STATE ACTIVITY: COVID-19 WC COMPENSABILITY PRESUMPTIONS

(Current as of 10/13/20. Subsequent reports will be published weekly. Entries newly added or updated are listed first and highlighted.)

Jurisdiction	Regulatory and Legislative Activity	Status
Arkansas		
	Executive Order—EO 20-48 Executive Order to Renew the Disaster and Public Health Emergency to Mitigate the Spread and Impact of COVID-19 Source: Click Here	Issued: 10/13/20
Minnesota		
	HF 6 Relating to Workers Compensation; Providing a Presumption for Education Employees Source: Click Here	In House Committee
	SF 16 Relating to Workers Compensation; Providing a Presumption for Education Employees Source: Click Here	In Senate Committee
New Jersey		
	AB 4784 Concerns Employment Benefits and Coronavirus Disease 2019 Infections Contracted by Employees of Distribution Center or Warehouse Source: Click Here	In Assembly Committee
Alaska		
	SB 241 Extending COVID-19 Declaration/Relief Source: Click Here	Enacted: 4/9/20
	WCD Bulletin 20-05 COVID-19 Virus Guidance—Presumption of Compensability for Emergency Response and Health Care Employees Source: Click Here	Issued: 4/10/20
Arizona		
	Industrial Commission of Arizona Substantive Policy Statement COVID-19 Workers Compensation Claims Source: Click Here	Issued: 5/14/20
Arkansas		
	Executive Order—EO 20-19 Executive Order to Amend Executive Order 20-03 for the Purpose of Suspending Provisions Regarding Workers Compensation Qualifications in the State of Arkansas for First Responders and Frontline Heath Care Workers Source: Click Here	Issued: 4/13/20

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Jurisdiction	Regulatory and Legislative Activity	Status
	Executive Order—EO 20-22 Executive Order to Amend Executive Order 20-03 for the Purpose of Suspending Provisions Regarding Workers Compensation Qualifications in the State of Arkansas for First Responders, Arkansas National Guard Soldiers and Airmen on State Active Duty, and Frontline Heath Care Workers Source: Click Here	Issued: 4/21/20
	Executive Order—EO 20-35 Executive Order Pursuant to the Public Health Emergency Concerning COVID-19, as Declared in Executive Order 20-03 and Extended by Executive Order 20-25, for the Purpose of Clarifying Workers Compensation Law Source: Click Here	Issued: 6/15/20
California		
	AB 196 Workers Compensation: COVID-19: Essential Occupations and Industries Source: Click Here	Failed
	AB 664 Workers Compensation Injury: Communicable Disease Source: Click Here	In Senate Committee
	SB 893 Workers Compensation: Hospital Employees Source: Click Here	In Senate Committee
	SB 1159 Workers Compensation: COVID-19: Critical Workers Source: Click Here	Enacted: 9/17/20
	Executive Order: N-62-20 Source: Click Here	Issued: 5/6/20
Colorado		
	SB 20-216 Concerning the Creation of Presumptions Related to an Essential Worker Who Contracts COVID-19 for Purposes Related to Workers Compensation Source: Click Here	Failed
Connecticut		
	Executive Order No. 7JJJ Protection of Public Health and Safety During COVID-19 Pandemic and Response—Rebuttable Presumption Regarding Workers Compensation Benefits Related to Contraction of COVID-19 Source: Click Here (For optimal viewing, consider using Chrome)	Issued: 7/24/20
Florida		

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Jurisdiction	Regulatory and Legislative Activity	Status
	Directive 2020-05 Chief Financial Officer Source: Click Here	Issued: 3/30/20
	Informational Memorandum OIR-20-05M Workers Compensation Insurance Guidance Related to COVID-19 Source: Click Here	Issued: 4/6/20
Illinois		
	HB 2455 In Part, Provides That There Is a Rebuttable Presumption That an Employee's Contraction of COVID-19 Arises Out of and in the Course of the Employee's First Responder or Frontline Worker Employment and That the Injury or Occupational Disease Shall Be Rebuttably Presumed to Be Causally Connected to the Hazards or Exposures of the Employee's First Responder or Frontline Worker Employment Source: Click Here	Enacted: 6/5/20
	IWCC Emergency Regulation Amendment Section 9030.70 Rules of Evidence (Relates to First Responder and Essential Frontline Workers Who Are Susceptible to Exposure to COVID-19) Source: Click Here **Memorandum IWCC Emergency Process Update** (Relates to the Withdrawal of the Previously Promulgated Amendment to Commission Rule 9030.70) Source: Click Here	Withdrawn: 4/27/20
Kansas		
	HB 2007 Amends the Workers Compensation Law Regarding Occupational Diseases to Provide Certain Presumptions for Compensation for COVID-19 With Respect to All Employers Source: Click Here	Failed
	HB 2018 Amends the Workers Compensation Law Regarding Occupational Diseases to Provide Certain Presumptions for Compensation for COVID-19 With Respect to All Employers Source: Click Here	Failed
	SB 1 Amends the Workers Compensation Law Regarding Occupational Diseases to Provide Certain Presumptions for Compensation for COVID-19 With Respect to All Employers Source: Click Here	Failed
Kentucky		
	Executive Order 2020-277 State of Emergency Relating to Workers Compensation Source: Click Here	Issued: 4/9/20

