



STATE OF CONNECTICUT WORKERS' COMPENSATION COMMISSION

Commissioners
Stephen M. Morelli, Chairman
Charles F. Senich
Michelle D. Truglia
Scott A. Barton
Peter C. Mlynarczyk
Randy L. Cohen
Jodi Murray Gregg
Daniel E. Dilzer
David W. Schoolcraft
Brenda D. Jannotta
Carolyn M. Colangelo
William J. Watson III
Maureen E. Driscoll
Pedro E. Segarra
Toni M. Fatone
Soline M. Oslena

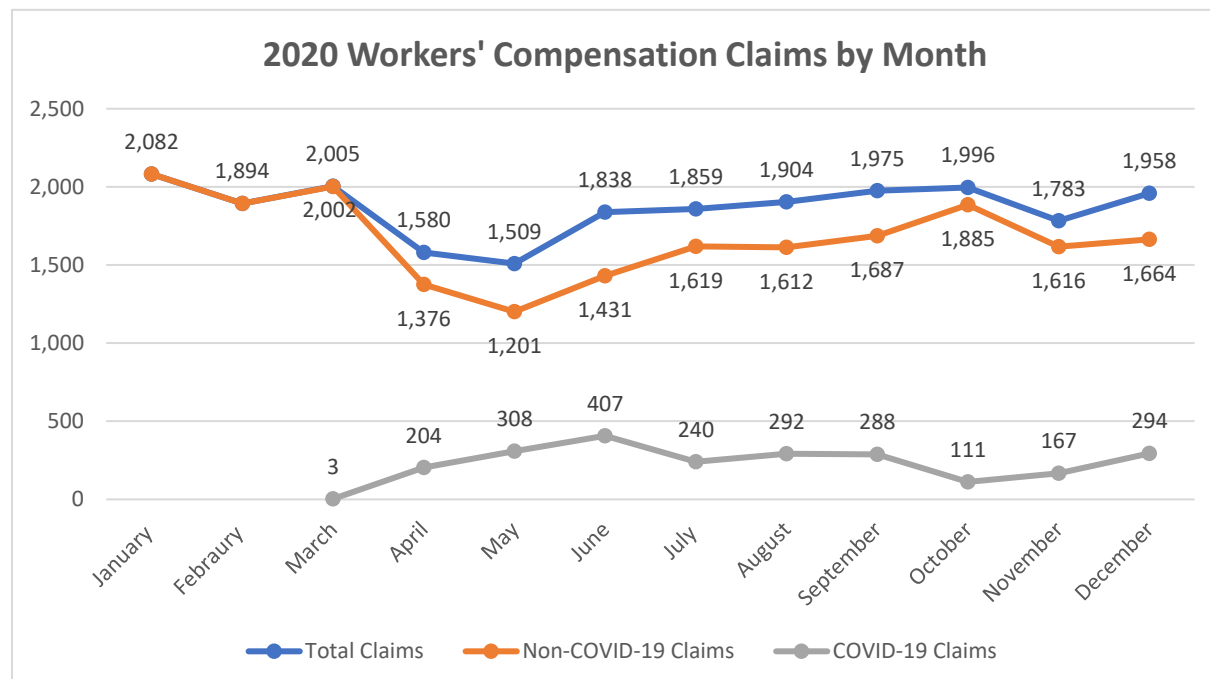
Amended February 26, 2021

Report of the Workers' Compensation Commission (WCC) pursuant to [Executive Order NO. 7JJJ](#).

The following report is submitted to the Office of the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to labor, insurance, and commerce.

(1) The number of COVID-19 and non-COVID-19 claims filed,

In 2020 there was 22,383 total workers' compensation claims created.¹ This is a decrease of 1,738 claims when compared to the 24,121 total workers' compensation claims created in 2019. Of the total workers' compensation claims in 2020, 2,314 were related to COVID-19² and 20,069 were not COVID-19 related.



¹ A workers' compensation claim is created whenever WCC receives a form 30C, 30D, 36, 43, VA, Hearing Request or Miscellaneous Notice of Claim.

