

Workers' Compensation Coverage and Coronavirus (COVID-19) Common Questions

The Centers for Disease Control and Prevention (CDC), the Washington State Department of Health (DOH), and other public health agencies are responding to an outbreak of respiratory disease known as new coronavirus, or COVID-19.

The complete clinical picture regarding this public health emergency isn't fully understood. Reported illnesses have ranged from mild to severe, including cases and deaths in Washington.

This information is meant to answer many of the questions L&I is receiving regarding workers' compensation coverage and this new disease.

Questions About Workers' Compensation Coverage and Coronavirus (COVID-19)

Will my scheduled time-loss payments continue?

Yes. If you can't work due to your work-related injury or illness, then your time-loss payments will continue. If anything changes that may affect your benefits, a claim manager will contact you.

How can I get information about the status of my claim?

Get automated information about your claim in English or Spanish (en Español) by calling **1-800-831-5227** or through the [Claim & Account Center](#).

Will an order and notice become final and binding if I did not have access to mail when my business was closed?

The time period to protest or appeal an order doesn't start until the order is communicated. If you cannot access the order through no fault of your own, you must provide the claim manager with some evidence or an explanation such as you couldn't get your mail during a specific time period.

Could my time-loss check or pension check be reduced if I receive a federal stimulus check?

No. The economic stimulus checks approved by the federal government in response to the coronavirus pandemic are not used to determine the amount of your time-loss or pension benefits.

Can medical and vocational appointments be conducted by telephone?

Yes.

My attending physician won't see me right now and my certification for time-loss benefits has expired. What do I do?

We realize that many health care providers are postponing non-priority appointments. Ask your provider if they offer telehealth options or if you can check in with them by telephone. Your claim manager will evaluate the information available and continue to pay time-loss benefits for a period of time. It's important to keep your claim manager informed.

My treatment plan was put on hold. How does this affect my claim?

Your claim will not be closed if you need further treatment. We will allow time for you to complete your treatment plan when medical services resume.

Note: Our system automatically closes some claims for "medical benefits only." If this happens and you have not completed your treatment, contact your claim manager, who can help make sure your claim remains open so you can finish your treatment.

I would like to postpone or reschedule an independent medical evaluation (IME) because I'm concerned about the coronavirus outbreak. What do I do?

Contact your claim manager at least 5 business days before your appointment to find a solution. IMEs can be postponed in some cases if, for example, you are at high risk for serious illness from the virus, or you'd need to travel from a relatively unaffected area into an area with more cases of the virus.

Is it appropriate to cancel or postpone a medical appointment or procedure because of concerns about coronavirus?

Contact your health care provider to find out what they recommend. Many providers are offering telehealth. If the appointment can safely be postponed, tell your claim manager.

Since my child's school has closed, I don't have child care and need to postpone a medical or vocational appointment. What do I do?

Please make every effort to arrange for child care so you can attend a medical or vocational appointment for your claim. If all efforts fail, contact your vocational rehabilitation counselor (VRC) or medical provider to see if they can conduct your appointment by phone or another method. Keep your claim manager informed. We will make every effort to allow you time to reschedule your appointment.

I am concerned about going to class or participating in my retraining program because of the virus. What do I do?

Contact your VRC. Although schools are closed through the rest of the 2019 – 20 school year, your VRC will contact your school or trade program and explore options. It may be possible to study at home, pursue other alternatives, or put your retraining plan on hold while the pandemic resolves. Your VRC will keep L&I informed. Time-loss benefits will continue.

My temporary light-duty job is no longer available because of the virus. What do I do?

Contact your claim manager immediately. We recommend you submit a time-loss notification form through the [Claim & Account Center](#).

Assuming there are no other changes, your claim manager will verify information and you will be eligible for time-loss benefits or your employer may choose to keep you on salary.

I was laid off from my job because of the coronavirus outbreak and have an open claim. How does this affect my benefits?

Appropriate medical treatment on your claim can still be approved. If medical treatment is delayed, your claim will not close. We know medical providers are postponing appointments, and we will allow you time to complete your treatment before closing your claim.

If you were working without medical restrictions, you are not eligible for time-loss benefits. In this case, you may be eligible for unemployment benefits through the Employment Security Department.

I've been released for work, but I don't have a job to return to, and the job market is very limited due to the coronavirus outbreak. What do I do?

Unfortunately, the department cannot pay time-loss benefits once you have been released for work or are found able to work. In many cases, you may be eligible for unemployment benefits through the Employment Security Department. Your claim manager can direct you to other community resources to look for a job.