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	Guidance—Department of Workers Claims—RE: Executive Order 2020-277 Source: Click Here	Issued: 4/15/20
Louisiana		
	HB 793 Provides Relative to a Presumption of Compensability Under Workers Compensation Source: Click Here	In House Committee
	SB 475 Provides Relative to Workers Compensation Claims Filed by Essential Workers in the Workplace Source: Click Here	In Senate Committee
Massachusetts		
	HB 4739 Creates a Presumption of Relatedness for Essential Workers Suffering From COVID-19 Source: Click Here	In Joint Committee
	HB 4749 Provides Worker Compensation Benefits to Certain Emergency Response and Medical Personnel Related to COVID-19 Infection Source: Click Here	In Joint Committee
Michigan		
	HB 5743 Relates to Presumption of Compensability for Emergency First Responders Who Are Exposed to an Infectious Disease in the Performance of Their Duties During an Emergency Declared by the Governor Source: Click Here	In House Committee
	HB 5758 Relates to Infectious Disease Presumption for Essential Employees During a Declared Emergency Source: Click Here	In House Committee
	HB 6040 Relates to Essential Workers Who Contract COVID-19; Creates Presumption That Related Injuries Arose Out of the Course of Employment Source: Click Here	In House Committee
	SB 906 Relates to Presumption of Compensability for Emergency First Responders Who Contract COVID-19 Source: Click Here	In Senate Committee
	SB 928 Relates to Infectious Disease Presumption for Essential Employees During a Declared Emergency Source: Click Here	In Senate Committee

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Jurisdiction	Regulatory and Legislative Activity	Status
	Emergency Rules 684245—Department of Labor and Economic Opportunity/Workers Disability Compensation Agency Source: Click Here	Adopted: 3/30/20
	Executive Order No. 2020-125 Clarifying WDCA Eligibility for Workplace Exposure to COVID-19 Source: Click Here	Issued: 6/17/20
	Executive Order No. 2020-128 Clarifying WDCA Eligibility for Workplace Exposure to COVID-19 Rescission of Executive Order 2020-125 Source: Click Here	Issued: 6/18/20
Minnesota		
	HF 9 Expands the Definition of Occupational Disease Related to COVID-19 Source: Click Here	In House Committee
	HF 4515 Workers Compensation and Line of Duty Benefits for the Safety of Firefighters Modified Source: Click Here	In House Committee
	HF 4537 In Part, Provides a Presumption for COVID-19 Workers Compensation Claims for Certain Employees Source: Click Here	Enacted: 4/7/20
	SF 4130 In Part, Adopts Recommendations of the 2020 Workers Compensation Advisory Council; Establishes a Mechanism for Providing Reimbursement for Certain COVID-19 Workers Compensation Costs Source: Click Here	In Senate Committee
	SF 4425 Firefighters Workers Compensation and Line of Duty Benefits Modification Source: Click Here	In Senate Committee
	SF 4458 In Part, Provides a Presumption for COVID-19 Workers Compensation Claims for Certain Employees Source: Click Here	Introduced
Missouri		
	Emergency Rule 8 CSR 50-5.005 Presumption of Occupational Disease for First Responders Source: Click Here	Adopted: 4/8/20
New Hampshire		
	Emergency Order #36 Pursuant to Executive Order 2020-04 as Extended by Executive Order 2020-05 Ensuring Workers Compensation Coverage for New Hampshire First Responders Exposed to COVID-19	Issued: 4/24/20