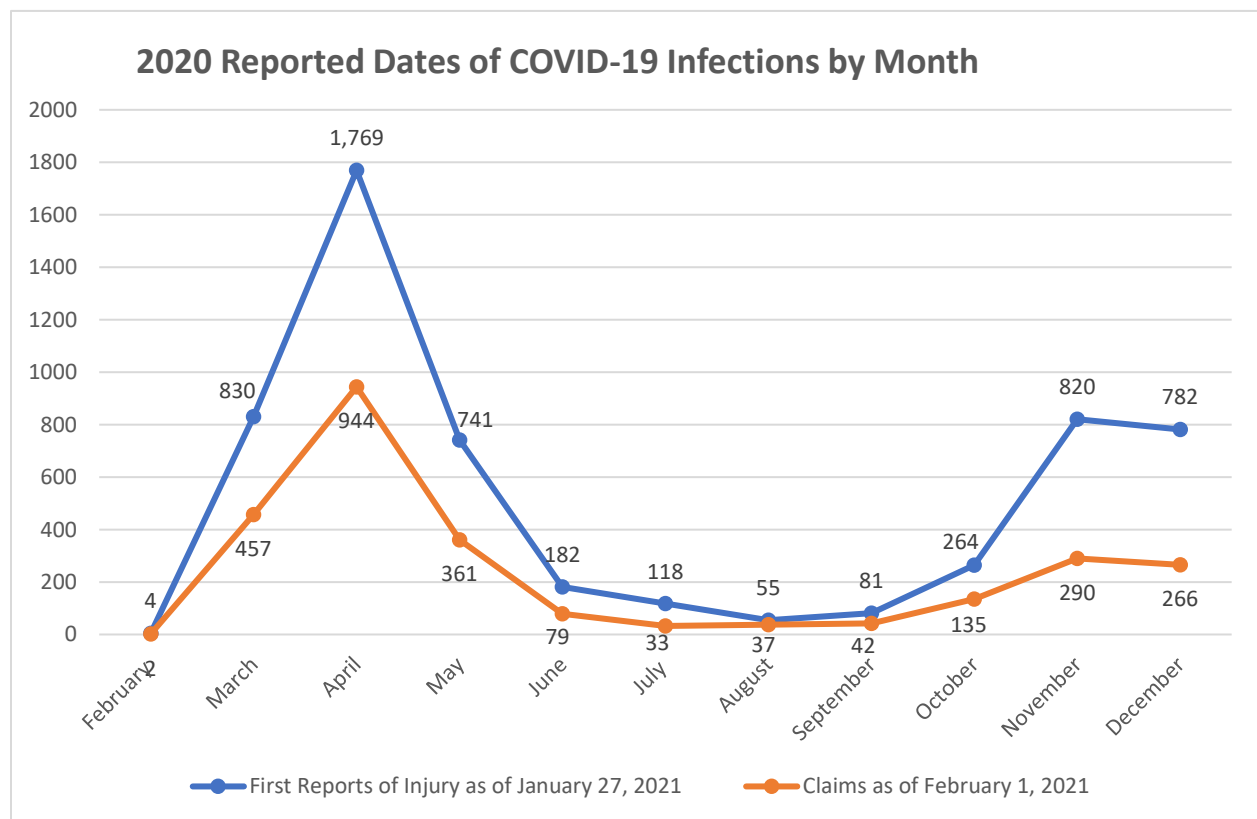
² A claim is related to COVID-19 whenever "COVID-19" is listed as the Nature of Injury and/or "Pandemic" is listed as the Cause of Injury.

As of February 1, 2021, there has been 2,671 COVID-19 and 16,005 non-COVID-19 workers' compensation claims filed since March 23, 2020. WCC added COVID-19 indicators to its computer system on March 23, 2020 based on guidance from the International Association of Industrial Accident Boards and Commissions (IAIABC).

