



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|-----------------------------|--|---------------------------|
| Arkansas | | |
| | HB 1488 Clarifies the Intentional Tort Exception to the Exclusive Remedy Doctrine Under the Workers Compensation Law With Regard to Coronavirus 2019 (COVID-19) Source: Click Here | In Senate Committee |
| District of Columbia | | |
| | B24-0059 Workplace Safety During the COVID-19 Pandemic Temporary Amendment Act of 2021 Source: Click Here | Passed Council: 3/2/21 |
| Florida | | |
| | HB 949 Relates to Communicable and Infectious Diseases Source: Click Here | In House Committee |
| | SB 1314 Relates to Communicable and Infectious Diseases Source: Click Here | In Senate Committee |
| | SB 1422 Relates to Communicable and Infectious Diseases Source: Click Here | In Senate Committee |
| Georgia | | |
| | HB 700 Relates to Compensation for Occupational Disease, so as to Include COVID-19 Within the Meaning of Occupational Disease for Essential Workers Source: Click Here | Introduced: 3/1/21 |
| Illinois | | |
| | HB 4276 Relates to Extending Workers Compensation Presumption of Compensability for COVID-19 Source: Click Here | Enacted: 2/26/21 |
| Texas | | |
| | HB 34 Relates to Presumptive Coverage for First Responders That Contract COVID-19 Source: Click Here | In House Committee |
| | HB 47 Relates to Presumptive Coverage for School District Employees That Contract COVID-19 Source: Click Here | In House Committee |
| | HB 396 Relates to the Eligibility of Nurses for Workers Compensation Benefits for Coronavirus Disease (COVID-19) and Payment of Those Benefits | In House Committee |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|-----------------------------|--|------------------------------------|
| | Source: Click Here | |
| | HB 541 Relates to a Presumption in Regard to the Eligibility of Public Safety Employees Who Have Contracted Coronavirus Disease (COVID-19) for Certain Benefits Source: Click Here | In House Committee |
| | HB 637 Relates to Certain Claims for Benefits, Compensation, or Assistance by Certain Public Safety Employees and Survivors of Certain Public Safety Employees Source: Click Here | In House Committee |
| Washington | | |
| | SB 5190 Provides Health Care Workers With Presumptive Benefits During a Public Health Emergency Source: Click Here | In House Committee |
| Federal | | |
| | HR 1319 American Rescue Plan Act of 2021 Source: Click Here | Passed House: 2/27/21 |
| Alaska | | |
| | HB 45 Relates to Presumption of Compensability for Workers Compensation Claims Related to Contagious Diseases Source: Click Here | In House Committee |
| Arkansas | | |
| | SB 16 Suspends Certain Provisions of the Workers Compensation Law With Regard to Certain Workers Due to the Coronavirus 2019 (COVID-19) Outbreak Source: Click Here | In Senate Committee |
| Connecticut | | |
| | HB 6478 Relates to Various Issues Concerning Workers Compensation Source: Click Here | In Joint Committee |
| District of Columbia | | |
| | B24-0058 Workplace Safety During the COVID-19 Pandemic Emergency Amendment Act of 2021 Source: Click Here | Amended and Passed Council: 2/2/21 |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|-----------------|--|---------------------|
| Hawaii | | |
| | HB 1224 Relates to Workers Compensation; COVID-19 Source: Click Here | In House Committee |
| | SB 1415 Relates to Workers Compensation; COVID-19 Source: Click Here | In Senate Committee |
| Illinois | | |
| | HB 782 Relates to Extending Workers Compensation Presumption of Compensability for COVID-19 Source: Click Here | In House Committee |
| Iowa | | |
| | HF 121 Relates to Compensation for Infection With COVID-19 or a Similar Disease Under the Iowa Occupational Disease Law Source: Click Here | In House Committee |
| | SF 138 Relates to the Rights of Employees Infected With COVID-19 Under the State Workers Compensation Program Source: Click Here | In Senate Committee |
| Maryland | | |
| | HB 765 Relates to Workers Compensation; Occupational Disease Presumptions; Novel Coronavirus (Essential Workers Compensation Act) Source: Click Here | In House Committee |
| | HB 1199 Workers Compensation—Occupational Disease Presumptions—COVID-19 Source: Click Here | In House Committee |
| | HB 1247 Workers Compensation—Occupational Disease Presumptions—COVID-19 Source: Click Here | In House Committee |
