

# Workers' Compensation Presumption - State Activity 2021\*

Updated as of 10/1/2021

State	Action/Proposal	Link to Bill/Order	Status of Legislation/EO
ALASKA	<p>The proposed legislation states: There is a presumption that an employee's claim for compensation as a result of a contagious disease is within the provisions of this chapter if, during a condition of disaster emergency declared by the governor under AS 26.23.020(c) due to an outbreak of the contagious disease, the employee (1) is employed in an occupation listed in (b)(2) of this section; (2) receives a diagnosis by a physician of, or positive laboratory test for, the contagious disease; and (3) worked outside the employee's home in the occupation and had work-related in-person contact with a member of the public within 14 days before employee receives a diagnosis or positive laboratory test.</p> <p>ii. Of particular concern is the provision in the bill that states that that the legal presumption "may be rebutted only by clear and convincing evidence that the employee contracted the contagious disease through exposure to the disease that was not work related." Additionally, the proposed legislation has a broad list of covered employees and states that the presumption applies to "employee who performs services that the commissioner determines place the employee at a similar risk of being exposed to contracting the contagious disease."</p> <p>If signed into law, the bill would be retroactive to Nov. 15, 2020 and take effect immediately.</p>	<a href="#">HB 45</a>	<p>7/15/21 Pending Carry-Over.</p> <p>3/20/21 from House Committee on Labor and Commerce do pass with substitute (4-2). To House Committee on Finance.</p> <p>2/18/21 Referred to House Committee on Labor &amp; Commerce; also referred to House Committee on Finance.</p>
ALASKA ENACTED	<p>Workers' Compensation Presumption of Compensability. (a) Notwithstanding AS 23.30.121 and 23.30.395(24), an employee who contracts the novel coronavirus disease (COVID-19) is conclusively presumed to have contracted an occupational disease arising out of and in the course of employment if, during the public health disaster emergency declared by</p>	<a href="#">HB 76</a>	<p>4/30/21 <b>ENACTED</b>. Signed by Governor Dunleavy. Chapter No. 2021-2</p>

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	<p>the governor on January 15, 2021, as extended by sec. 2 of this Act, the employee</p> <p>(1) is employed as a firefighter, emergency medical technician, paramedic, peace officer, or health care provider;</p> <p>(2) had work-related in-person contact with a member of the public outside of the employee's home within 14 days before receiving a diagnosis of or positive laboratory test for COVID-19; and</p> <p>(3) receives a</p> <p>(A) COVID-19 diagnosis by a physician; (B) presumptive positive COVID-19 test result; or (C) laboratory-confirmed COVID-19 diagnosis.</p> <p>Retroactive to November 15, 2020.</p>		
<b>ARKANSAS</b>	SB 16 would presume workers' compensation coverage of COVID-19 related exposure for various workers, including first responders, health care employees, and the national guard.	<a href="#">SB 16</a>	12/16/20 Introduced
<b>ARKANSAS</b>	The bill allows for claims from March 1, 2020 through May 1, 2023 and is limited to COVID-19: Requiring an employee to perform work when the employer has knowledge that, within the normal course and scope of the employee's job performance, exposure to coronavirus 2019 (COVID-19) or severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) or any of its mutations is possible, likely, or certain is not intentional conduct that would remove the employer from the protection of this chapter.	<a href="#">HB 1488/Act 353</a>	3/15/21 <b>ENACTED</b> . Signed by Governor as Act 353.
<b>CONNECTICUT</b> <b>FAILED</b>	This lengthy labor bill includes a retroactive workers comp presumption for COVID. (Section 3)	<a href="#">HB 6595/SB1002</a>	Failed
<b>CONNECTICUT</b> <b>FAILED</b>	This bill includes a retroactive workers comp presumption for COVID (Section 4).	<a href="#">HB 6478</a>	Failed
<b>DISTRICT OF COLUMBIA</b> <b>ADOPTED</b>	A Resolution entitled "Workplace Safety During the COVID-19 Pandemic Emergency Declaration Resolution of 2021". Confirms that COVID-19 is a	<a href="#">PR24-0068 (R 68)</a>	2/2/2021 <b>ADOPTED</b> Emergency Resolution in Effect. Published in DC Register Vol. 68 and Page 001859.