Can COVID-19 ever be allowed as a work-related condition?

Under certain circumstances, claims from health care providers and first responders involving COVID-19 may be allowed. Other claims that meet certain criteria for exposure will be considered on a case-by-case basis.

For allowed claims, time-loss payments for lost wages during a quarantine period may be available for up to 14 days. The CDC indicates that COVID-19 symptoms may appear anywhere from 2 to 14 days after exposure. Appropriate, medically required testing/surveillance would also be covered. This is a time-limited benefit, and no benefits would be paid after the worker tests negative for COVID-19 or the quarantine period has ended, unless the worker develops the disease. As with all wage replacement benefits under the Industrial Insurance Act, the first 3 days are not paid unless the worker is medically required to remain off work on the 14th day following exposure.

Once a claim is allowed, the insurer will pay for treatment of COVID-19. Currently, the only treatment for this new coronavirus is supportive care to help relieve symptoms.

When to file a claim

The Industrial Insurance Act allows for treatment of COVID-19 when work-related activity has resulted in probable exposure to the virus and certain criteria are met. In these cases, the worker's occupation must have a greater likelihood of contracting the disease because of the job (examples include first responders or health care workers). There must also be a documented or probable work-related exposure, and an employee/employer relationship.

Before helping a worker file a workers' compensation claim, the treating provider should consider if the following criteria are met:

- Was there an increased risk or greater likelihood of contracting the condition due to the worker's occupation (such as a first responder or health care worker)?
- If not for their job, would the worker have been exposed to the virus or contracted the condition?
- Can the worker identify a specific source or event during the performance of his or her employment that resulted in exposure to the new coronavirus (examples include a first responder or health care worker who has actually treated a patient with the virus)?

If the above criteria are not met, it is not necessary to file a workers' compensation claim; however, a claim may still be filed if requested by the worker or if the provider is uncertain if the case meets the criteria.

When will a claim likely be denied?

When the contraction of COVID-19 is incidental to the workplace or common to all employment (such as an office worker who contracts the condition from a fellow employee), a claim for exposure to and contraction of the disease will be denied.

How can I file a COVID-19 claim?

For workers

- Online via our [FileFast](#) tool.
- By phone: **1-877-561-3453 (FILE)**.
- At your doctor's office (if you complete the Report of Accident at your doctor's office, the doctor files the form for you).

For providers

If your patient is insured through L&I, you should fill out a Report of Industrial Injury or Occupational Disease (ROA), either:

- [Online via FileFast](#): Recommended, as you can bill an additional \$10 (code 1040M). Find out [why we recommend online claim filing](#), how it works, and how it helps your patients.
- Fax a paper copy within two days to **1-800-941-2976** or **360-902-6690**. [Order forms online](#).
- If your patient is insured through a self-insured employer, you should fill out the [Provider's Initial Report \(PIR\)](#) (F207-028-000).

For self-insured claims, send the Provider's Initial Report (PIR) and related chart notes to the [self-insured employer \(SIE\) or their third party administrator \(TPA\)](#).

Filing a worker's compensation claim: Exposure vs. contraction of COVID-19

Workers exposed to COVID-19 must submit the appropriate accident report form before the insurer (L&I or the self-insured employer) can pay for treatment or time-loss benefits. The same is true if the worker is unable to work during the quarantine period or is ill from the virus.

While in most cases, L&I expects to receive claims for contraction of COVID-19, the Industrial Insurance Act allows the insurer to pay for testing before someone is ill when there's been a documented, work-related exposure.

If the diagnosed condition on the original accident report form is contraction of COVID-19 and the 3 criteria under **When to file a claim** are satisfied, the claim will be allowed and treatment authorized.

When a claim is filed for probable exposure and the criteria under **When to file a claim** are satisfied, the claim will be allowed for the quarantine period whether or not the worker actually contracted COVID-19.

Workers do not need to be examined by a physician for a COVID-19 exposure claim to be submitted when they are quarantined. L&I is handling medical documentation for these claims differently than other workers' compensation claims. However, we do require a positive test to allow a claim for the disease when a worker has actually contracted the virus.

If you have additional questions, send us a secure message through the [Claim & Account Center](#). If you do not have access to the Claim & Account Center, leave a telephone voice message, and we will get back to you as quickly as possible.

Additional information on COVID-19

For up-to-date information on COVID-19, go to the following websites:

- [CDC coronavirus information](#)
- [DOH coronavirus information](#)
- [World Health Organization \(WHO\) coronavirus information](#)