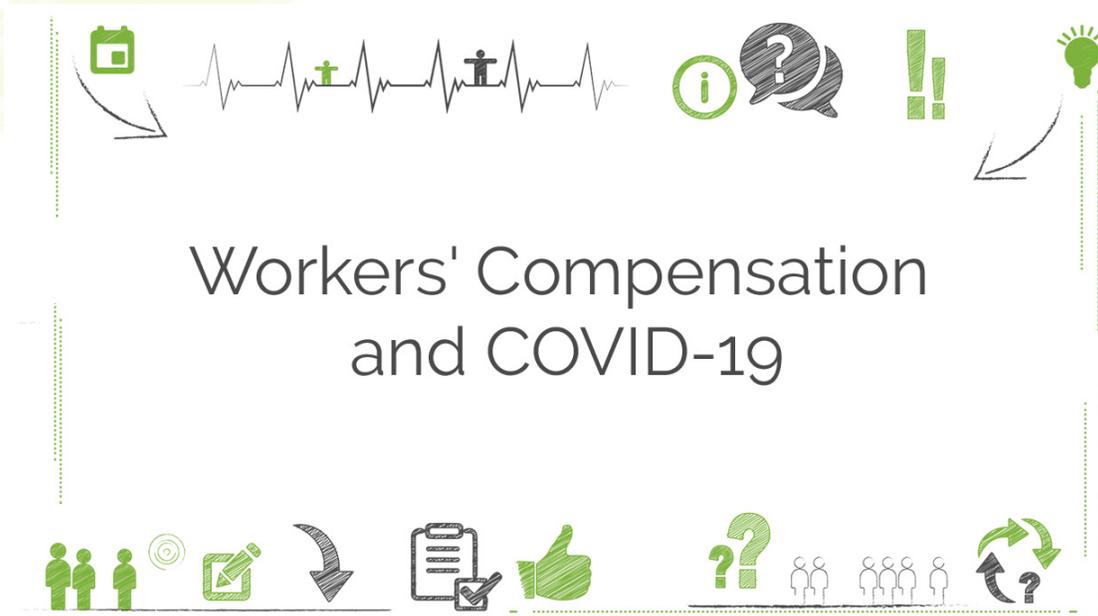


MEDIVEST®

MSP Compliance Solutions



Workers' Compensation and COVID-19

Workers' Compensation Claims Being Filed Due to Contracting COVID-19/Coronavirus

The state regulated Workers' Compensation agency for Washington State has already set up online methods for medical providers and injured workers to file work related/industrial exposure claims for COVID-19/Coronavirus, and even added a [hotline for injured workers to call](#) to be able to report likely exposure to COVID-19/Coronavirus. Because COVID-19/Coronavirus is so new and so contagious, it is hard to predict how likely it will be that claims of work related exposure will be accepted by Workers' Compensation carriers or Boards that hear appeals of denials of exposure claims. Some factors the Washington State Department of Labor & Industries listed that should be considered before filing a claim are:

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

The Washington State online message suggests that "if the above criteria are not met, it is not necessary to file a Workers' Compensation (WC) claim; however, a claim may still be filed if requested by the worker or if the provider is uncertain if the case meets the criteria." The site goes on to explain that instances where contraction of COVID-19 is only incidental to the workplace or common to all employment, giving an example of an office worker contracting the condition from a fellow employee, a claim for WC exposure to and contraction of COVID-19 would be denied.

March 20, 2020 by [Medivest](#)

info@medivest.com

Because WC is governed by state law, while the factors considered will likely be similar, the decision making resulting from the evaluation could vary state by state.

We hope the curve of exposure associated with this pandemic will flatten soon and we can get back to our ordinary lives, but in the meantime, we send positive thoughts and healthy wishes to all of our first responders, healthcare workers, service industry employees, and everyone else affected by this fast spreading virus!