

Workers Comp: COVID-19 and Essential Employees



Workers compensation insurance provides benefits to employees who suffer work-related injuries or illnesses. It helps pay for medical care, wages from lost work time and more. Benefits vary by state.

Workers comp generally does not cover routine illnesses like a cold or flu because they cannot be tied to the workplace. Before the COVID-19 pandemic, the National Council on Compensation Insurance (NCCI) says, at least 18 states had policies that presume firefighters' and other first responders' chronic lung or respiratory illnesses are work-related and therefore covered.

COVID-19 presents a unique situation. Workers deemed "essential" – including health care workers, mass transit operators and grocery store workers – are at a high risk of exposure to the virus.

But this does not guarantee a COVID-19 infection would be covered in most states.

Some states have extended coverage to include first responders, health care workers, and other essential employees. A common approach is to amend state policy so COVID-19 infections in certain workers are presumed to be work-related.

This puts the burden on the employer and insurer to prove the infection was not work-related, making it easier for workers to file successful claims.

Some employers and insurers have raised concerns that these presumption policies will increase insurance costs for employers at a time when businesses are already facing significant financial challenges.

The NCCI maintains lists of:

- [Statutory standards](#) of compensability for states where NCCI is a rating or advisory organization and
- COVID-19 [regulatory and legislative activity](#)

It updates these lists weekly.



INSURANCE
INFORMATION
INSTITUTE

Informed. Empowered.

www.iii.org