



**State of Vermont**  
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## MEMORANDUM

**TO:** Senate Committee on Economic Development, Housing and General Affairs  
**FROM:** J. Stephen Monahan, Director WC & Safety Division, Vermont Dept. of Labor  
**DATE:** January 12, 2021  
**SUBJECT:** Workers' Compensation COVID related claims and other statistics

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Thank you for the opportunity to testify before the Committee this morning. I was asked to share some of the statistics the Workers' Compensation Program has collected concerning claims related to COVID and some workers' Compensation Program statistics generally.

Between March 1, 2021 and Monday morning, January 11, 2021, the Workers' Compensation Program had received **558** First Reports of Injury. Many of the first reports only documented a possible exposure, not an actual positive test or diagnosis. Insurers denied compensability in **248** of the 558 First Reports because there was either no positive test or diagnosis, or the worker did not provide consent to obtain any test results or medical records.

In an additional **212** cases, the Workers' Compensation Program received no additional information: insurers did not accept or deny, but workers submitted no additional information and no claim for payment of indemnity benefits or medical bills. Please note that a worker has at least six months, and up to three years from the date the First report was filed, and the worker knew or should have known of an occupational injury, in which to pursue a claim, so these 212 First reports are considered "open" at this time.

Insurers accepted **31** claims as compensable lost time claims. In an additional **14** claims insurers agreed to pay benefits without prejudice (under our workers' compensation rules the insurer must formally accept or deny a claim paid without prejudice after 90 days).

In **6** cases the insurer denied the claim but after review the department determined that the evidence submitted did not support the denial and ordered payment. In **13** cases the worker did not lose time from work so only medical benefits would be paid.

In **29** cases a First report has been filed, and the insurer is within the 21 day period to accept or deny the claim, and in **5** cases the insurer has requested an extension of the 21 day period in which to investigate the claim.



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At present we have only been informed of one positive COVID case that resulted in hospitalization. However, this data is not normally reported to us (unless there is a dispute, so there may be other workers who were hospitalized.

Some General Workers' Compensation statistics Calendar year 2020 and Calendar Year 2019 for comparison purposes:

Form	2019	2020
1	16,640	13,024
2 – Denial	795	695
2M – Denial Medical Bill	1014	1043
2I – Denial Indemnity		57
2P – Denial Pre-Authorization	270	230
27 -- Discontinuance	795	695
22 - Perm. Partial	765	622
32 – Temp. Total	2225	1949
16 – full and final settlement	575	608