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	compensable illness if contracted through the regular course of work.		
<b>DISTRICT OF COLUMBIA</b> <b>EXPIRED</b>	B24-0058 “Workplace Safety During the COVID-19 Pandemic Emergency Amendment Act of 2021”. Includes COVID-19 and its mutant variants as a compensable injury if contracted in the course and scope of employment.	<a href="#">B24-0058 Act 24-26</a>	5/27/21 <b>EXPIRED</b> . 2/26/21 <b>ENACTED</b> . Signed by the Mayor and Enacted; and in effect for 90 days.
<b>DISTRICT OF COLUMBIA</b> <b>ENACTED</b>	B24-0059 “Workplace Safety During the COVID-19 Pandemic Temporary Amendment Act of 2021”. Includes COVID-19 and its mutant variants as a compensable injury if contracted in the course and scope of employment.	<a href="#">B24-0059 Act 24-38</a>	5/28/21 <b>ENACTED</b> . Assigned Law L24-0006 Assigned Act Number A24-0038
<b>GEORGIA</b> <b>Failed for 2021</b>	HB 700 would create a workers compensation presumption for COVID-19 by including COVID-19 within the meaning of occupational disease for essential workers. An essential workers is defined as an employee whose employer does not permit him or her to work remotely.	<a href="#">HB 700</a>	Failed to meet crossover deadline 3/8/2021; can be considered in 2022
<b>GEORGIA</b> <b>Failed for 2021</b>	SB 291 would include COVID-19 within the meaning of occupational disease for essential workers. 'Essential worker' is defined as an employee whose employer does not permit him or her to work remotely. The bill would apply to claims occurring on or after March 14, 2020, but prior to July 1, 2023.	<a href="#">SB 291</a>	Introduced 3/10/2021; referred to Insurance and Labor Committee; introduced after crossover deadline; can be considered in 2022
<b>HAWAII</b> <b>Failed for 2021, pending Carry-Over.</b>	Hawaii HB 1224 creates an exception to the exclusive right to compensation under workers' compensation law where COVID-19 is contracted by an employee whose employer failed to maintain adequate workplace protections against exposure to the novel coronavirus and creates a presumption that COVID-19 has been proximately caused by an employer's failure to maintain adequate workplace protections against exposure to the novel coronavirus. Of particular importance are the following provisions in the bill:  Exclusiveness of right to compensation; exception: COVID-19 contracted by an employee whose employer failed to maintain	<a href="#">HB 1224 / SB 1415 (Companion)</a>	4/6/2021 <b>FAILED in 2021, pending carry-over</b> . Did not advance by legislative deadline.

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	<p>adequate workplace protections against exposure to the novel coronavirus.</p> <p>Presumptions: That COVID-19 has been proximately caused by an employer's failure to maintain adequate workplace protections against exposure to the novel coronavirus.</p> <p>In addition to the concerning public policy implications of the proposed legal presumption of causation and the attempt to allow private causes of action in addition to the standard workers' compensation exclusive right to compensation, the proposed legislation is troubling in that the phrase "adequate workplace protection" is nebulous in nature and rife with potential for misinterpretation and legal conflict.</p>		
<b>ILLINOIS</b> <b>ENACTED</b>	Holdover bill from 2020 session amended and acted on during the "lame duck" session. Extends the presumption granted in <a href="#">2020 HB 2455</a> through June 30, 2021.	<a href="#">HB 4276</a>	<b>ENACTED</b> on February 26, 2021
<b>INDIANA</b>	Adds any variant of severe acute respiratory syndrome (SARS), including coronavirus disease (COVID-19), to the list of diseases considered an exposure risk disease for purposes of emergency and public safety employee death and disability presumed in the line of duty.	<a href="#">HB 1515</a>	Amended and passed House on February 22, 2021. Assigned to Senate Committee on Pensions and Labor.
<b>INDIANA</b>	Adds any variant of severe acuterespiratory syndrome (SARS), including coronavirus disease (COVID-19), to the list of diseases considered an exposure risk disease for purposes of emergency and public safety employee death and disability presumed in the line of duty. Adds probation and community corrections officers to the list of employees eligible for a line of duty death benefit. Repeals a provision that provides a presumption of disability or death incurred in the line of duty to an employee if the employee receives a vaccine or other preventative	<a href="#">SB 232</a>	Conference report approved by both chambers on April 20 <sup>th</sup> . Will be sent to Governor Holcomb for further consideration. Most significant change is as follows:  (3) provides, for any employee who is diagnosed after June 30, 2021, with a health condition caused by any variant of SARS, including COVID-19, that if the health condition results in disability or death and the employee wishes to have a presumption of disability or death incurred in the line of duty apply to the employee, the employee shall, by written affidavit executed before death, provide verification that the employee has not, outside the scope of the employee's

