



WCB has advised us that new "Nature of Injury" code COVID-19 and Cause or ARS "Accident Type" Pandemic (code number 83) must be added to www.nysif.com eFROI Employers First report and Accident reporting System (ARS) effective 04/01/2020.

The new ARS codes for "Nature of Injury" (083) COVID-19 – Coronavirus and "Accident Type" (083) Pandemic are supposed to be used for employer's first reports on or after 12/01/2019.

ARS will have these added choices in the evening of 03/31/2020 ready for ARS users to select on 04/01/2020.

Screenshot of ARS Injury Illness (page) labeled "Detail":

The screenshot shows the 'Detail' tab of an ARS Injury Illness report. The 'Employee - Incident Information' section includes fields for EmpID, Empl Rcd, Date of Birth, Date of Death, Gender, Incident Number (00000000), Incident Date (12/01/2019), and Incident Type. The 'Injury Description' section has tabs for Body Parts, Nature of Injury, Source of Injury, and Accident Type. The 'Primary Injury Details' section shows: Body Part: Lung(s), pleura; Nature of Injury: COVID-19 - Coronavirus; Source of Injury: Viruses; Accident Type: Pandemic.

Note: a suggested "Source of Injury" code would be (533) Viruses.

The screenshot shows the 'Look Up Source of Injury' search interface. The 'SetID' is ARSID. The 'Source of Injury' dropdown is set to 'begins with' and the input field contains '533'. The 'Description' dropdown is also set to 'begins with'. Below the search fields are buttons for 'Look Up', 'Clear', 'Cancel', and 'Basic Lookup'. The 'Search Results' section shows a table with one entry: Source of Injury: 533, Description: Viruses.



Do not wait for 04/01/2020 for these new codes to report the employer's first report if you are on notice for an employee claiming to have contracted the coronavirus COVID-19 arising out of and in the course of his/her employment, submit your first report now.

Yes, selecting Nature of Injury as "Viral Diseases – unspec" (code 220) and Accident Type "Bodily reaction and exertion, unspec" (code 20) is fine prior to 04/01/2020.

Please continue to include your detailed information in the "Accident Description" field. Please tell us the

- Specifics of the employee's exposure to COVID-19 while working for you, the details of the specific event
- Please tell us did employee test positive to COVID-19? Or are they awaiting test results?
- Which medical provider referred the employee for COVID-19 testing?

The screenshot shows a web application interface for reporting an incident. At the top, there are navigation tabs: Summary, Description, Detail, C-2 Detail1, C-2 Detail2, Medical, and Lost Time. The 'Description' tab is currently selected. Below the tabs, there is a 'Person Involved' section with a 'View All' link and navigation arrows. This section contains a form for 'Employee - Incident Information' with fields for EmplID, Empl Rcd, Date of Birth, Date of Death, Gender, Incident Number, Incident Date, and Incident Type. Below this is a section for 'Employee Data on Incident Date' with a 'Department' field. The 'Lost Time' section has a checkbox for 'Lost Time Beyond Shift'. The 'How Accident/Exposure Occurred?' section is a large text area, and the 'Additional Information about Accident or Illness' section is also a large text area. Both of these text areas are highlighted with red rectangular boxes in the image.

Please continue to use "Additional Information" field to advise NYSIF of additional information that you would like to tell NYSIF. The Additional Information content is not included in the FROI-00 to the WCB.



Some Frequently Asked Questions (FAQs) that NYS Agencies may have regarding reporting of coronavirus COVID-19 cases to NYSIF for Workers' compensation benefits:

Is COVID-19 covered under Workers' Compensation?

An employee must sustain a work-related injury or illness to be eligible for benefits under the New York Workers' Compensation Law ("NYS WCL"). Generally, mere exposure or quarantining of an employee would not qualify for workers' compensation benefits (although certain quarantined employees might qualify for paid family leave or disability benefits outside of workers' compensation). Claims by employees who actually contract COVID-19 may be compensable if the evidence shows that the contraction was work-related. NYSIF's approach, at this time, is to evaluate each claim on a "case by case" basis.

Should we report an exposure (patient to employee) to COVID 19 to NYSIF?

Under NYS WCL, an injury or illness sustained by an employee in the course of employment is reportable if it results or is likely to result in: 1) lost time of 1 day beyond the working day on which the accident occurred, or 2) medical treatment beyond ordinary first aid, or more than 2 medical treatments by a person rendering first aid.

Based on these reporting requirements, a work-related exposure need not be reported, unless the above criteria is met; however, in a case where an exposed employee has been quarantined, and is losing time from work as a result, NYSIF recommends an ARS report of injury be filed.

Please note that under the NYS WCL, an employer has 10 days to report a work-related injury to the insurance carrier.

What if there is an exposure/ contraction outside of direct contact with an infected patient/inmate/consumer/fellow employee?

In cases where there is no direct patient exposure, an outside exposure, or where exposure is prevalent in the general public (like is often the case with a common cold or influenza), it is generally not advisable to report a claim.

If an employee wishes for you to file a claim for exposure/ contracture, even if the exposure/ contracture did not result from direct patient/inmate/consumer/fellow employee contact, you should go ahead and report that to NYSIF. In such cases, NYSIF will contest the claim and the issue will be adjudicated by the WCB. In all such cases, we ask that you maintain good records as to the employee's duties, responsibilities and as much information as possible as to the circumstances of the alleged exposure/ contracture.

Should we report a Contracture of COVID-19 to NYSIF?

If a confirmed contracture is alleged to have resulted from an exposure to an infected inmate/consumer/fellow employee, that contracture must be reported to NYSIF promptly.

What else should we do?

COVID-19 claims will be handled the same as other work-related incidents. NYSIF will seek your cooperation in investigating claims that are questionable or where information is lacking. As such, we ask that you gather and maintain as much information as possible to assist us in our efforts.