

## California COVID-19 Presumption Legislation

| Bill  | Injury   | Employees   | Trigger  | Confirmation   | Rebuttable | Start Date                        | Sunset   | Notes  |
|---|--|---|--|--|------------|-----------------------------------|--|--|
| AB 196 (Gonzalez)                           | coronavirus disease 2019 (COVID-19)  | an employee (except an employee described below in AB 664) who is employed in an occupation or industry deemed essential in the Governor's Executive Order  | injury develops or manifests itself during a period of the person's employment in the essential occupation or industry or within 90 days thereafter  | Unspecified  | Conclusive | 03/01/20                          | No   |  |
| AB 664 (Cooper & Gonzalez)                  | direction to enter into quarantine by a licensed health care professional, a public health officer or agency, or the employer as a result of, or exposure to or contraction of, a communicable disease, including coronavirus disease 2019 (COVID-19), that is the subject of a state or local declaration of a state of emergency | firefighters, peace officers, and health care employees who provide direct patient care in an acute care hospital   | injury may occur prior to or after the declaration of a state of emergency and within 90 days after the last date actually worked in the specified capacity  | Unspecified  | Conclusive | 01/01/20                          | No   | Includes new PPE and temporary housing reimbursement benefits.   |
| SB 1159 (Hill & Daly)                       | <del>illness or death resulting from exposure to COVID-19</del><br>any COVID-19-related illness  | <del>a public sector or private sector employee who is employed to combat the spread of COVID-19 who directly interacts or previously directly interacted with the public during the COVID-19 pandemic</del><br>the employee performed labor or services at the employee's place of employment (other than the employee's home) at the employer's direction | <del>injury develops or occurs during a period in which a critical worker is in the service of an essential critical infrastructure employer and results in hospitalization or significant lost time beyond the critical worker's work shift at the time of injury of at least ____ days</del><br>the employee tested positive for or was diagnosed with COVID19 within 14 days after a day that the employee performed labor or services at the employee's place of employment at the employer's direction due to the illness | positive test or physician diagnosis if testing not available confirmed by positive test result within 30 days | Rebuttable | <del>Unspecified</del><br>3/19/20 | <del>Yes</del><br><del>Unspecified</del><br>Date<br>7/5/20 | No death benefits if no dependents. Shortened claim handling dealines.<br><br><b>Amended to codify Executive Order N-62-20</b> |
| <del>SB 893 (Caballero &amp; Skinner)</del> | <del>an infectious disease or respiratory disease</del>  | <del>a hospital employee who provides direct patient care in an acute care hospital</del>   | <del>injury develops or manifests itself during a period of the person's employment with the hospital or within X months (for COVID, 3 months per full year of employment but capped at 120 months) thereafter</del>   | Unspecified  | Rebuttable | Unspecified                       | No   | Held in committee.   |
| Executive Order N-62-20                     | any COVID-19-related illness   | the employee performed labor or services at the employee's place of employment (other than the employee's home) at the employer's direction   | the employee tested positive for or was diagnosed with COVID19 within 14 days after a day that the employee performed labor or services at the employee's place of employment at the employer's direction  | positive test or physician diagnosis confirmed by positive test result within 30 days                          | Rebuttable | 03/19/20                          | 7/5/2020   | No death benefits if no dependents. Shortened claim handling dealines.   |