| | SB 725 Workers Compensation—Occupational Disease Presumptions—COVID-19 Source: Click Here | In Senate Committee |
| | SB 756 Workers Compensation—Occupational Disease Presumptions—COVID-19 Click Here | In Senate Committee |
| | SB 812 Workers Compensation—Occupational Disease Presumptions—COVID-19 Source: Click Here | In Senate Committee |
| | SB 813 Workers Compensation—Occupational Disease Presumptions—COVID-19 Source: Click Here | In Senate Committee |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|----------------------|--|---------------------|
| | SB 860 Workers Compensation—COVID-19 Occupational Disease Presumption—Public School Employees Source: Click Here | In Senate Committee |
| Massachusetts | | |
| | SD 236 Relates to Occupational Presumption and COVID-19 Source: Click Here | Prefiled: 1/26/21 |
| Michigan | | |
| | SB 161 Infectious Disease Presumption for Essential Employees During a Declared Emergency Source: Click Here | In Senate Committee |
| Minnesota | | |
| | HF 2 In Part, Provides Workers Compensation for Certain School Employees Who Contract COVID-19 Source: Click Here | In House Committee |
| | HF 37 Relates to Workers Compensation; Creates a Presumption of Eligibility for School Employees Who Contract COVID-19 Source: Click Here | In House Committee |
| | HF 1203 Extends the Presumption for a Workers Compensation Claim Based on COVID-19 Source: Click Here | In House Committee |
| | SF 105 Relates to Workers Compensation; Creates a Presumption of Eligibility for School Employees Who Contract COVID-19 Source: Click Here | In Senate Committee |
| | SF 719 In Part, Provides Workers Compensation for Certain School Employees Who Contract COVID-19 Source: Click Here | In Senate Committee |
| | SF 1203 Extends the Presumption for a Workers Compensation Claim Based on COVID-19 Source: Click Here | In Senate Committee |
| Missouri | | |
| | HB 1246 Modifies Provisions Relating to Workers Compensation Source: Click Here | Introduced: 2/23/21 |
| | Emergency Rule 8 CSR 50-5.007 Evidence of Occupational Disease Exposure for First Responders Source: Click Here | Adopted: 1/15/21 |
| Montana | | |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|---------------------|---|--------------------------|
| | HB 297 Revises Coverage Under Workers Compensation for Nurses Related to COVID-19 Source: Click Here | In House Committee |
| | HB 550 Establishes Presumption in Workers Compensation for COVID-19 Source: Click Here | In House Committee |
| Nebraska | | |
| | LB 441 Changes Provisions Relating to Compensation for Certain Employees Who Are Affected by COVID-19 Source: Click Here | In Legislative Committee |
| New Mexico | | |
| | HB 268 Creates a Presumption That Coronavirus Disease 2019 Is an Injury by Accident Arising Out of and in the Course of Employment for Essential Employees; Permits Employers to Rebut That Presumption; Prohibits Workers Compensation Insurers From Using Coronavirus Disease 2019 Claims in Developing Rating Plans Source: Click Here | In House Committee |
| | SB 261 Relates to COVID-19 Presumption for Firefighters Source: Click Here | In Senate Committee |
| New York | | |
| | AB 1560 Amends the Volunteer Firefighters' Benefit Law and the Volunteer Ambulance Workers' Benefit Law, in Relation to COVID-19 Exposure During a State of Emergency Source: Click Here | In Assembly Committee |
| | SB 1241 Relates to Including Exposure to Novel Coronavirus, COVID-19 as an Occupational Disease Source: Click Here | In Senate Committee |
| | SB 1963 Amends the Volunteer Firefighters' Benefit Law and the Volunteer Ambulance Workers' Benefit Law, in Relation to COVID-19 Exposure During a State of Emergency Source: Click Here | In Senate Committee |
| | SB 3725 Amends the Labor Law and the Workers Compensation Law, in Relation to Liability of Businesses for Damages Associated With a Pandemic Source: Click Here | In Senate Committee |
| North Dakota | | |
| | HB 1433 Relates to Workers Compensation Benefits for Essential Workers Source: Click Here | Failed: 2/3/21 |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|-----------------------|--|---------------------|
| Oklahoma | | |
| | HB 2239 Relates to Occupational Diseases; Establishing Presumption Source: Click Here | In House Committee |
| Oregon | | |
| | HB 3025 Relates to the Compensability of COVID-19 for the Purposes of Workers Compensation Source: Click Here | In House Committee |