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	measure as required by the employer or the employee's physician provides written notice that the vaccine or other preventative measure would pose a significant risk to the employee's health.		current employment, been exposed to another individual known to have any variant of SARS, including COVID-19)
<b>IOWA</b> <b>FAILED</b>	Iowa SF 138 provides that a rebuttable presumption exists that an employee's COVID-19 infection is a personal injury arising out of and in the course of employment for purposes of workers compensation.  The bill requires that an employer pay an employee with a COVID-19 infection that is a personal injury arising out of and in the course of employment a minimum of two weeks of weekly compensation benefits to allow for a period of recovery and to minimize infections of other employees. Such benefits shall not be construed to limit any other workers' compensation available to an injured employee.	<a href="#">SF 138</a>	<b>FAILED</b> due to not advancing past first legislative deadline.
<b>KENTUCKY</b> <b>ENACTED</b>	House Joint Resolution 1 extends the state of emergency and many of the governor's emergency orders, including the April 2020 <a href="#">Executive Order 2020-277</a> , imposing workers' compensation coverage requirements related to COVID-19; paragraph 3 of EO 2020-277 is not extended. Paragraph 3 of the Order created a presumption that COVID-19 is the cause of removal from work for a broad list of workers.	<a href="#">HJR 1</a>	Enacted 9/7/21 (Special Session)
<b>MAINE</b> <b>FAILED</b>	LD 1024 directs the Workers' Compensation Board to study the fiscal impact of certain workers' compensation laws providing a rebuttable presumption that certain employees received injuries in the course of their employment on municipalities and to devise a high-risk pool to protect the municipalities from that impact.	<a href="#">LD 1024</a>	Failed
<b>MARYLAND</b> <b>FAILED</b>	HB 765 creates COVID-19 related presumption for firefighters, rescue squad members, advanced life support unit members, police officers, sheriffs, deputy sheriffs, correctional officers, health care workers, and child care workers; provides that an employee who has been diagnosed with COVID-19 but who is not eligible for benefits under this bill is not precluded from	<a href="#">HB 765</a>	<b>FAILED</b> Withdrawn

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	claiming an occupational disease or from claiming a personal injury under state law.		
<b>MARYLAND</b> <b>FAILED</b>	SB 725 (crossfiled with identical HB 1247) creates COVID-19 presumption for a paid police officer, sheriff, deputy sheriff, firefighter, fire fighting instructor, rescue squad member, or advanced life support unit member, as well as a volunteer firefighter, fire fighting instructor, rescue squad member, or advanced life support unit member who is employed by certain state and municipal entities if: (1) the individual is suffering from the effects COVID; (2) the individual's duties required the individual to be in direct contact with members of the public; and (3) the individual has been diagnosed with COVID-19 or tests positive for antibodies. Not retroactive.	<a href="#">SB 725</a> <a href="#">HB 1247</a>	<b>FAILED</b> to meet crossover
<b>MARYLAND</b> <b>FAILED</b>	SB 756 creates a COVID-19 presumption for a paid firefighter, rescue squad member or advanced life support unit member, volunteer firefighter, rescue squad member or advanced life support unit member, or paid police officer employed by certain municipal or state if: (1) the individual is suffering from the effects of COVID-19; and (2) the individual has been diagnosed with Covid-19 or tests positive antibodies. Also creates COVID-19 presumption for a "health care worker" whose duties include direct patient care or ancillary work in areas where patients with COVID-19 are diagnosed or treated if: (i) the individual is suffering from the effects of severe acute respiratory syndrome coronavirus 2; (ii) the individual's duties required the individual to: 1. Be in direct contact with patients; or 2. Occupy, clean, or repair areas occupied by patients; and (iii) the individual has been diagnosed with COVID-19 or tests positive for COVID-19 or antibodies. Provides that an eligible individual shall provide a copy of the positive test or the written documentation confirming the diagnosis. Provides that the date of disability shall be the first date on which the employee was unable to work due to a diagnosis	<a href="#">SB 756</a>	Both <b>FAILED</b> to meet crossover

