

Publications

For Ohio Employers: Ohio Workers' Compensation COVID-19 Update

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CLIENT ALERT | 3.25.2020

The Ohio Industrial Commission

- The Industrial Commission hearing and appeal process continues.
- All hearings are telephonic. Parties and representatives must upload a telephone number to the ICON website in order to participate.
- Hearings are currently limited to the following issues; allowance of the claim, additional allowance of the claim, temporary total compensation, termination of temporary total compensation, wage loss compensation, and permanent total disability compensation.
- The following subjects are not presently being heard at the Commission: medical benefits, permanent partial disability, VSSRs. Those issues are being deferred to a later date

During the changeover from in-person to telephonic hearings, some hearings previously scheduled on other subjects are being cancelled. In addition, hearing notifications may not indicate the telephonic nature of the proceeding and may contain a physical location that is not relevant to the claim. If you are unsure about whether a hearing will be going forward or how to insure the employer is represented, please contact your Vorys lawyer.

The Ohio Bureau Of Workers' Compensation

The Ohio BWC issued an "FAQ" page, updated on Saturday, March 21, 2020. We recommend review of the BWC publication, which can be found at this link: [FAQ](#)

Highlights of the BWC publication include:

- **STATE FUND PAYMENTS DEFERRED UNTIL JUNE 1, 2020:** Premium installment payments by private and public employers for March, April, and May are deferred until June 1, 2020. The BWC estimates that \$200 million in payments are owed and has indicated that workers' compensation coverage will not be considered lapsed due to non-payment during the deferral period.
- **CLAIMS FOR COVID-19:** The BWC recognizes that contracting COVID-19 may be a compensable claim for those in certain occupations with a hazard or risk of getting the disease in greater degree or different manner than the public generally.
- **COMPENSATION PAYMENTS CONTINUE THROUGH April 30, 2020:** The BWC is extending all payments of temporary total, wage loss, and living maintenance through April 30, 2020, without requiring additional documentation (MEDCO-14 or Job Search forms) from injured workers. The Bureau has suggested that self-insured employers do the same, although there are interesting questions about the ability of the Bureau to require that.
- **UNEMPLOYMENT:** The BWC is referring individuals to the unemployment website (ODJFS) if they cannot work due to a COVID-19 quarantine.
- **IMEs:** The BWC has cancelled all independent medical evaluations, and may begin virtual examinations. There is no direction given regarding the scheduling of IMEs by employers.
- **TELEHEALTH:** The BWC has made changes to its Telemedicine policy for providers, including allowing the substitution of telephonic counseling for in-person counseling and allowing the home to be the origination site for telephonic treatment. A copy of the policy for your review can be found here: [Telehealth policy](#)

For questions regarding whether employees qualify for compensation or other specific claim-related questions, please contact your Vorys lawyer.

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VORYS COVID-19 TASK FORCE

Vorys attorneys and professionals are counseling our clients in the myriad issues related to the coronavirus (COVID-19) outbreak. We have also established a comprehensive COVID-19 Task Force, which includes attorneys with deep experience in the niche disciplines that we have been and expect to continue receiving questions regarding coronavirus. Learn more and see the latest updates from the task force at

vorys.com/coronavirus.