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Jurisdiction	Regulatory and Legislative Activity	Status
	Source: Click Here	
	Emergency Order #53 Pursuant to Executive Order 2020-04 as Extended by Executive Orders 2020-05, 2020-08, 2020-09, and 2020-10 Amendment to Emergency Order #36 (Ensuring Workers Compensation Coverage for New Hampshire First Responders Exposed to COVID-19) Source: Click Here	Issued: 6/17/20
New Jersey		
	AB 3999 Concerns Employment Benefits and Coronavirus Disease 2019 Infections Contracted by Essential Employees Source: Click Here	Substituted by SB 2380
	SB 2380 Concerns Employment Benefits and Coronavirus Disease 2019 Infections Contracted by Essential Employees Source: Click Here	Enacted: 9/14/20
New Mexico		
	Executive Order 2020-025 Directing All Executive Agencies to Afford a Presumption of a Compensable Occupational Disease and to Award Service Credit to Certain Qualifying State Employees and Volunteers Source: Click Here	Issued: 4/23/20
New York		
	AB 10172 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
	AB 10391 Relates to Presumption Regarding Impairment of Health Caused by COVID-19 and in Relation to Sick Leave; Amends the Workers Compensation Law, in Relation to Workers Compensation Coverage and Benefits for Employees Who Participated in Essential Services During the COVID-19 Outbreak Source: Click Here	In Assembly Committee
	AB 10401 Amends the Workers Compensation Law, in Relation to Including Exposure to Novel Coronavirus, COVID-19 as an Occupational Disease Source: Click Here	In Assembly Committee
	SB 8041-A Amends the Volunteer Firefighters' Benefit Law and the Volunteer Ambulance Workers Benefit Law, in Relation to COVID-19 Exposure During a State of Emergency	In Senate Committee

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Jurisdiction	Regulatory and Legislative Activity	Status
	Source: Click Here	
	SB 8117 Amends the General Municipal Law, in Relation to Presumption Regarding Impairment of Health Caused by COVID-19 and in Relation to Sick Leave; and Amends the Workers Compensation Law, in Relation to Workers Compensation Coverage and Benefits for Employees Who Participated in Essential Services During the COVID-19 Outbreak Source: Click Here	In Senate Committee
	SB 8266 Amends the Workers Compensation Law, in Relation to Including Exposure to Novel Coronavirus, COVID-19 as an Occupational Disease Source: Click Here	In Senate Committee
North Carolina		
	HB 1056 Amends the Workers Compensation Law to Provide Occupational Disease Coverage for First Responders and Health Care Workers Who Contract Coronavirus Source: Click Here	In House Committee
	HB 1057 In Part, Amends the Workers Compensation Law to Create a Rebuttable Presumption That First Responders, Health Care Workers, and Essential Service Workers Who Are Infected With the Coronavirus Contracted the Disease in the Course of Employment Source: Click Here	In House Committee
North Dakota		
	Executive Order 2020-12 First Responders and Health Care Workers Source: Click Here	Issued: 3/25/20
	Executive Order 2020-12.1 (Extends Workers Compensation Coverage to Funeral Directors and Funeral Home Workers for COVID-19) Source: Click Here	Issued: 4/16/20
	Executive Order 2020-12.2 Extends Eligibility for Workers Compensation Benefits to Include Direct Care Providers Source: Click Here	Issued: 7/28/20
Ohio		
	HB 571 Makes COVID-19 an Occupational Disease in Some Cases Source: Click Here	In House Committee
	HB 573 Makes COVID-19 an Occupational Disease in Some Cases Source: Click Here	In House Committee

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Jurisdiction	Regulatory and Legislative Activity	Status
	HB 605 Makes COVID-19 Contracted by an Employee of a Retail Food Establishment or Food Processing Establishment an Occupational Disease Under the Workers Compensation Law Under Certain Circumstances and to Declare an Emergency Source: Click Here	In House Committee
	HB 633 Makes COVID-19 Contracted by Specified Types of Employees an Occupational Disease Under the Workers Compensation Law Under Certain Circumstances Source: Click Here	In House Committee
	HB 667 Makes COVID-19 Contracted by a Corrections Officer an Occupational Disease Under the Workers Compensation Law Source: Click Here	In House Committee
	HB 668 Makes Coronavirus Contracted by a Peace Officer, Firefighter, or Emergency Medical Worker an Occupational Disease Under the Workers Compensation Law Source: Click Here	In House Committee
Pennsylvania		
	HB 2396 Providing for Work-Related Hazardous Duty Source: Click Here	In House Committee
	HB 2485 Relates to COVID-19 as an Occupational Disease of Occupational Exposure to COVID-19 for Employees of Healthcare Providers Who Provide In-Person Care to Patients Source: Click Here	In House Committee
	HB 2486 Relates to COVID-19 as an Occupational Disease of Occupational Exposure to COVID-19 for Paid and Volunteer Emergency Responders, Police, Corrections Workers and Others Who Deal With Inmates Source: Click Here	In House Committee
Rhode Island		
	HB 8066 Relating to Labor and Labor Relations—Workers Compensation—Occupational Diseases Source: Click Here	In House Committee
South Carolina		
	HB 5482 Establishes a Presumption That a First Responder, Health Care Provider, or Correctional Officer Contracting COVID-19 Is Entitled to Workers Compensation Benefits; and Provides 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	In House Committee