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	<p>of Covid-19 or due to symptoms that were later diagnosed as Covid-19, whichever occurred first.</p> <p>Provides that such employee is not precluded from claiming an occupational disease or from claiming a personal injury under state law.</p>		
<p><b>MARYLAND</b></p> <p><b>FAILED</b></p>	<p>SB 812 creates a rebuttable COVID-19 presumption for a paid firefighter, rescue squad member, advanced life support unit member or paramedic, a volunteer firefighter, rescue squad member, advanced life support unit member, paramedic, a paid police officer, sheriff, deputy sheriff or correctional officer employed by certain state or local entities if the individual suffers effects of or has been diagnosed with COVID-19 or its antibodies and the individual's duties required the individual to perform labor or services at a location other than the individual's home or residence within 14 days before the onset of symptoms.</p> <p>Also creates a rebuttable COVID-19 presumption for a health care worker or an individual employed in a health care, home care, or long-term care setting where patients are diagnosed with or treated for COVID-19 under the same circumstances.</p> <p>Provides that an eligible individual provide a copy of the positive test or written documentation confirming the diagnosis to the employer or insurer. The date of injury shall be the first date on which the employee was unable to work due to a diagnosis of or symptoms later diagnosed as COVID-19, whichever occurred first.</p>	<p><a href="#">SB 812</a></p>	<p><b>FAILED</b> to meet crossover</p>
<p><b>MARYLAND</b></p> <p><b>FAILED</b></p>	<p>These identical cross-filed bills would create a rebuttable COVID-19 presumption for a paid firefighter, rescue squad member, advanced life support unit member or paramedic, a volunteer firefighter, rescue squad member, advanced life support unit member, paramedic, a paid police officer, sheriff, deputy sheriff, correctional officer, or security counselor employed by the certain state or local entities if the individual suffers effects of or has been diagnosed with COVID-19 or its antibodies and the individual's duties required the individual to perform labor or services</p>	<p><a href="#">HB 1199</a></p> <p><a href="#">SB 813</a></p>	<p>Both <b>FAILED</b> to meet crossover</p>

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	<p>at a location other than the individual's home or residence within 14 days before the onset of symptoms.</p> <p>Also provide a rebuttable presumption for a child care worker, education worker, essential worker, or health care worker under the same circumstances.</p> <p>Require that an eligible individual provide a copy of the positive test or written documentation confirming the diagnosis to the employer or insurer. The date of injury shall be the first date on which the employee was unable to work due to a diagnosis of or symptoms later diagnosed as COVID-19, whichever occurred first.</p>		
<b>MARYLAND</b> <b>FAILED</b>	<p>SB 860 would create a rebuttable COVID-19 presumption for a paid public school employee, including a teacher, an administrator, and support staff, if the employee tested positive for or was diagnosed with COVID-19 within 14 days after a day that the employee performed labor or services at the public school or another assigned workplace that is not the employee's home</p> <p>Retroactive, applies to claims filed on or after March 1, 2020.</p>	<a href="#">SB 860</a>	<b>FAILED</b> to meet crossover
<b>MASSACHUSETTS</b>	<p>HB 494 would presume workers' compensation coverage of COVID-19 for public employees.</p>	<a href="#">HB 494</a>	6/30/2021 Joint Hearing
<b>MASSACHUSETTS</b>	<p>HB 1986 would create a retroactive workers' compensation presumption for all workers for COVID-19.</p>	<a href="#">HB 1986</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	<p>HB 1993 would presume workers' compensation coverage of COVID-19 for healthcare workers.</p>	<a href="#">HB 1993</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	<p>HB 2005 would presume workers' compensation coverage of COVID-19 for police and fire workers.</p>	<a href="#">HB 2005</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	<p>HB 2031 would presume workers' compensation coverage of COVID-19 for healthcare workers.</p>	<a href="#">HB 2031</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	<p>HB 2032 would create a retroactive workers' compensation presumption for all workers for COVID-19.</p>	<a href="#">HB 2032</a>	5/11/2021 Public Hearing

