

## COVID-19 Workers Compensation Coverage FAQ

### 1. **Can COVID-19 ever be allowed as a work-related condition?**

- a. Under certain circumstances, claims from healthcare providers and first responders involving COVID-19 may be allowed. Other claims that meet certain criteria for exposure will be considered on a case by case basis.

In most cases, exposure and/or contraction of COVID-19 is **not** considered to be an allowable, work related condition.

### 2. **When to file a claim for COVID-19?**

- a. The Industrial Insurance Act allows for treatment of COVID-19 when work-related activity has resulted in probable exposure to the virus and certain criteria are met. In these cases, the employee's occupation must have a greater likelihood of contracting the disease because of the job (examples include first responders or health care workers). There must also be a documented or probable work-related exposure, and an employee/employer relationship.

Treating providers will consider the following criteria to determine if an employee's situation is subject to a Worker's Compensation claim:

- i. Was there an increased risk or greater likelihood of contracting the condition due to the employee's occupation (such as a first responder or healthcare worker)?
- ii. If not for their job, would the employee have been exposed to the virus or contracted the condition?
- iii. Can the employee identify a specific source or event during the performance of his or her employment that resulted in exposure to COVID-19 (examples include a first responder or healthcare worker who has actually treated a patient with the virus)?

If the above criteria cannot be met, it is not necessary to file a worker's compensation claim; however a claim may still be filed if requested by the employee or if the provider is uncertain if the case meets the criteria.

- b. **Employees must be seen by a physician in order for their claim to be considered.** Currently, first responders have priority preference with treating physicians.

### 3. **When will a claim likely be denied?**

- a. When the contraction of COVID-19 is incidental to the workplace or common to all employment (such as an office worker who contracts the condition from a fellow employee), a claim for exposure to and contract of the disease will be denied.
- b. If employees come to work ill, and there is no nexus to exposure based on their occupation, their personal leave banks will be utilized.

**4. Exposure vs. Contraction of COVID-19**

- a. Employees exposed to COVID-19 must submit the appropriate accident report form before the City can pay for treatment or time-loss benefits. This requires a treating provider to make an assessment. The same is true if the employee is unable to work during the quarantine period or is ill from the virus.
- b. When there has been a documented, work-related exposure, the City will pay for testing *before* an employee is ill IF testing is available. Testing is currently on short supply, and in high demand.
- c. If the diagnosed condition on the original accident report form is contraction of COVID-19 and the three criteria under “when to file a claim” are satisfied, the claim will be allowed and treatment authorized.
- d. When the claim is filed for probable exposure and the criteria under “when to file a claim” are satisfied, the claim will be allowed for the quarantine period whether or not the work actually contracted COVID-19.

**5. Quarantine**

- a. Claims will be accepted for healthcare workers and first responders who are quarantined after COVID-19 exposure on the job. Other quarantine claims will be looked at on a case by case basis.
- b. For a quarantine claim to be considered, it must meet the criteria AND the worker must have been quarantined by a public health officer or physician because of that exposure.
- c. Time loss payments may be allowed for lost wages during the quarantine period of up to 14-days. The CDC indicates that COVID-19 symptoms may appear anywhere from 2-14 days after exposure. Appropriate, medically required testing/surveillance would also be covered. This is a time limited benefit, and no benefits would be paid after the quarantine period has ended unless the employee develops COVID-19.
- d. As with all wage replacement benefits under the Industrial Insurance Act, the first 3 days are not paid unless the employee is medically required to remain off work on the 14<sup>th</sup> day following exposure.

**6. Covered Treatment and Post-Exposure Care**

- a. Once a claim is allowed and the three criteria under “when to file a claim” are satisfied, the City will pay for treatment of COVID-19. Currently, the only treatment for this new coronavirus is supportive care to help relieve symptoms.

**7. Who can answer additional questions I have about Workers Compensation and COVID-19 claims?**

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