and was represented by attorney Connie Anstey. The Applicant appeared and was not represented by counsel. Daniel Cassady, Director, appeared on behalf of the System. Jennifer Lindberg was present as counsel to the Committee. Testimony was received from the Applicant, Fire Chief Ryan Collins, and Ron Engle, risk manager for the City. The parties stipulated to the admission of MFPRSI Exhibits 1 – 7 and City Exhibits 1 and 2. The parties waived the filing of post-hearing briefs.

FINDINGS OF FACT

The Committee, having reviewed the evidence of record, finds as follows:

The Application

1. Applicant was born on April 3, 1985. Applicant was hired as a firefighter for the City of Sioux City on August 17, 2019. As of the date Applicant filed his application for disability benefits, Applicant held the position of Fire Fighter with the City of Sioux City Fire Department. **Ex. 1.**

2. On September 25, 2025, the Medical Board opined that Applicant is not fully able to perform all the duties of a firefighter as a consequence of symptoms from his low back (contributing factors including, not limited to, multilevel facet arthropathy, degenerative disc change, and prior L3 compression fracture). The Medical Board also opined that the Applicant is physically incapacitated from the performance of the functional demands of this position, and the incapacity is likely to be permanent based on the impression that it will be of at least one year's duration. **Ex. 5.**
3. The System issued a decision awarding an accidental disability benefit due to back pain on October 21, 2025. **Ex. 6.** The application was approved because the medical evidence established Applicant was unable to perform the duties of a firefighter, that the incapacity is likely to last at least 12 months, and that the incapacity is the result of an injury or disease incurred in or aggravated by the performance of duty. **Id.**

Applicant's Medical Condition and Injuries

4. Applicant had a physical on February 15, 2019 to get his EMT qualification. **Ex. 3-1.** The records note he denied any chronic physical impairments or health issues. **Id.** He denied back pain or joint pain during the exam. **Ex. 3-2.**
5. The Applicant noted two separate incidents of back injury. The first occurred on July 31, 2024 when he injured his back while driving the fire apparatus for many hours due to storm recovery work (hereinafter the "First Injury"). **Ex. 1-3; Ex. 3-91.** The medical reports for the First Injury evidence a new intermittent loss of sensation/numbness. **Ex. 3-91.** The incident report also notes the "injury has exacerbated existing back condition." **Id.**
6. An MRI taken on August 20, 2024 showed degenerative disc height at all levels with mild facet arthropathy. **Ex. 3-105.** The report notes a chronic compression deformity at L3, and no retropulsion or acute compression fracture. **Ex. 3-105.** The report also notes mild to moderate bilateral foraminal stenosis at L4-5 from disc height loss with a broad-based protrusion, and mild right foraminal stenosis from a right foraminal disc protrusion at L3-4. **Ex. 3-105.** He was subsequently diagnosed by Dr. William Samuelson with an L4-L5 disc protrusion with left lower extremity L5 radiculopathy. **Ex. 3-105.**
7. The records reflect that following the First Injury, Applicant sought treatment with multiple modalities. This includes steroid injections, physical therapy, lumbar medial branch blocks, and radiofrequency ablation of lumbar medial branch nerves. **Ex. 4A-23, 4A-34-35, 4A-94, 4A-101, 4A-107.** Dr. Cassens found him to be at maximum medical improvement on February 4, 2025. **Ex. 4A-122.** He returned to work.
8. The second injury occurred on February 6, 2025, when he injured his back moving and lifting a patient (hereinafter the "Second Injury"). **Ex. 1-3.** He reported new shooting pain and numbness to the right leg. **Ex. 3-170-172.** A CT scan performed on February 28, 2025 showed degenerative changes and a compression fracture at L3 with loss of interest in anterior vertebral body height. **Ex. 4A-148.** Applicant also

electroneuromyography in February of 2025, which showed no electrophysiologic evidence of entrapment neuropathy of the right lower extremity or lumbosacral plexopathy. **Ex. 4D-37.**