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<b>MASSACHUSETTS</b>	HB 2045 would protect “vulnerable” employees during a public health or safety emergency	<a href="#">HB 2045</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	HB 2031 would presume workers’ compensation coverage of COVID-19 for paramedics and emergency medical technicians.	<a href="#">HB 2055</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	SB 1155 would create a retroactive workers’ compensation presumption for all workers for COVID-19.	<a href="#">SB 1155</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	SB 1168 would presume workers’ compensation coverage of COVID-19 for paramedics and emergency medical technicians.	<a href="#">SB 1168</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	SB 1187 would create a retroactive workers’ compensation presumption for all workers for COVID-19.	<a href="#">SB 1187</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	SB 1194 would presume workers’ compensation coverage of COVID-19 for healthcare workers.	<a href="#">SB 1194</a>	5/11/2021 Public Hearing
<b>MASSACHUSETTS</b>	SD 1698 entitles any public employees in the commonwealth who are required to work outside their home during the COVID-19 state of emergency, and who contract, have symptoms, or are otherwise affected by COVID-19, to a presumption that their medical condition is work related.	<a href="#">SB 1767</a>	7/21/2021 Public Hearing
<b>MICHIGAN</b>	Whitmer Administration issues emergency rules providing a COVID-19 workers’ compensation presumption for “COVID-19 First Response Employees”. Issued on October 16, 2020 and scheduled to last until March 20, 2021.	<a href="#">MI COVID-19 Presumption Emergency Rules</a>	Expired on March 20, 2021
<b>MINNESOTA</b>	HF 37 would provide a workers’ compensation presumption for education workers.	<a href="#">HF 37</a>	Introduced January 11, 2021
<b>MINNESOTA</b>	SB 105 would provide a workers’ compensation presumption for education workers.	<a href="#">SF 105</a>	Introduced January 14, 2021
<b>MINNESOTA</b>	HF 1203 extends the workers’ compensation presumption granted in 2020 HF 4537 through December 31, 2021 (First responders/HC workers)	<a href="#">HF 1203</a>	Assigned to Senate Committee on Labor and Industry Policy.
<b>MINNESOTA</b>	HF 2253 is an omnibus workers’ compensation bill that adopts the	<a href="#">HF 2253</a>	Signed by Governor Walz on April 26, 2021. Effective immediately.

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<b>ENACTED</b>	Minnesota Workers' Compensation Advisory Council recommendations. An extension of the presumption for the employee group in 2020 HF 4537 is contained in the bill through December 31, 2021. Allows for worker to claim COVID as an occupational disease after the expiration of the presumption. (First responders/HC workers)		
<b>MINNESOTA</b>	SF 2143 is an omnibus workers' compensation bill that adopts the Minnesota Workers' Compensation Advisory Council recommendations. An extension of the presumption for the employee group in 2020 HF 4537 is contained in the bill through December 31, 2021. Allows for worker to claim COVID as an occupational disease after the expiration of the presumption. (First responders/HC workers)	<a href="#">SF 2143</a>	Desingated as 2021 Advisory Council bill. Passed out of Senate Rules Committee on April 6, 2021.
<b>MISSOURI</b>	Department of Labor and Industrial Relations Emergency Rule issued regarding a workers' compensation presumption for First Responders	<a href="#">Emergency Rule 8 CSR 50-5.007</a>	Effective starting on February 1, 2021 through the end of the State of Emergency/on or before July 31, 2021
<b>MONTANA</b> <b>FAILED</b>	Nurses who contract COVID-19 is conclusively presumed to have contracted an occupational disease arising out of and in the course of their employment. Effective on passage. This Act is effective on passage and approval. Retroactive to March 12, 2020. The account of an employer under a uniform experience rating plan may not be charged with respect to claims paid.	<a href="#">H 297</a>	2/19/2021 <b>FAILED</b> . Tabled in Committee.
<b>MONTANA</b> <b>FAILED</b>	Establish presumption in workers compensation for COVID-19 for essential workers.	<a href="#">HB 550</a>	2/26/21 <b>FAILED</b> . Tabled in Committee.
<b>NEBRASKA</b>	Provides a workers' compensation presumption for an essential worker. The defintion of "essential worker" is very broad, including grocery store workers, truck drivers and school enmployees. The Act terminates March 12, 2030.	<a href="#">LB 441</a>	Referred to Business and Labor Committee on January 20, 2021
<b>NEW MEXICO</b> <b>FAILED</b>	HB 268 creates a presumption that coronavirus disease 2019 is an injury by accident arising out of and in the	<a href="#">HB 268</a>	3/8/2021- Amended and passed House.

