

# The CARES Act & Workers' Compensation

The federal CARES Act protects front-line workers who have contracted COVID-19 by providing wage replacement and healthcare coverage if needed. Given these federal benefits there is no need to rely on workers' compensation to protect these essential employees. No death benefits are currently provided; however, there are potential sources of funding including: the Coronavirus Relief Fund under the CARES Act (\$2.4 billion) and upcoming federal legislation.

## A COMPENSABLE CLAIM AFFORDS THE FOLLOWING BENEFITS:



### TEMPORARY DISABILITY/ WAGE BENEFITS

**Intent:** If an injured worker is disabled for more than seven days, the worker will be eligible to receive temporary disability for the period when the worker is unable to work and is under active medical care.

#### Covered by the CARES Act:

The CARES Act provides unemployment insurance benefits for an employee who is "unable or unavailable to work" because "the individual has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and seeking a medical diagnosis." Workers will also receive additional \$600 per week and extended eligibility up to 39 weeks.



### HEALTH INSURANCE/ MEDICAL BENEFITS

**Intent:** All necessary and reasonable medical treatment related to the work injury are paid.

#### Covered by the CARES Act:

Employees with health benefits have their medical expenses paid without having to see workers' compensation directed medical providers. Similarly, the CARES Act established, through the Department of Health and Human Services, a program to reimburse providers for costs of uninsured COVID-19 patients.



### LONG-TERM DISABILITY & DEATH BENEFITS

**Intent:** Six months post medical care, the injured worker is evaluated to determine the extent of any permanent damage. These benefits are paid weekly for a scheduled number of weeks corresponding to the extent of the permanency. Death benefits are also provided.

#### Potential Sources of Funding:

It is uncertain if permanent disability is an issue, but this can be addressed later when more information is known about the impact of COVID-19 illnesses on the working age population. No death benefits are currently provided; however, there are potential sources of funding including: the Coronavirus Relief Fund under the CARES Act (\$2.4 billion) and upcoming federal legislation.