

AMENDMENT # 5

OFFERED IN THE HOUSE

BY REPRESENTATIVE JOSEPHSON

TO: HCS CSSB 241(RLS)

Kopp

1 Page 1, line 8, following "deadlines;":

*(Title amendment)*

2 Insert "establishing a conclusive presumption that COVID-19 is an occupational  
3 disease for firefighters, emergency medical technicians, paramedics, peace officers, and  
4 health care providers;"

5  
6 Page 10, following line 17:

7 Insert a new bill section to read:

8 "\* Sec. 14. The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 WORKERS' COMPENSATION PRESUMPTION OF COMPENSABILITY. (a)  
11 Notwithstanding AS 23.30.121, 23.30.395(2), and 23.30.395(24), an employee who contracts  
12 the novel coronavirus disease (COVID-19) is conclusively presumed to have contracted an  
13 occupational disease arising out of and in the course of employment if, during the public  
14 health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020,  
15 as extended by sec. 2 of this Act, the employee

16 (1) is employed as a firefighter, emergency medical technician, paramedic,  
17 peace officer, or health care provider;

18 (2) is exposed to COVID-19 in the course of employment; and

19 (3) receives a

20 (A) COVID-19 diagnosis by a physician;

21 (B) presumptive positive COVID-19 test result; or

22 (C) laboratory-confirmed COVID-19 diagnosis.

23 (b) In this section,

- 1 (1) "emergency medical technician" has the meaning given in AS 18.08.200;
- 2 (2) "firefighter" means
  - 3 (A) a person employed by a state or municipal fire department or who
  - 4 is a member of a volunteer fire department registered with the state fire marshal; or
  - 5 (B) a person registered for purposes of workers' compensation with the
  - 6 state fire marshal as a member of a volunteer fire department;
- 7 (3) "health care provider" has the meaning given in AS 13.52.390;
- 8 (4) "paramedic" has the meaning given in AS 12.55.185;
- 9 (5) "peace officer" has the meaning given in AS 11.81.900."

10

11 Renumber the following bill sections accordingly.

12

13 Page 10, line 18:

14 Delete "6 - 13"

15 Insert "6 - 14"

16

17 Page 10, lines 26 - 27:

18 Delete all material and insert:

19 "RETROACTIVITY. (a) If secs. 1 - 13 of this Act take effect after April 10, 2020,  
20 secs. 1 - 13 of this Act are retroactive to April 10, 2020.

21 (b) Section 14 of this Act is retroactive to March 11, 2020."