



On 4/13/20, the Illinois Workers' Compensation Commission issued an [Emergency Amendment to the Rules of Evidence](#). Effective 4/16/20, the IWCC adopted a much more expansive version of the Emergency Amendment.

"In any proceeding before the Commission where the petitioner is a COVID-19 First Responder or Front-Line Worker... if the petitioner's injury, occupational disease, or period of incapacity resulted from exposure to the COVID-19 virus during a COVID-19-related state of emergency, the exposure will be rebuttably presumed to have arisen out of and in the course of the petitioner's...employment and, further, will be rebuttably presumed to be causally connected to the hazards or exposure of the petitioner's...employment." 50 Ill. Adm. Code 9030.70(a)(1)

The modified emergency rule still creates a rebuttable presumption in favor of employees diagnosed with COVID-19, but significantly increases the categories of employees entitled to the presumption:

4/13/20 Rule

"COVID-19 First Responder or Front-Line Worker" is defined as:

- Police
- Fire personnel
- EMTs or paramedics
- All individuals employed and considered as first responders
- Health care providers engaged in patient care
- Correction officers
- "Crucial personnel" identified in Governor JB Pritzker's [Executive Order 2020-10](#)

New 4/16/20 Rule

In addition to everyone listed on the left, Section 1 Parts 7-11 have also been added, which include:

- **Health and public health operations** (hospitals, clinics, dental offices, pharmacies, public health entities, medical device and equipment, veterinary care, etc.)
- **Human services operations** (providers funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public, long-term care facilities, etc.)
- **Essential infrastructure** (food production and distribution and sale, construction, building management and maintenance, airport operations, utility operation and maintenance, public transportation, telecommunications systems, etc.). Essential infrastructure shall be construed broadly
- **Essential government functions** (emergency dispatchers, court personnel, law enforcement and corrections, child protection and welfare, etc.)
- **Essential business operations** whether for-profit, non-profit or educational entities

The modified rule also adds "occupational disease" resulting from exposure as part of the rebuttable presumption.