



Announcement

ADJUSTING COVID-19 WORKERS' COMPENSATION CLAIMS

Phoenix, AZ, 05-14-2020

Dear Stakeholder,

The Industrial Commission of Arizona understands that some workers' compensation insurance carriers and self-insured employers may have limited experience adjusting workers' compensation claims involving contagious diseases, such as COVID-19. Please be advised that COVID-19 workers' compensation claims **cannot** be categorically denied and Arizona law **requires** all denials to be well-grounded in fact and warranted by existing law. [See ICA Substantive Policy Statement - COVID-19 Workers' Compensation Claims, Effective May 15, 2020.](#) In an effort to prevent unnecessary litigation, the Commission **recommends** that carriers and self-insured employers evaluate COVID-19 claims in conjunction with Arizona law, considering factors including but not limited to:

- The nature of the employment and the risk of contracting COVID-19.
- Whether an identifiable exposure occurred at work.
- Whether any identifiable exposure occurred outside of work.
- The timing between an identifiable exposure and the development of COVID-19 symptoms.
- The reliability of medical or other evidence that the work-related exposure caused the disease.

In the fight against COVID-19, many Arizonans voluntarily put themselves in a position of increased risk on a daily basis. From first responders who are committed to public safety, to healthcare and hospital workers who treat COVID-19 patients every day, to the selfless frontline employees of Arizona, the Commission is grateful for all Arizonans who put themselves in harm's way. Recognizing the difficulties workers who are affected by COVID-19 face, the Commission asks the carrier and self-insured employer community to be especially diligent when investigating and reviewing claims filed by first responders, healthcare workers, and frontline employees who have developed COVID-19. The Commission appreciates the good-faith efforts of all stakeholders helping Arizona's injured workers navigate these challenging times.

DISCLAIMER: This document is advisory only and the Industrial Commission of Arizona will not rely upon this document to administer or adjudicate COVID-19-related workers' compensation claims. This document is not intended to be a complete statement of law related to the compensability of contagious disease claims under Arizona workers' compensation system. The reader should refer to available sources of Arizona law or the advice of qualified legal counsel for complete and current information.

Thank you.

Additional information

For more information about Arizona's response to the spread of COVID-19, please visit the Arizona Department of Health Services [here](#).

For additional resources for Arizonans who need help or want to help, visit the [Arizona Together](#) website.

To sign up for future e-mail updates from the ICA, please register [here](#).

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