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	course of employment for essential employees; permits employers to rebut that presumption; and prohibits workers' compensation insurers from using coronavirus disease 2019 claims in developing rating plans.		
<b>NEW YORK</b> <b>FAILED for 2021</b>	A 1560 provides that if a volunteer firefighter or volunteer ambulance worker is exposed to COVID-19 as a result of services performed in the line of duty, they would be granted a workers compensation presumption that the exposure to COVID-19 caused partial or total disability or death.	<a href="#">NY A1560 / S1963</a>	01/11/2021 -referred to local governments
<b>NEW YORK</b> <b>FAILED for 2021</b>	Enacts the "COVID-19 injured workers' protection act"; establishes a COVID-19 presumption for public employee death benefits.	<a href="#">NY A2127 / S4399</a>	01/14/2021 referred to labor
<b>NEW YORK</b> <b>FAILED for 2021</b>	S 1241 includes exposure COVID-19, as an occupational disease for which compensation shall be payable for disabilities sustained or death incurred by an employee.	<a href="#">NY S 1241</a>	01/08/2021 referred to labor
<b>NORTH DAKOTA</b> <b>FAILED</b> <b>Monopolistic State</b>	H.B. 1433, would create a rebuttable presumption for 34 professions considered "essential," including transportation workers, government workers, school employees and health care workers. The bill applies retroactively to a claim for Workers' Compensation benefits filed after March 24, 2020, regardless of date of injury. An essential worker who has submitted a claim for benefits between March 24, 2020, and the effective date of this Act for exposure to and contraction of COVID-19 may resubmit the claim if the initial claim was denied by the organization for not being a compensable injury. The Act would go into effect upon passage and would expire on July 31, 2023.	<a href="#">HB 1433</a>	2/4/2021 - <b>FAILED</b> to pass House by a vote of 16-77.
<b>OKLAHOMA</b>	HB 2239 would amend the state's workers compensation law to create a rebuttable presumption that first responders who acquire COVID-19 did so within the course and scope of their employment. The presumption would apply to any claim filed on or after the effective date of the act and to any claim filed earlier if it was	<a href="#">HB 2239</a>	1/21/21 Introduced. 2/1/21 First reading in House 2/9/21 Passed by House Judiciary 3/10/21 Passed House 3/17/21 Referred to Senate Judiciary

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	<p>denied and an appeal was filed with the Oklahoma Workers Compensation Commission.</p> <p>The legislation defines first responders as police officers, firefighters, emergency medical technicians and volunteer firefighters.</p> <p>If signed into law, the legislation would take effect immediately.</p>		
<b>OREGON</b> <b>FAILED</b>	Adds exposure to or infection by SARS-CoV-2 to definition of occupational disease for purposes of workers' compensation.	<a href="#">SB 488</a>	1/19/2021-Introduced
<b>OREGON</b>	Requires city that provides disability or retirement system for firefighters and police officers by ordinance or charter that is not subject to workers' compensation law to apply provisions requiring presumption that condition or impairment of health is occupational disease that results from employment if firefighter took physical examination upon gaining or during employment that failed to reveal evidence of occupational disease that existed before employment.	<a href="#">HB 2915</a>	6/1/2021- Signed by Governor
<b>OREGON</b> <b>FAILED</b>	Adds exposure to or infection by SARS-CoV-2 to definition of occupational disease for purposes of workers' compensation. Specifies presumptions as to compensability for occupational disease or occupational injury that apply to subject worker's death, disability, impairment of health, loss of work time and expenses of medical treatment or services, including diagnostic or preventive medical treatment or services, as result of exposure to SARS-CoV-2 or COVID-19.	<a href="#">HB 3025</a>	
<b>PENNSYLVANIA</b>	Provides that individual employed by a life-sustaining business or occupation who is required to work and who contracts, has symptoms of or is otherwise exposed to an infectious disease during the declaration of a disaster emergency, the declaration of an epidemic or a public health emergency in this Commonwealth by the Governor or a pandemic which	<a href="#">HB 1078</a>	Introduced 4/1/2021 and referred to Labor and Industry Committee.

