

› Coronavirus workers' comp update

CareWorks Comp is committed to keeping our partners and their members up-to-date on necessary, temporary changes in Ohio workers' compensation and guidelines for work-at-home employees as we all navigate the COVID-19 pandemic crisis.

In response to the COVID-19 crisis, the Ohio Bureau of Workers' Compensation (BWC) is initiating temporary policy changes that will allow flexibility in the provision of care to injured workers. These changes will be effective until the state of emergency related to COVID-19 is lifted within the state where the injured resides.

Injured Workers/Providers

- **Telemedicine** – BWC will temporarily permit the injured worker's home as an acceptable origination site.
- **Telephone services** – BWC will temporarily permit MCOs to authorize the use of telephone visits in lieu of face-to-face visits for injured workers in a state of crisis or who are at risk to travel to a face-to-face visit during the state of emergency.
- **Prior authorization requirements** – BWC will waive the prior authorization requirement for telephone services when:
 - The provider substitutes a telephone call in lieu of face-to-face visit for previously approved psychological counseling service; or
 - A provider eligible to render an E&M service substitutes a telephone call in lieu of face-to-face E&M visit when the provider determines the visit would create an unnecessary or increased risk of exposure to either the injured worker or provider.
- **Billing and reimbursement** – Telemedicine services that meet the guidelines will be reimbursed at the same rate as equivalent face-to-face visits. To be eligible, providers must have an active license in the state where the injured worker is located.
- **Medical documentation** – Under the temporary policy change, providers are required to reference the following:
 - Current state of emergency for COVID-19; and

- Intention to limit exposure of injured worker or provider to COVID-19; and
- Delivery means of the care, either through synchronous telemedicine or telephone delivery; and
- Location (origination site) of the injured worker, including the state if the injured worker does not reside in Ohio.

Employers

- BWC announced that insurance premium installment payments due for March, April and May for the current policy year may be deferred until June 1, 2020, at which time the matter will be reconsidered. This is for public and private employers.
- BWC will not lapse (cancel) coverage or assess penalties for amounts not paid because of the coronavirus (COVID-19) pandemic. Installment payments due for the three-month period total approximately \$200 million.

Claim Compensability for Work from Home Employees

Many employers are concerned about coverage for their employees who may be sent to work from home on a temporary basis. Each claim is unique and will have its own set of facts to guide us. Below are some general guidelines to keep in mind in the event that you have a teleworker who files a claim application. The scenarios described below are not all encompassing but should give you some direction as you investigate these instances:

Typically work from home employees are NOT covered if:
<ul style="list-style-type: none"> ● Worker trips over their dog and breaks their wrist while going to the bathroom
<ul style="list-style-type: none"> ● Worker decides to load some dishes in the dishwasher and cuts themselves
<ul style="list-style-type: none"> ● Worker goes outside their home to go for a walk and falls off their porch
<ul style="list-style-type: none"> ● Worker makes lunch and gets food poisoning from it
<ul style="list-style-type: none"> ● Worker goes to McDonalds for lunch and gets in a car accident
<ul style="list-style-type: none"> ● Worker drives into the office to get work items needed for job but deviates from route to stop at the bank for personal reasons and gets into an accident
Typically work from home employees MAY be covered if:
<ul style="list-style-type: none"> ● Worker is at home workstation and reaches for a binder and hurts shoulder
<ul style="list-style-type: none"> ● Worker is at home workstation and chair breaks and they fall and hurt their back
<ul style="list-style-type: none"> ● Worker has poor ergo arrangement for their work station and develop wrist tendonitis
<ul style="list-style-type: none"> ● Worker drives into the office to get work items needed for job and gets into an accident

Questions about COVID-19? Visit coronavirus.ohio.gov or call **1-833-4-ASK-ODH** for answers.

Questions for CareWorks Comp? Email us at info@careworkscomp.com.