9. An updated MRI was performed on April 15, 2025. **Ex. 3-198-199.** The report notes moderate left foraminal stenosis at L4-5, mild right lateral recess stenosis at L3-4, and mild spinal canal stenosis at L4-5. **Id.** The report also notes a chronic L3 compression fracture. **Id.** The report concludes that there was no significant change from August 20, 2024. **Id.** At a follow-up visit with his treating provider, it was noted that Applicant has myofascial back pain, possible piriformis syndrome, lumbar spondylosis, and a history of L3 compression fracture. **Ex. 3-201.** The physician noted Applicant was not a surgical candidate at that time. **Id.** Dr. Cassens opined on June 25, 2025 that Applicant was at maximum medical improvement and advised Applicant to seek a permanent restriction evaluation.

City's Appeal

10. The City's appeal was timely filed with the System on November 19, 2025. **Ex. 7.** In addition to the specific appeal of the award of accidental disability benefits to Applicant, the City's appeal sets forth grievances regarding the System's processes which were styled as a "general appeal." Counsel for the City simultaneously provided those grievances directly to MFPRSI Board Members via separate correspondence. Counsel for the System advised the City's counsel the concerns would be addressed via the instant appeal.
11. The City makes a "broad appeal" that the "MFPRSI Board and the Medical Board have not been fully and effectively conforming to the duties that are described in Iowa Code Chapter 411.5, 8." **Ex. 7-1.** The City asserts that if the medical reports are not strictly meeting the statutory standard for those reports, there is "concern" that the disability decisions are not legally, medically, or factually reliable. **Id.**
12. The City's broad appeal also alleges that the Medical Board should not endorse disability without completion of "the" standardized work ability evaluation process, which is cited as "AMA Guides to the Evaluation of Permanent Impairment 5th ed." **Ex. 7-2.** The City provided certain, unknown, Medical Board evaluations to certain, unknown "contributing authors to the AMA Guides to the Evaluation of Work Ability and Return to Work, Second Edition." **Ex. 7-2-3.** The City states these unknown individuals opined that the Medical Board evaluations they reviewed do not meet the statutory requirements of Iowa Code. **Id.**
13. The City goes on to specifically appeal the award of an accidental disability pension to Applicant. **Ex. 7-4.** The City states the Applicant disclosed a previous vertebral fracture to the Medical Board, which predates any "reported, service-related mechanism of injury." **Id.** The City states there is no documentation of efforts to obtain additional medical records related to this injury. **Ex. 7-5.** The City notes the condition could meet the standard for § 411.6(5)(a), but that can only be evaluated if the Medical Board or

City also alleges any discrepancy needs to be investigated as it relates to § 411.14. **Ex. 7-6.**

14. The City also alleges the Applicant did not disclose all existing medical conditions appropriately as required by MFPRSI Administrative Rule 9.6. **Ex. 7-6.** The City alleges that had the Applicant completed the form to the “appropriate standard,” there would have been documentation of a pre-existing condition that “could have excluded the accidental disability award.” **Id.**

City’s Exhibits

15. The City submitted Applicant’s application for the fire fighter position. **City Ex. 1.** The application includes a resume which lists his service with the United States Marine Corps. **City Ex. 1-4.** The application does not include any requests for medical records or medical history. **City Ex. 1.**
16. The City also submitted certain medical records from the VA. **City Ex. 2.** The records cover a period from August 3, 2013 through December 3, 2024. **Id.** Applicant underwent a VA Compensation and Pension exam on August 28, 2013, which accounts for the bulk of the records. **City Ex. 2-17.** The exam included an evaluation of records related to Applicant’s back, and noted that as of that date, Applicant had not ever been diagnosed with a thoracolumbar spine condition. **City Ex. 2-61.** The records noted a subjective complaint of low back pain without other diagnosis and a normal examination. **City Ex. 2-62.** There was no report of radicular pain, or signs or symptoms of radiculopathy. **City Ex. 2-66.** The note concludes with a statement that range of motion of the lumbar spine was done without pain, fatigue, weakness, no lack of endurance during or after repetition, and no functional loss was noted. **City Ex. 2-67.** He did not receive disability from the VA related to his claimed back pain.

