

# Loss Control Updates

Provided by the Loss Control Department of IRMS/ICT

April 2020

The following information is being forward to you from the Loss Control Department of IRMS/ICT. Loss Control Updates are selected to assist with regulatory compliance and provide useful safety and health information.

## Governor Pritzker's Executive Order and It's Impact on

### OSHA Recordkeeping Requirements

Governor Pritzker recently announced on April 13<sup>th</sup> that all essential workers who believe they contracted COVID-19 will, in the eyes of the Worker's Compensation Commission, have presumed to have contracted the disease at work and thus be entitled to Worker's Compensation benefits.

Guidance For Recording Cases of COVID-19

OSHA has issued [interim guidance for enforcing the requirements of 29 CFR Part 1904](#) with respect to the recording of occupational illnesses, specifically cases of Coronavirus Disease 2019 (COVID-19).

Please note that this guidance memo **did not change** any of the previous OSHA Recordkeeping guidance outlined below that was sent out in the March 20, 2020 Loss Control Letter.

ICT/IRMS Loss Control spoke with one of the CSHO's in a local OSHA office and confirmed that **Governor Pritzker's announcement does not change OSHA's Recordkeeping Standard.** The CSHO did stress that hospitals should continue to do a thorough investigation on every incident to determine whether the facts dictate that it should be recorded pursuant to the OSHA Recordkeeping Guidelines.

Employers are only responsible for recording cases of COVID-19 if all of the following are met:

1. The case is a confirmed case of COVID-19 (see [CDC information](#) on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
2. The case is work-related, as defined by [29 CFR 1904.5](#); and
3. The case involves one or more of the general recording criteria set forth in [29 CFR 1904.7](#) (e.g. medical treatment beyond first-aid, days away from work).

Visit OSHA's Safety Health Topics Standards page that outlines on the right hand side of the page ["Recording Workplace Exposures to COVID-19"](#) for more information.

If you have questions regarding OSHA Recordkeeping or Reporting, please contact the ICT/IRMS Loss Control Specialists, Mike Benedeck at 630-276-5646 or Deidre Harris at 630-276-5414 and we will be glad to assist you.