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	results in a period of hospitalization, quarantine, isolation or other control measures due to infection or exposure, shall establish a presumption that the individual's medical condition or inability to work is work-related hazardous duty. Provides that this entitles individual to workers' compensation for all medical costs.		
<b>RHODE ISLAND</b> <b>FAILED</b>	HB 5264 would presume workers' compensation coverage for COVID-19 for healthcare employees, first responders, correctional officers, and essential workers.	<a href="#">HB 5264</a>	02/10/2021 Hearing – Held for Further Study
<b>RHODE ISLAND</b> <b>FAILED</b>	HB 5474 grants public safety officials/other named employees/essential state workers with COVID-19 job-related presumption related to workers' compensation benefits and other benefits/privileges.	<a href="#">HB 5474</a>	3/1/2021 Hearing – Held for Further Study
<b>SOUTH CAROLINA</b> <b>Failed for 2021</b>	HB 3192 establishes 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; 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.	<a href="#">HB 3192</a>	Carryover to 2022 Introduced 1/12/2021; referred to House Labor, Commerce & Industry Committee
<b>TENNESSEE</b> <b>ENACTED</b>	SB 995 and identical HB 553 would add to those acquired infectious diseases for which an emergency rescue worker is given a presumption to have a disability suffered in the line of duty a virus or other communicable disease for which a pandemic has been declared by the World Health Organization or the federal centers for disease control and prevention, and for which the Governor has declared a state of emergency. Effective when enacted.	<a href="#">SB 995</a>  <a href="#">HB 553</a>	<b>ENACTED</b> – SB 995 4/13/2021
<b>TEXAS</b>	Creates a rebuttable presumption for “public safety employees” (peace officers, firefighters, detention officers, county jailers , and EMS employees) employed by the state or a political subdivision that COVID was	<a href="#">HB 34</a>	1/12/2021 Introduced

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	contracted in the course and scope of employment.		
<b>TEXAS</b>	HB 47 extends the presumption that a firefighter, peace officer, or EMT who contracts tuberculosis or a respiratory disease contracted the disease in the course and scope of employment to public school teachers with respect to SARS-CoV-2 and COVID-19.	<a href="#">HB 47</a>	1/12/2021 Introduced.
<b>TEXAS</b>	HB 396 creates a presumption that a licensed nurse who contracted COVID-19 on or after February 1, 2020 contracted the disease in the course and scope of employment if: (1) the nurse was assigned to treat a patient with the disease or to duties in which the nurse was required to come into contact with patients with the disease; and (2) the nurse contracted the disease during the patient's admission to a health care facility or not later than 14 days after the patient's discharge from the facility.	<a href="#">HB 396 / SB 433 / SB 439 (Identical bills)</a>	1/12/2021 Introduced 4/19/21 Passed Committee; pending House floor vote 5/14/21 Passed as amended by House 5/17/21 Referred to Senate Business and Commerce Committee
<b>TEXAS</b>	Creates a presumption (apparently not rebuttable) for "public safety employees" (peace officers, firefighters, detention officers, county jailers, and EMS employees) employed by the state or a political subdivision that COVID was contracted in the course and scope of employment. The bill is retroactive to February 1, 2020.	<a href="#">HB 541</a>	4/26/21 Passed by House 5/10/21 Referred to Senate State Affairs Committee
<b>TEXAS</b>	SB 107/ HB 637 creates a presumption that a detention officer, firefighter, peace officer, or EMT who contracts a disease that is the basis of a gubernatorial emergency declaration contracted the disease in the course and scope of employment. Also applies to a line of duty injury under Subchapter B, Chapter 615, Government Code.	<a href="#">SB 107/HB 637 (Identical Bills)</a>	1/12/2021 Introduced. 3/30/21 Considered in Committee but left pending.
<b>TEXAS</b>	SB 612 would presume workers' compensation coverage of COVID-19 for teachers.	<a href="#">SB 612</a>	2/8/21 Introduced.
<b>TEXAS</b> <b>ENACTED</b>	Relating to certain claims for benefits, compensation, or assistance by certain public safety employees and survivors of certain public safety employees. SB 22 establishes a presumption that	<a href="#">SB 22</a> <a href="#">Bill Analysis</a>	6/14/21 <b>ENACTED</b> . 6/1/21 to Governor.