Applicant’s Hearing Testimony

17. Applicant testified that his back issues got worse within the scope of his employment with the City, and that he dealt with back pain prior to his employment following his departure from the Marine Corps. However, the back pain resolved over time.
18. Applicant testified that he became aware of the L3 compression fracture while employed with the City and undergoing chiropractic treatment for a different medical issue in 2020. While he underwent a back screening and x-ray as part of his application process with the City, neither showed the compression fracture. His doctors have indicated the compression fracture has been there for some time, which he attributes to his service in the Marine Corps. No doctors have opined that the compression fracture is the sole cause of his current back pain.
19. When asked why he did not disclose back pain on the MFPRSI Application and other medical questionnaires, he testified that if something was not bothering him when he completed the forms, he did not disclose it. He acknowledged there were things he arguably should have disclosed, but he was unclear whether his physical condition

following his time in the military was at a “normal” level as compared to others. He was able to do daily activities and his job without limitation, so he did not disclose. He testified that he was not trying to hide anything, but agreed that he did not disclose every past illness, injury, or medical condition he had experienced.

Testimony of Fire Chief Collins

20. He believes Applicant answered the questions to the best of his knowledge, and that Applicant is a hard-worker, honest, and well-respected among his peers. He testified he would find it “highly unlikely” that Applicant lied on purpose.
21. Chief Collins was not aware of any injuries Applicant experienced during his military service until this disability application process.
22. He testified that the pre-employment medical exams are standard in nature, so he could not testify whether the City would have done a different medical exam if Applicant had disclosed his history of back pain.
23. He testified that a general failure of applicants to disclose medical conditions could be problematic and impact future members if members are getting paid for old injuries not incurred on the job.

Testimony of Ron Engle, City Risk Manager

24. Mr. Engle is the City’s risk manager. He reviewed the applications and medical questionnaires submitted by Applicant, and did not find any evidence that Applicant disclosed a back injury prior to his employment with the City.
25. There was testimony offered regarding an incident wherein the City believes Applicant was trying to limit the time period in which the City could request records from the VA. The Applicant disputed that assertion, and neither party entered the release document into evidence.
26. Mr. Engle testified regarding his review and interpretation of Iowa Code § 411. He opined that the Medical Board is to produce a report addressing the extent of impairment of the member, which is different than the current reports which address disability. He referenced the language in the workers' compensation statute insofar as there are explicit standards of evaluation of impairment, to infer that the System should adopt similar standards.
27. He also testified that he provided reports prepared by the Medical Board to outside experts. He testified that the experts did not believe the Medical Board reports they reviewed met the requirements of Chapter 411. He qualified this by testifying that such review was “not in their area of expertise.” The experts allegedly said the review method used by the Medical Board does not include any recognizable standards that the experts were familiar with. No evidence was presented as to which reports were reviewed or who reviewed them.

CONCLUSIONS OF LAW

1. Iowa Code § 411.6(3) states:

3. *Ordinary disability retirement benefit.* Upon application to the system, of a member in good standing or of the chief of the police or fire departments, respectively, any member in good standing shall be retired by the system, not less than thirty and not more than ninety days next following the date of filing the application, on an ordinary disability retirement allowance, if the medical board after a medical examination of the member certifies that the member is mentally or physically incapacitated for further performance of duty, that the incapacity is likely to be permanent, and that the member should be retired. However, if a person's membership in the system first commenced on or after July 1, 1992, the member shall not be eligible for benefits with respect to a disability which would not exist, but for a medical condition that was known to exist on the date that membership commenced. A medical condition shall be deemed to have been known to exist on the date that membership commenced if the medical condition is reflected in any record or document completed or obtained in accordance with the system's medical protocols pursuant to section 400.8, or in any other record or document obtained pursuant to an application for disability benefits from the system, if such record or document existed prior to the date membership commenced. A member who is denied a benefit under this subsection, by reason of a finding by the medical board that the member is not mentally or physically incapacitated for the further performance of duty, shall be entitled to be restored to active service in the same position held immediately prior to the application for disability benefits. The member-in-good-standing requirement of this subsection may be waived for good cause as determined by the board. The burden of establishing good cause is on the member.