In addition to claims, there were 37,033 First Reports of Injury (FRIs) filed with WCC in 2020. This is a decrease of 6,068 reports when compared to the 43,101 total First Reports of Injury filed in 2019. Of the total First Reports of Injury in 2020, 5,646 were related to COVID-19.³

Of the 5,646 COVID-19 First Reports of Injury's in 2020, 4 reported dates of infection in February; 830 reported dates of infection in March; 1,769 reported dates of infection in April; 741 reported dates of infection in May; 182 reported dates of infection in June; 118 reported dates of infection in July; 55 reported dates of infection in August; 81 reported dates of infection in September; 264 reported dates of infection in October; 820 reported dates of infection in November; and 782 reported dates of infection in December.

The chart below depicts the reported dates of 2020 COVID-19 infections for First Reports of Injury and Workers' Compensation Claims. Please note that given statutory filing deadlines, these numbers are subject to increase.

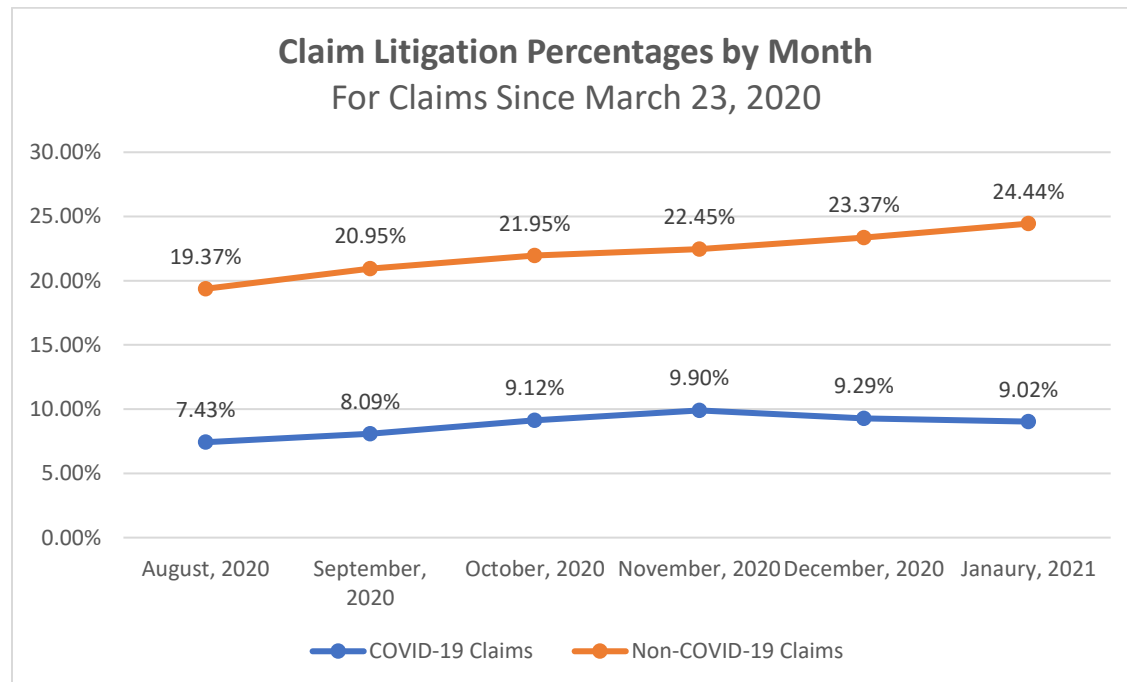


³ A FRI is considered related to COVID-19 whenever value 83 ("COVID-19") is listed as the Injury Nature, value 83 ("Pandemic") is listed as the Injury Cause, "covid" is found in the Description of Injury and/ or "pandemic" is found in the Nature of Injury.

(2) the percent of such claims litigated,

In 2020, 47,924 total hearings were held before the Workers' Compensation Commission. This is a decrease of 3,481 hearings when compared to the 51,405 total hearings held in 2019.