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Jurisdiction	Regulatory and Legislative Activity	Status
	Source: Click Here	
Tennessee		
	HB 8008 Deems COVID-19 to Be an Occupational Disease for Purposes of the Workers Compensation Law and Establishes Legal Presumptions and Evidentiary Standards Concerning the Treatment of COVID-19 in Workers Compensation Claims Source: Click Here	In House Committee
	SB 8007 Deems COVID-19 to Be an Occupational Disease for Purposes of the Workers Compensation Law and Establishes Legal Presumptions and Evidentiary Standards Concerning the Treatment of COVID-19 in Workers Compensation Claims Source: Click Here	Failed
Utah		
	HB 3007 1st Substitute Amends the Workers Compensation Act to Provide Workers Compensation Under Certain Circumstances to First Responders Who Contact COVID-19 Source: Click Here	Enacted: 4/22/20
	HB 5006 COVID-19 Workers Compensation Modifications Source: Click Here	Enacted: 6/25/20
Vermont		
	SB 342 Relates to Temporary Workers Compensation Amendments Related to COVID-19 Source: Click Here	Enacted: 7/13/20
Virginia		
	HB 5028 Establishes a Presumption That COVID-19 Causing the Death or Disability of Firefighters, Emergency Medical Services Personnel, Law-Enforcement Officers, First Responders, Health Care Providers, and School Board Employees Is an Occupational Disease Compensable Under the Workers Compensation Act. The Provisions of the Bill Will Be Effective Retroactive to January 1, 2020. Source: Click Here	In Senate Committee
	SB 5022 Establishes a Presumption That COVID-19 Causing the Death or Disability of Firefighters or Other Certain Employees Is an Occupational Disease Compensable Under the Workers Compensation Act Source: Click Here	In Senate Committee
	SB 5066 Establishes a Presumption That COVID-19 Causing the Death or Disability of Firefighters, Emergency Medical Services Personnel, Law-Enforcement Officers, First Responders, and Health Care	In Senate Committee

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Jurisdiction	Regulatory and Legislative Activity	Status
	Providers Is an Occupational Disease Compensable Under the Workers Compensation Act. The Provisions of the Bill Will Be Effective Retroactive to January 1, 2020. Source: Click Here	
	SB 5097 Establishes a Presumption That COVID-19 Causing the Death or Disability of Firefighters, Emergency Medical Services Personnel, Law-Enforcement Officers, First Responders, and Health Care Providers Are Occupational Diseases Compensable Under the Workers Compensation Act. The Provisions of the Bill Will Be Effective Retroactive to January 1, 2020. Source: Click Here	In Senate Committee
	SB 5104 Establishes a Presumption That COVID-19 Causing the Death or Disability of Firefighters, Emergency Medical Services Personnel, Law-Enforcement Officers, First Responders, and Health Care Providers Is an Occupational Disease Compensable Under the Workers Compensation Act. The Provisions of the Bill Will Be Effective Retroactive to January 1, 2020. Source: Click Here	In Senate Committee
Washington		
	Notice Workers Compensation Coverage to Include Quarantined Health Workers/First Responders Source: Click Here	Issued: 3/5/20
Wisconsin		
	AB 1038 Relates to State Government Response to the COVID-19 Pandemic Source: Click Here	Enacted: 4/15/20
Wyoming		
	HB 1002 Emergency Government Action-COVID-19 Source: Click Here	Passed House: 5/15/20
	SF 1002 Emergency Government Action-COVID-19 Source: Click Here	Enacted: 5/20/20
Federal		
	HR 925 Creates “The Heroes Act” Source: Click Here	Amended and Passed House: 10/1/20
	HR 6656 Creates Coronavirus Workers Compensation for TSA Employees Act Source: Click Here	In House Committee

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	HR 6800 Creates Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act Source: Click Here	In Senate Committee
	HR 7341 Creates Federal Workforce Health and Safety During the Pandemic Act Source: Click Here	In House Committee
	HR 8406 Creates "The Heroes Act" Source: Click Here	In House Committee
	S 3910 Establishes a Presumption That Certain Firefighters Who Are Federal Employees and Have COVID-19 Contracted That Disease While in the Performance of Their Official Duties Source: Click Here	In Senate Committee

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