

COVID-19 & Workers' Compensation:

As for non-COVID-19 workers' compensation claim issues, we are seeing some concerning situations arise that are having a significant impact on our clients workers' compensation programs as a whole. As follows:

- 1) Delays in Industrial Medical Care & Evaluations - If an employee with an active workers' compensation claim exhibits flu like symptoms, their medical appointment(s) will likely be rescheduled or cancelled indefinitely. This rings true for occupational clinics, primary treating physicians as well as formal medical evaluators [Independent Medical Evaluators (IME), Agreed Medical Evaluators (AME) or Qualified Medical Evaluators (QME)]. This could affect the life of the claim as well as the amount of benefits paid by the claims administrator.
- 2) Depositions - For litigated claims, depositions are being postponed or cancelled all together. This will inhibit a claims administrator's discovery capabilities which can affect both the cost and life span of a claim.
- 3) Jurisdictions - Workers compensation court jurisdictions are starting to only allow on-site hearings for very serious matters/issues. The remainder of all hearings, filings and appearances will need to be done via telephone or online systems until further notice. This will affect a claims administrator's ability to push settlements through quickly as well as defend multiple issues.
- 4) Possible Spike in Claims - It is possible that the number of reported workers' compensation claims to an employer (in general - non COVID-19 related) will increase. This is a common occurrence in challenging economic times. Employers will need to be sure to work closely with their claims administrator to ensure the industrial nature of such claims in general.



- 5) Ergonomics & Working from Home - For employers with a workforce now working from home, ergonomic information on how to properly set up and work from home should be provided and monitored.

Heffernan's Risk Management Division is well equipped to assist and support our clients with the issues noted above. Although the effects of COVID-19 on our workers' compensation system is ever changing, we are here to act as your advocate and be a "voice of reason" in a challenging system.

Should you have any questions please reach out to your Heffernan Service team or our Risk Management Division at riskmanagement@heffins.com.