2. Iowa Code § 411.6(5) states (in relevant part) as follows:

5. *Accidental disability benefit.*

a. Upon application to the system of a member in good standing, of an ordinary disability beneficiary, or of the chief of the police or fire departments, respectively, any member in good standing or ordinary disability beneficiary who has become totally and permanently incapacitated for duty as the natural and proximate result of an injury or disease incurred in or aggravated by the actual performance of duty or arising out of and in the course of employment, or while acting, pursuant to order, outside of the city by which the member is regularly employed, shall be retired by the system, or may have a retirement for an ordinary disability converted to a retirement for an accidental disability, if the medical board certifies that the member or ordinary disability beneficiary is mentally or physically incapacitated for further performance of duty,

that the incapacity is likely to be permanent, and that the member should be retired or should have a retirement for an ordinary disability converted to a retirement for an accidental disability. However, *if a person's membership in the system first commenced on or after July 1, 1992, the member or ordinary disability beneficiary shall not be eligible for benefits with respect to a disability which would not exist, but for a medical condition that was known to exist on the date that membership commenced.* A medical condition shall be deemed to have been known to exist on the date that membership commenced if the medical condition is reflected in any record or document completed or obtained in accordance with the system's medical protocols pursuant to section 400.8, or in any other record or document obtained pursuant to an application for disability benefits from the system, if such record or document existed prior to the date membership commenced. A member who is denied a benefit under this subsection, by reason of a finding by the medical board that the member is not mentally or physically incapacitated for the further performance of duty, shall be entitled to be restored to active service.

(emphasis added).

3. No evidence was presented showing Applicant was not a member in good standing at the time he submitted his application for an accidental disability retirement.
4. No evidence was presented that the First and Second Injuries were not job related.
5. Thus, the questions before the Committee are (1) whether Applicant is disqualified or otherwise prohibited from receiving an accidental disability benefit due to alleged inaccuracies related to disclosures of pre-existing medical issues, (2) whether Applicant had a pre-existing condition that disqualifies him from receipt of benefits under §411.6(5)(a), and (3) whether the System and the Medical Board have been conforming to the duties described in Iowa Code § 411.5 and § 411.8.

Disclosure

6. The City argues that Applicant's benefits should be rescinded due to allegedly false statements made by the Applicant during his employment application process, initial application to the System, and during the time he was considering applying for disability benefits. While the City focuses on the disclosure of back injuries, including the L3 compression fracture, the City presented evidence of other medical conditions Applicant did not disclose during his employment application process, including his disability from VA for PTSD.
7. Iowa Code § 411.14 states:

A person who *knowingly* makes a false statement or falsifies or permits to be falsified any record or records of the retirement system in *an attempt to defraud the system* as a result of such act, is guilty of a fraudulent practice. If any change or error in records results in a member or beneficiary receiving from the

retirement system more or less than the member or beneficiary would have been entitled to receive had the records been correct, the system shall correct the error, and, as far as practicable, shall adjust the payments in such a manner that the actuarial equivalent of the benefit to which the member or beneficiary was correctly entitled, shall be paid.

(emphasis added).

8. The Committee had concerns regarding the veracity of the various statements made by the Applicant. However, the Committee, upon review of the record and consideration of the testimony offered by Applicant and the Fire Chief, does not find substantial evidence to support a finding that Applicant knowingly “attempted to defraud” the System in this process.
9. The System lacks statutory authority to make findings regarding the impact of any non-disclosure on Applicant’s employment with the City. Thus, the Committee makes no findings as to the application of Iowa Code § 411.14 to Applicant’s employment application or other documentation submitted to the City.

