The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

SB 475 Original | 2020 Regular Session | Womack

Proposed law, relative to workers' compensation, provides that every essential worker who is disabled because of the contraction of the disease, COVID-19, or the dependent of an essential worker whose death is caused by COVID-19, is entitled to the compensation provided in present law the same as if the essential worker received personal injury by accident arising out of and in the course of his employment.

Provides that all claims for disability arising from COVID-19 are barred unless the essential worker files a claim as provided in present law within one year of the date that:

(1) The disease manifested itself.

(2) The essential worker is disabled from working as a result of the disease.

Provides that all claims for death arising from COVID-19 are barred unless the dependent or dependents as set out herein file a claim as provided in present law within one year of the date of death of such essential worker or within one year of the date the claimant has reasonable grounds to believe that the death resulted from COVID-19.

Provides that the rights and remedies herein granted to an essential worker or his dependent on account of COVID-19 for which he is entitled to compensation under proposed law is exclusive of all other rights and remedies of such essential worker, his personal representatives, dependents or relatives.

Requires that notice of the time limitation in which claims may be filed for COVID-19 or death resulting from COVID-19 be posted by the employer at some convenient and conspicuous point about the place of business. Provides that an employer who fails to post this notice, the time in which a claim may be filed shall be extended for an additional six months.

Defines "essential worker" as persons working in public safety, government, emergency response, health care, or private business as designated and deemed necessary or critical for response to the COVID-19 pandemic by their employer or by virtue of their official commission.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 23:1031.2)