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	<p>certain public safety employees have contracted COVID-19 while on the job, under certain conditions, for purposes of such benefits, compensation, and assistance and provides for related claims to be filed by specific deadlines.</p>		
<p><b>VERMONT</b> <b>ENACTED</b></p>	<p>SB 9 would extend the presumption of coverage of workers' compensation for COVID-19 related claims from Jan 15, 2021 until 30 days after the termination of Executive Order 01-20.</p>	<p><a href="#">SB 9</a></p>	<p><b>ENACTED</b> 2/3/2021 Signed by Governor</p>
<p><b>VIRGINIA</b> <b>ENACTED</b></p>	<p>HB 1985 establishes a presumption that COVID-19 causing the death or disability of health care providers who as part of the provider's employment are directly involved in diagnosing or treating persons known or suspected to have COVID-19 is a compensable occupational disease.</p> <p>COVID-19 presumptions shall not apply to any person, unless person is immunized, who fails or refuses to get vaccine offered by employer unless the person's physician determines in writing that the immunization would pose a significant risk to the person's health.</p> <p>Conference version addresses dates of applicability:</p> <p>Applies to any death or disability occurring on or after March 12, 2020, caused by infection from the COVID-19 virus, provided:</p> <p>a. Prior to July 1, 2020, the claimant received a positive diagnosis of COVID-19 after either (i) a presumptive positive test or a laboratory-confirmed test for COVID-19 and presenting with signs and symptoms of COVID-19 that required medical treatment, or (ii) presenting with signs and symptoms of COVID-19 that required medical treatment absent a presumptive positive test or a laboratory-confirmed test for COVID-19; or</p> <p>b. On or after July 1, 2020, and prior to December 31, 2021, the claimant received a positive diagnosis of COVID-19 after a presumptive positive</p>	<p><a href="#">HB 1985</a></p>	<p><b>ENACTED</b> on 3/31/2021</p>

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	test or a laboratory-confirmed test for COVID-19 and presented with signs and symptoms of COVID-19 that required medical treatment.		
<b>VIRGINIA</b> <b>ENACTED</b>	<p>HB 2207 establishes a presumption that COVID-19 causing the death or disability of firefighters, law-enforcement officers, correctional officers, and regional jail officers is a compensable occupational disease; applies to death or disability occurring on or after July 1, 2020 and prior to December 31, 2021, if the claimant received a diagnosis of COVID-19 from a licensed physician, after a positive diagnostic test, incubation period, and signs and symptoms of COVID-19 that required medical treatment.</p> <p>SB 1342, identical to HB 2207 when introduced, failed in Senate Finance and Appropriations (now see SB 1375).</p>	<p><a href="#">HB 2207</a></p> <p><a href="#">SB 1342</a> <b>(FAILED)</b></p>	<p><b>ENACTED</b> 4/7/2021</p> <p>House adopted governor's recommendations</p> <p>SB 1342 failed in Finance &amp; Appropriations on 2/2/2021 (now see SB 1375)</p>
<b>VIRGINIA</b> <b>ENACTED</b>	SB 1375 now is identical to HB 2207 and the governor's recommendations are the same.	<a href="#">SB 1375</a>	<p><b>ENACTED</b> 4/7/2021</p> <p>Senate adopted governor's recommendations</p>
<b>WASHINGTON</b> <b>ENACTED</b>	SB 5115 creates a rebuttable presumption for frontline employees. This presumption of occupational disease may be rebutted by a preponderance of the evidence that exposure to the infectious or contagious disease which is the subject of the public health emergency occurred from other employment or nonemployment activities.	<a href="#">SB 5115</a>	5/11/2021- Signed by Governor
<b>WYOMING</b> <b>Enacted</b> Monopolistic State	SF 19 Public Health Emergencies—Immunity Amendments.	<a href="#">SF 19</a>	4/6/21 <b>ENACTED</b>

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