Between March 23, 2020 and February 1, 2021, 9.02% of COVID-19 claims are being litigated⁴. For that same period, 24.44% of non-COVID-19 claims are being litigated. The chart below depicts the percentage of litigated of workers' compensation claims since March 23, 2020 by month, from when WCC first began reporting pursuant to [Executive Order NO. 7JJJ](#).



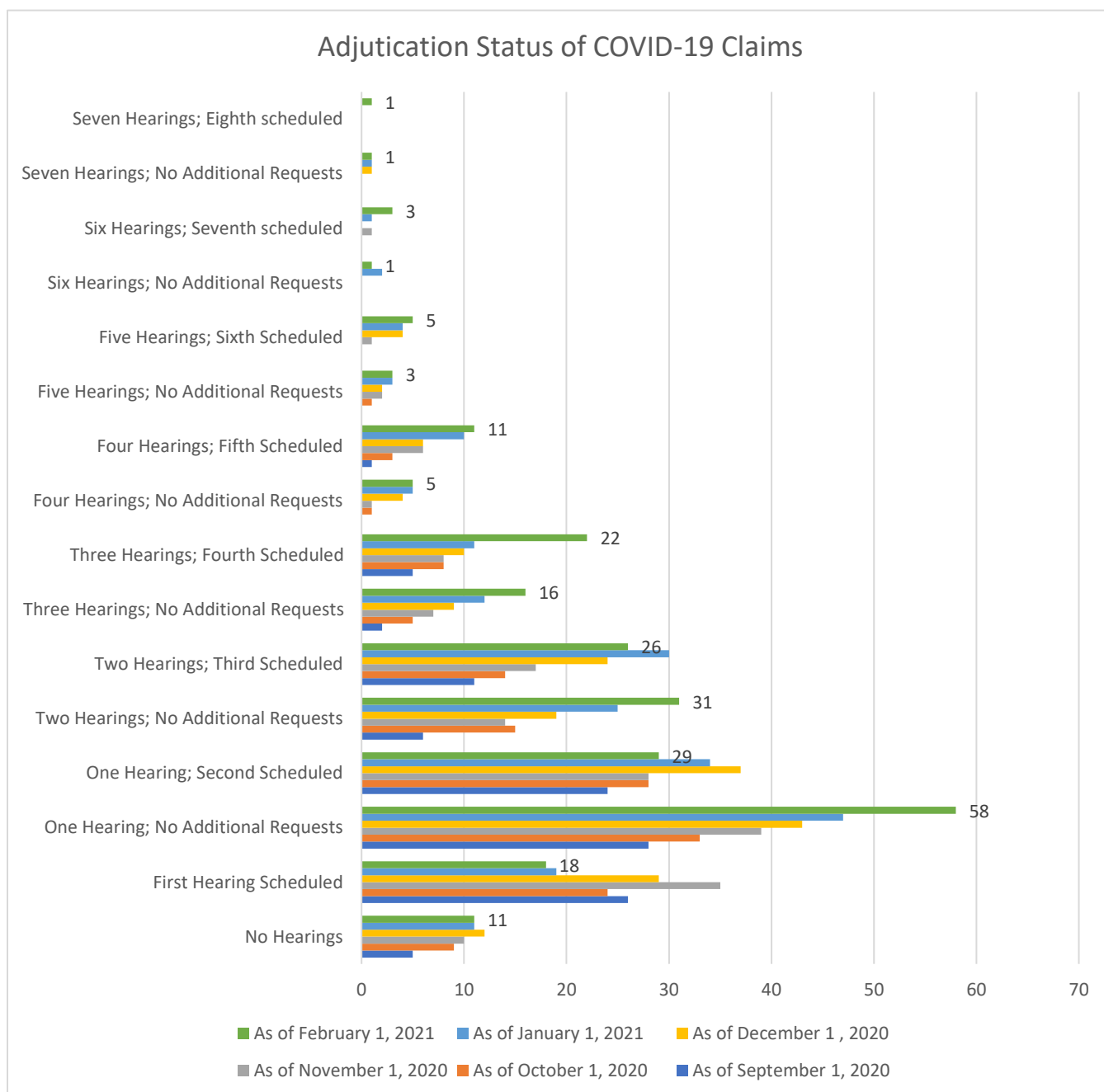
As of February 1, 2021, 454 hearings have been held regarding COVID-19 workers' compensation claims.