Applicant’s Back Injuries

10. The System granted Applicant an accidental disability benefit for a low back injury on the basis that the Medical Board opined that Applicant is not fully able to perform all the duties of a firefighter as a consequence of symptoms from his low back (contributing factors including, not limited to, multilevel facet arthropathy, degenerative disc change, and prior L3 compression fracture.) The Medical Board also opined that the Applicant is physically incapacitated from performance of the functional demands of this position, and the incapacity is likely to be permanent based on the impression that it will be of at least one year’s duration. **Ex. 5.**
11. The City argues Applicant had a pre-existing condition which disqualifies him from receipt of benefits under § 411.6(5)(a). The statute provides that a member shall not be eligible for benefits “with respect to a disability which would not exist, *but for* a medical condition that was known to exist on the date that membership commenced.” Iowa Code § 411.6(5)(a) (emphasis added). Accordingly, “substantial evidence must show a causal connection between a pre-hire medical condition and the eventual disability to preclude eligibility.” *Bok v. Mun. Fire & Police Ret. Sys. of Iowa*, 725 N.W.2d 658 (Iowa Ct. App. 2006).
12. The City did not present substantial evidence that “but for” the underlying condition, Applicant would not be disabled. The Medical Board’s findings state the low back pain has “contributing factors including, not limited to, multilevel facet arthropathy, degenerative disc change, and prior L3 compression fracture.” **Ex. 5.** Applicant testified that no physician or treater has opined that but for the prior L3 compression fracture, he would not be disabled. The City provided no medical opinion evidence to establish such a causal connection nor citations to same in the existing record.

13. The City also cited cases which address the aggravation language in the statute. As discussed in *City of Cedar Rapids v. Municipal Fire and Police Retirement System of Iowa*, a case cited by the City, § 411.6(5)(a) expressly provides an accidental disability can be awarded if a member has “become totally and permanently incapacitated for duty as the natural and proximate result of an injury or disease incurred in or aggravated by the actual performance of duty.” *City of Cedar Rapids v. Mun. Fire & Police Ret. Sys. of Iowa*, 526 N.W.2d 284, 287 (Iowa 1995). In that case, the Court found substantial evidence existed to support a finding that repeated aggravations of an injury from work duties caused a non-disabling condition to become disabling. *Id.* The City argues that such a connection is not present in the evidence here. The Committee disagrees, and finds substantial evidence exists to support a finding that the First and Second Injuries aggravated Applicant’s prior back pain such that the pain is now disabling.

Appeal of General Procedure

14. The Committee heard testimony regarding the City’s appeal related to their interpretation of the word “impairment” in Iowa Code § 411.5(8) and whether the Medical Board’s opinions meet those statutory requirements.
15. Iowa Code § 411.5(8) sets forth the duties of the Medical Board, which include:

For examinations required because of disability, a physician from the medical board specializing in occupational medicine, and a second physician specializing in an appropriate field of medicine as determined by the occupational medicine physician, shall pass upon the medical examinations required for disability retirements and shall report to the system in writing their conclusions and recommendations upon all matters referred to the medical board. *Each report of a medical examination under section 411.6, subsections 3 and 5, shall include the medical board’s findings in accordance with section 411.6 as to the extent of the member’s physical impairment.*

(emphasis added).

16. No evidence was presented that references to the extent of the member’s physical impairment, or lack thereof, in the Medical Board reports and processes impacted assessment of the Applicant’s application for disability benefits in any capacity. While Iowa Code § 411.5(8) uses the term “impairment,” Iowa Code § 411.6, establishing the standard for a disability retirement benefit, does not use the term in setting the criteria for demonstrating an ordinary or accidental disability benefit. The City did not argue, and the Committee does not find, that the Medical Board report failed to clearly and completely outline the Medical Board’s findings with respect to whether the Applicant was mentally or physically incapacitated for further performance of duty, which is the standard for a disability retirement benefit set forth under Iowa Code § 411.6.

17. Thus, the general concerns raised by the City are outside the scope of Applicant's application for disability benefits and are not material to the resolution of the matter of Applicant's benefits. As such, the Committee need not and does not address these arguments.

DECISION

The appeal by the City of Sioux City related to the accidental disability pension awarded to Harold Betsworth under Chapter 411 is denied. Mr. Betsworth will continue to receive an accidental disability pension.

Dated this 14th day of May, 2026.



Duane Pitcher, Chair
Disability Appeals Committee

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at such attorney's address as disclosed by the pleadings of record herein on the 14 day of May, 2026.

By: U.S. Mail Facsimile
 Hand Delivered Overnight Courier
 Federal Express Other

Signature Jill Huggie