

# Chapter 72

2020 Regular Session

Subject COVID-19 Workers' Compensation

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## Overview

This act makes a qualified first responder who contracts the infectious disease known as COVID-19 eligible for workers' compensation benefits based on the rebuttable presumption that they contracted COVID-19 from their employment activities. The presumption applies from April 8, 2020, until May 1, 2021.

## Summary

Section	Description
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| 1 | <p><b>Occupational disease; rebuttable presumption [§176.011, subd. 15]</b></p> <p><b>Paragraph (f).</b> Amends definition of “occupational disease” to create a rebuttable presumption that a qualified first responder who contracts COVID-19 is presumed to have contracted it from their employment activities, and as such is eligible for workers' compensation benefits.</p> <p><b>Clause 1.</b> Defines a qualified first responder to include: a peace officer; firefighter, paramedic; nurse or health care worker; correctional officer or security counselor; emergency medical technician; a nurse or assistive employee working directly or indirectly with COVID-19 patients in a health care, home care, or a long-term care setting; child care workers caring for children of first responders and health care workers, as required by executive orders 20-02 and 20-19.</p> <p><b>Clause 2.</b> Requires confirmation of COVID-19 to establish the presumption for a qualified first responder. A copy of the positive laboratory test for COVID-19, or written documentation from a medical professional diagnosing COVID-19 based on the symptoms, must be provided to the qualified first responder's employer or insurer.</p> <p><b>Clause 3.</b> Provides that once a qualified first responder establishes the presumption, an employer can only disprove the presumption by showing that the first responder's employment was not a direct cause of contracting COVID-19.</p> |
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**Section Description**

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**Clause 4.** Specifies that the “date of injury” for the purpose of claiming workers’ compensation benefits, and any applicable waiting period, is the first day that the qualified first responder was unable to work due to a COVID-19 diagnosis or due to symptoms that were later diagnosed as COVID-19, whichever is earlier.

**Clause 5.** Provides that an employee who contracts COVID-19 but who does not qualify for the presumption, may still be able to claim an “occupational disease” or a “personal injury” for the purpose of seeking workers’ compensation benefits.

**Clause 6.** Requires the commissioner of labor and industry to provide a detailed report on the COVID-19 workers’ compensation claims under this section to the Workers’ Compensation Advisory Council and to the applicable legislative committees by January 15, 2021.

This section applies to a qualified first responder who contracts COVID-19 on or after April 8, 2020, and expires on May 1, 2021.

**2 Commissioner authority to extend campus implementation date.**

Authorizes the commissioner of labor and industry to extend the start date for implementing the Claims Access and Management Platform User System (CAMPUS) beyond August 31, 2020, provided that advance notice of the delay is published and provided to those who would be required to create a CAMPUS account. Once implemented, CAMPUS will be the new electronic system for filing and viewing workers’ compensation claims, disputes, documents, and data. This section is effective April 8, 2020.



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