Of the two hundred and forty one litigated COVID-19 claims, eleven (4.56%) have had no hearings (a first hearing was scheduled and subsequently cancelled by one of the parties); eighteen (7.47%) have a first hearing scheduled; 58 (24.07%) have had one hearing and no additional hearings have been requested; twenty-nine (12.03%) have had one hearing and have a second hearing scheduled; 31 (12.86%) have had two hearings and no additional hearings have been requested; twenty-six (10.79%) have had two hearings and have a third hearing scheduled; sixteen (6.64%) have had three hearings and no additional hearings have been requested; twenty-two (9.13%) have had three hearings and have a fourth hearing scheduled; five (2.07%) have had four hearings and no additional hearings have been requested; eleven (4.56%) have had four hearings and have a fifth hearing scheduled; three (1.24%) have had five hearings and no additional hearings have been

⁴ Litigated means a hearing was requested by any party for the claim including by commissioners subject to [Chairman's Memorandum 2020-06](#); "WCC Form 36 Procedure Under Governor's Executive Order [7K]" and there is no full and final stipulation on file.

requested; five (2.07%) have had five hearings and have a sixth hearing scheduled; one (0.41%) has had six hearings and no additional hearings have been requested; three (1.24%) have had six hearings and have a seventh hearing scheduled; one (0.41%) has had seven hearings and no additional hearings have been requested; and one (0.41%) has had seven hearings and has an eighth hearing scheduled.

The chart below depicts how the litigation of COVID-19 claims has proceeded each month since September 1, 2020. The status shows how many hearings COVID-19 claims have had, and if additional hearings are scheduled. This helps WCC to identify outlying claims and determine what factors may be leading to a prolonged adjudication process.



(3) the average time from the date a hearing is requested to a hearing, and to a ruling, regarding a litigated COVID-19 claim;

As of February 1, 2021, it takes an average of 23 days from the date a hearing is requested for a COVID-19 claim to the date of the first hearing. To date, no COVID-19 claims have been fully adjudicated and received a formal decision from a commissioner. One COVID-19 claim had a formal hearing scheduled, but the parties reported their issues had been resolved and the hearing was subsequently cancelled. The claim now has an approved Voluntary Agreement on file. Another COVID-19 claim had a Proforma Formal hearing scheduled to allow for the submission of records for an in-camera review. Issues have been reported resolved and not further hearings have been requested.

One COVID-19 claim has been fully resolved by full and final stipulation. This stipulation was approved by a commissioner 6 days after the appropriate documents were filed with a district office.

(4) the number of rulings issued by the Workers' Compensation Commission regarding COVID-19 claims, and the number that have been appealed to the Compensation Review Board;

As of February 1, 2021, no formal decisions have been written and issued by a Workers' Compensation Commissioner for a COVID-19 claim and therefore, no COVID-19 claims have been appealed to the Compensation Review Board.

(5) to the extent reasonably practicable, information about the percent of non-litigated COVID-19 workers' compensation claims filed by hospital, municipal, and other employees that are record-only claims, have been granted or denied by the employer or insurer, and are being paid, including paid without prejudice, by the employer or insurer.

On August 12, 2020 the Workers' Compensation Commission issued [Memorandum 2020-14](#) to Self-Insureds, Insurance Carriers, and Third-Party Administrators regarding workers' compensation claim information subject to Governor Lamont's Executive Order 7JJJ. WCC has been in contact with over 160 representatives of the Workers' Compensation Insurance Industry and has received vast amounts of data in many different formats. WCC has done its best, given available resources, to accurately report the data received. WCC will continue to work with these entities to ensure the information they are providing is being depicted properly and the data we share is consistent with future reports per the Executive Order. WCC will continually analyze if there are ways to improve the process of collecting and forwarding this information.

