

COVID-19 UPDATE

COVID-19 UPDATE: MARCH 20, 2020

In the past week, the World Health Organization (WHO) labeled the COVID-19 outbreak a pandemic and changes are occurring rapidly.

Please use this document as a reference for employer-based COVID-19 needs. You may also receive more urgent information and carrier-specific details through our Benefit Alerts or from your Parker, Smith & Feek account managers. As always, your Parker, Smith & Feek dedicated account team is available to assist.

The U.S. Department of Labor announced new guidance on states' flexibility in administering their **unemployment insurance** programs to assist americans affected by the COVID-19 pandemic.

[Department of Labor news release 3.12.20](#)

Each state administers a separate unemployment insurance program, but all states follow the same guidelines established by federal law. **For more information regarding rules in your state, [contact your state's unemployment insurance program.](#)**

The **Equal Employment Opportunity Commission (EEOC)** clarified that employers may screen for COVID-19 symptoms such as fever and respiratory symptoms. Because the CDC and state/local health authorities have acknowledged community spread of COVID-19, the EEOC has decided that employers may measure employees' body temperature; however, some with

COVID-19 do not have a fever. If employers choose to test, it must be done in a consistent, non-discriminatory manner. Employers must maintain all information about employee illness as a confidential medical record in compliance with the ADA. Please click on the attached link to the EEOC update with further guidance.

[EEOC bulletin 3.18.2020](#)

The Families First Coronavirus Response Act (H.R. 6201) was passed by the U.S. Senate on March 18, and the president has signed the bill into law. This legislation extends paid employee sick leave benefits, emergency FMLA, and provides free COVID-19 testing.

[HR 6201](#)

Considerations for benefit eligibility with employee layoffs vs. furloughs and extending/continuing benefits:

Many employers are faced with layoffs, furloughs, or placing employees on standby, leading to questions about benefits eligibility. Is this a COBRA qualifying event? Should I advise employees to enroll in state coverage? Will eligibility requirements be changed temporarily during this uncertain time?

Our partner, Benefit Comply, has announced the creation of a COVID-19 resource center available to you with resources such as FAQs, alerts, sample policies, etc. While normally they do not deal with general HR or employment law issues, Benefit Comply

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is working with their HR compliance partner, Guardian HR, to make additional materials available on workplace topics such as communicable disease policies, employee furloughs and layoffs, sick leave, FMLA, and FLSA wage and hour consideration.

<https://benefitcomply.com/employercovidresources/>

OSHA has updated their criteria to clarify when COVID-19 infection cases must be recorded in on your OSHA 300 log.

<https://www.psfinc.com/articles/updated-osha-deems-covid-19-a-recordable-illness/>

WHAT'S HAPPENING AROUND THE REGION?

Washington Updates:

The Washington State Department of Health limits testing to only those showing COVID-19 symptoms and meet the following criteria:

- Patients hospitalized with severe lower respiratory illness
- Patients who work in any setting where healthcare services are delivered (including hospitals, department of corrections, juvenile detention centers, mental/behavioral health clinics, long-term care facilities, and similar)
- Patients working in other public safety occupations (e.g., law enforcement personnel, firefighters, EMS)
- Patients who live or work in an institutional or congregate setting (e.g., corrections, long term care facilities, homeless/shelters)
- Patients working in critical infrastructure occupations (e.g., grocery stores, pharmacists, restaurants, gas stations, public utilities)

[WA DOH testing 3.17.20](#)

The Insurance Commissioner, Mike Kreidler, has called on commercial labs to price fairly for coronavirus testing.

[WA OIC commercial lab 3.11.20](#)

Alaska Updates:

Alaska has expanded telehealth coverage to all healthcare insurance plans' covered services in the individual and group market. Services must be covered by a provider licensed in Alaska. A prior in-person visit must not be required.

[Alaska COVID 19 mandate 3.17.20](#)

Governor Mike Dunleavy issued a public health disaster emergency declaration for COVID-19 prohibiting insurance contracts from terminating due to non-payment. Carriers are encouraged to work with policyholders regarding timing of payment and to waive late fees.

[Alaska Bulletin B20-08 3.11.20](#)

Drive-through COVID-19 testing is available with a physician referral in Anchorage.

[News 3.17.20](#)

Colorado Updates:

Colorado employers in seven industries must provide employees with up to four days of paid sick leave. Employees are eligible if they have flu-like symptoms and are being tested for COVID-19.

[Colorado health emergency leave with pay HELP rules 3.11.20](#)

Additional Resources:

The CDC has updated **community mitigation guidelines** with the goal to slow the transmission of disease to protect vulnerable populations and the healthcare infrastructure. The link below includes local factors to consider in determining mitigation strategies for workplaces,

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COMMERCIAL INSURANCE

EMPLOYEE BENEFITS

PERSONAL INSURANCE

RISK MANAGEMENT

SURETY



individuals/families, schools, assisted living facilities, faith-based organizations, and healthcare settings.

[CDC community-mitigation-strategy 3.12.20](#)

State Health Departments With Updated Resources:

[Alaska](#)

[California](#)

[Colorado](#)

[Hawaii](#)

[Oregon](#)

[Washington](#)

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