| | SB 488 Relates to the Compensability of COVID-19 for the Purposes of Workers Compensation Source: Click Here | In Senate Committee |
| Rhode Island | | |
| | HB 5264 Relates to Labor and Labor Relations—Workers Compensation—Occupational Diseases Source: Click Here | In House Committee |
| | HB 5474 Relates to Labor and Labor Relations—Workers Compensation—Occupational Diseases Source: Click Here | In House Committee |
| South Carolina | | |
| | HB 3192 Defines “First Responder,” “Health Care Provider,” “Correctional Officer,” and “Isolate” or “Isolation,” to Establish a Presumption That a First Responder, Health Care Provider, or Correctional Officer Contracting COVID-19 Is Entitled to Workers Compensation Benefits as an Occupational Disease, and to Provide Temporary Total Disability Benefits for First Responders, Health Care Providers, and Correctional Officers Required to Isolate Due to COVID-19 if Certain Conditions Are Met Source: Click Here | In House Committee |
| Texas | | |
| | HB 1498 Relates to Certain Claims for Benefits, Compensation, or Assistance by Certain Public Safety Employees and Survivors of Certain Public Safety Employees Source: Click Here | Introduced: 2/1/21 |
| | SB 107 Relates to Certain Claims for Benefits, Compensation, or Assistance by Certain Public Safety Employees and Survivors of Certain Public Safety Employees Source: Click Here | Introduced: 1/12/21 |
| | SB 433 Relates to the Eligibility of Nurses for Workers Compensation Benefits for Coronavirus Disease (COVID-19) and Payment of Those Benefits Source: Click Here | Introduced: 1/25/21 |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|------------------|--|----------------------------|
| | SB 439 Relates to the Eligibility of Nurses for Workers Compensation Benefits for Coronavirus Disease (COVID-19) and Payment of Those Benefits Source: Click Here | Introduced: 1/26/21 |
| | SB 463 Relates to Certain Claims for Benefits, Compensation, or Assistance by Certain Public Safety Employees and Survivors of Certain Public Safety Employees Source: Click Here | Introduced: 1/26/21 |
| | SB 527 Relates to Certain Claims for Benefits, Compensation, or Assistance by Certain Public Safety Employees and Survivors of Certain Public Safety Employees Source: Click Here | Introduced: 1/29/21 |
| | SB 612 Relates to the Eligibility of School District Employees for Workers Compensation Benefits for Coronavirus Disease (COVID-19) and Payment of Those Benefits Source: Click Here | Introduced: 2/8/21 |
| Vermont | | |
| | SB 9 Relates to Extending Certain Workers Compensation Amendments Related to COVID-19 Source: Click Here | Enacted: 2/3/21 |
| Virginia | | |
| | HB 1985 Relates to Workers Compensation; Presumption as to Death or Disability of Health Care Providers From COVID-19 Source: Click Here | In Conference Committee |
| | HB 2207 Relates to Workers Compensation; Presumption as to Death or Disability From COVID-19 Source: Click Here | In Conference Committee |
| | SB 1342 In Part, Establishes a Presumption That COVID-19 Causing the Death or Disability of Firefighters, Emergency Medical Services Personnel, Law-Enforcement Officers, and Correctional Officers Is an Occupational Disease Compensable Under the Workers Compensation Act Source: Click Here | In Senate Committee |
| | SB 1375 Relates to Workers Compensation; Presumption as to Death or Disability From COVID-19 Source: Click Here | In Conference Committee |
| Wisconsin | | |
| | AB 1 In Part, Relates to Workers Compensation Injury to Critical Workers Source: Click Here | Vetoed: 2/5/21 |



2021 STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 3/2/21. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

| Jurisdiction | Regulatory and Legislative Activity | Status |
|--------------|--|-----------------------|
| | AB 31 In Part, Relates to Workers Compensation Injury to Critical Workers Source: Click Here | In Assembly Committee |

2021 National Council on Compensation Insurance (NCCI) Inc. All Rights Reserved.

This report is provided solely as a reference tool to be used for informational purposes only. The information in this article shall not be construed or interpreted as providing legal or any other advice. Use of this article for any purpose other than as set forth herein is strictly prohibited.