Notwithstanding the above remarks, interested parties should reach out to the Insurer, Third Party Administrator and/or Employer directly to verify the COVID-19 claim information which they have submitted.

Insurers

The following insurers reported 0 COVID-19 claims at the time of submission since WCC's previous report: American Automobile Insurance Company, The American Insurance Company, Associated Indemnity Corporation, BITCO General Insurance Corporation, BITCO National Insurance Company, City National Insurance Company, Eastern Alliance Insurance Group

(Eastern Alliance Insurance Company, Allied Eastern Indemnity Company and Eastern Advantage Assurance Company), Electric Insurance Company, EMC Insurance Companies (Employers Mutual Casualty Company, EMCASCO Insurance Company, Union Insurance Company of Providence and EMC Property & Casualty Insurance Company), Fireman's Fund Insurance Company, MBI, Inc., MSA Group, National American Insurance Company, National Specialty Insurance Company, National Surety Corporation, Pinnacle National Insurance Company, Protective Insurance Company, RLI Insurance Company, Sagamore Insurance Company, SFM Mutual Insurance Company, Star Insurance Company, State National Insurance Company, Inc., Textron Inc., Utica Mutual Insurance Company, Wellfleet Insurance Company, Wellfleet New York Insurance Company and Zenith Insurance Company.

AF Insurance Group reported for Accident Fund General Insurance Company 19.74% "record only" COVID-19 claims, 69.74% "accepted COVID-19 claims, 1.97% "denied" COVID-19 claims and 69.74% "paid" COVID-19 claims. For Accident Fund Insurance Company of America 24.32% "record only" COVID-19 claims, 10.81% "accepted COVID-19 claims, 10.81% "denied" COVID-19 claims and 8.11% "paid" COVID-19 claims. Accident Fund National Insurance Company did not have any COVID-19 claims and United Wisconsin Insurance Company had 100.00% "record only". This information was reported on 1/12/2021.

AIG (Commerce and Industry Insurance Company, Illinois National Insurance Co., The Insurance Company of the State of Pennsylvania, AIU Insurance Company, American Home Assurance Company and Blackboard) reported 735 total non-litigated COVID-19 claims as of 1/1/2021. Of these, 41 (6%) are "record only," 47 are "denied" and 637 are "granted/accepted." 677 of the claims are "paid."

A.I.M. Mutual Insurance Companies reported 505 total Connecticut claims between 1/1/2020 and 1/29/2021, 95 (18.8%) of which were "COVID-19 related."

AmTrust Financial Services, Inc. reported on 1/27/2021 having 5 COVID-19 claims of which 3 are "full denials."

Berkshire Hathaway Guard Insurance Companies (AmGUARD Insurance Company, EastGUARD Insurance Company, and NorGUARD Insurance Company) reported 4 COVID-19 claims as of 1/28/2021. 0 are "record only," 3 are "denied" and 1 is "accepted."

Broadspire (Broadspire/ Crawford & Company) reported 11 COVID-19 claims of which 0 are "denied" on 8/14/2020. Broadspire reported 1 COVID-19 claim and 24 non-COVID-19 claims filed between 10/1/2020 and 10/31/2020. There were no COVID-19 claims filed between 11/1/2020 - 11/30/2020 and 1/1/2021 - 1/31/2021.

Chubb reported 218 COVID-19 claims and 2,150 Non-COVID-19 claims from 3/10/2020 through 1/1/2021. 05% of claims are litigated. 0.01% of claims are "report/incident only claims." 90% of claims are "being paid without prejudice by employer." 0.73% of non-litigated claims are "denied and being paid."

Clear Spring Property and Casualty Company reported 1 COVID-19 claim and 12 Non-COVID-19 claims as of 1/28/2021.

CNA (American Casualty Company of Reading, Pennsylvania, Continental Casualty Company, The Continental Insurance Company, National Fire Insurance Company of Hartford, Transportation Insurance Company and Valley Forge Insurance Company) reported on 1/15/2021 13 COVID-19 claims of which 1 is "record only" and 10 are "denied" and 1 is "claims being paid."

Everest Denali Insurance Company, Everest National Insurance Company and Everest Premier Insurance Company reported 2 COVID-19 claim and 125 non-COVID-19 workers' compensation claims as of December 1, 2020.

The Great American Insurance Group (Great American Insurance Company, Great American Assurance Company, Great American Insurance Co. of New York, Great American Alliance Insurance Company and Great American Spirit Insurance Company) reported 11 COVID-19 claims as of January 24, 2021.

Helmsman Management Services reported 2 COVID-19 claims for XL Specialty Insurance Company as of 2/5/2021. 1 is "accepted and paid" and 1 is "denied" and not litigated.

Old Republic Insurance Group (Old Republic Insurance Company and Old Republic General Insurance Corporation) reported 14 COVID-19 claims and 318 non-COVID-19 claims for January 2021.

QBE reported on 1/25/2021, 24 "Total Number of Non-Litigated COVID Claims Filed," 0 "Total Number of Non-Litigated Record only COVID claims," 4 "Total Number of Non-Litigated Denied COVID Claims," 20 "Total Number of Non-Litigated Granted/Accepted COVID Claims" and 19 "Total Number of Non-Litigated Paid COVID Claims."

Selective Insurance Company of the Southeast, Selective Insurance Company of America and Selective Insurance Company of South Carolina reported as of 2/3/2021 4 "report-only" CT COVID-19 claims of which none are litigated.

Sentry Insurance Group reported on 1/29/2021 that 10.3% of COVID-19 claims are "record only," 0 COVID-19 claims are "granted," 81.9% are "denied" and 2.6% are "paid."

Sompo International reported 9 COVID-19 claims filed for CT on 1/13/2021. 2 claims are litigated.

State Auto Insurance Company reported 128 total claims from 3/1/2020 to 1/25/2021 of which 28 are COVID-19. Of these 28, 100% were from medical facilities; 24 were "accepted voluntarily" and 4 were "denied." There are no record only claims. 1 claim is litigated.

W.R. Berkley reported 3 COVID-19 claims through 1/15/2021. 2 claims are "denied" and not litigated. 1 claim is accepted with \$1,469.58 paid.

Zurich reported 59 COVID-19 claims as of 12/31/2020. 35 of these claims are "closed" and 24 are "opened." There is a gross incurred expense total of \$221,826.56.

Self-Insureds

CT Transit reported 9 COVID-19 claims for 2020 and 1 COVID-19 claim for 2021 as of 2/5/2021.

CVS reported 1 COVID-19 claim as of 1/15/2021.

Fedex Ground Package System Inc. reported 1 COVID-19 claim as of 1/23/2021.

Macy's, Inc. reported as of 2/1/2021 5 "non-litigated COVID-19 workers' compensation claims filed by employees that are record-only claims" and 5 "number of denied claims by the employer or insurer, with no payments made, including paid without prejudice, by the employer or insurer."

Ryder System Inc. reported on 1/19/2021 42 total claims in 2020 of which 1 is related to COVID-19.

Target reported 0 COVID-19 claims as of 1/23/2021.

Yale (Bridgeport Hospital, Greenwich Hospital, Lawrence + Memorial Hospital and Yale New Haven Health Services) reported 4,012 "record only" COVID-19 claims of which 265 are listed as "denied." 484 COVID-19 claims are listed as "paid/ paid without prejudice" of which 43 are listed as "denied." This information was cover 3/1/2020 through 1/31/2021.

Third Party Administrators (TPA) and Mutual Insurance Organizations

CIRMA reported 638 total COVID-19 claims for its workers' compensation SIS members and 1,110 workers' compensation claims for its workers' compensation pool as of 1/31/2021. Of the 638 claims, 237 are record only, 9 are medical only, 381 are lost time from work without a positive diagnosis, 11 are lost time from work with positive diagnosis (all of which were covered under the Families Frist Coronavirus Response Act), 0 are litigated and 0 are denied with now payment. Of the 1,110 claims, 893 are record only, 24 are medical only, 159 are lost time from work without a positive diagnosis, 34 are lost time from work with positive diagnosis (25 have indemnity payments made and 13 were covered under the Families Frist Coronavirus Response Act), 0 are litigated and 0 are denied with no payment. CIRMA provided the following definitions: "Record Only: These are claims for a possible exposure, however the employee did not seek medical treatment or testing and quarantine was not required; Medical Only Claims: Claims that have a medical payment, including payments made without prejudice; Lost time from work without a positive diagnosis: These are claims for an employee who was required to quarantine. The employee either did not require/have a covid-19 test or test results came back negative. *No Indemnity payments made; Lost time from work with Positive Diagnosis: These are claims for an employee who tested positive and was required to quarantine and lose time from work; Litigated Claim: Any claim that has had any stage of a WCC Hearing or has one requested or scheduled; Non-Litigated Claims: Claims that have not had any WCC Hearing requested or scheduled."

The Insurance Association of Connecticut reported on behalf of The Hartford, Travelers, Liberty Mutual, NJM, Hanover, Nationwide and Farmers "(Please note that The Hartford claims data and Liberty Mutual claims data have been aggregated with that of their TPAs)" 833 COVID-19 related claims filed in total. Of those 833 claims, 374 are "exposure/record only." "In 367 of the 374

Exposure/Record only claims, the claimant lacked a positive test result or medical diagnosis. In 271 of the 374 Exposure/Record only claims, the claimant did not pursue benefits and/or had salary continuation from the employer; 25 of the 374 Exposure/Record only claims have been paid without prejudice; and 4 of the 374 Exposure/Record only claims are in litigation.” “Of the 833 claims, 459 claims allege a COVID diagnosis and/or positive test result.” 114 have been “determined to be compensable” and 289 have been “denied.” “Benefits have been paid without prejudice in 78 of the denied claims.” 57 of the 833 claims “are not yet designated as compensable or denied and are actively being investigated.” 30 of the 833 claims are being litigated of which 11 are “accepted.” This information was reported on 1/29/2021.

Gallagher Bassett reported as of 1/31/2021 that 268 COVID-19 “related claims” have been filed. 241 are “record/report only,” 27 are “accepted as compensable,” 92 are “denied (Form 43 sent in response to 30C or pre-executive order 7JJJ)” and 27 are “benefits been paid.” Gallagher Bassett also reported as of 2/1/2021 17 COVID-19 claims from AXA XL Underwriting Company, 0 of which are litigated.

PMA Companies reported as of 1/10/2021, 0 COVID-19 claims for PMA Management Corporation and 401 COVID-19 claims for PMA Management Corporation of New England. Of the 401, 267 are “record only,” 9 are “denied,” 118 are “accepted” and 109 are “claims with payments. 3 COVID-19 claims have been reported within the last 30 days. Of these 3, 1 is “record only,” 1 is “accepted” and 1 is “claims with payments.”

Safety National (Broadspire, CCMSI, Corvel, Cottingham & Butler (CBCS), CSS, ESIS, GB, Matrix, PMA and Sedgwick) reported on 2/1/2021 365 COVID-19 claims filed and 422 non-COVID-19 claims filed.

Workers’ Compensation Trust (Workers’ Compensation Trust, Inc., Bob’s Discount Furniture, City of Ansonia, Town of Branford, CREC, Center of Special Care, Town of East Hartford, Town of Groton, Metropolitan District, City of Shelton and Town of Wallingford) reported the following as of 1/15/2021: 491 “Notice of Exposure Only – Did not acquire COVID”; 97 “Accepted - Paid indemnity & medical”; 20 “Denied- significant exposure outside the workplace”; 4 “Pending – Notice of Exposure - still within incubation period”; 10 “Due to mandatory testing by ER, Tested + for COVID-19 – no symptoms”; 4 EE did not wish to pursue WC”; and 626 Grand Total.