

HRM-WC FAQ's specific to COVID-19

This is a living document. Information will be updated as it becomes available. Please continue to check for periodic updates.

1.) Does OWCP cover COVID-19?

The Department of Labor (DOL) Division of Federal Employees' Compensation (DFEC) states that federal employees who contract the Coronavirus Disease – 2019, known as COVID-19, while in performance of their job duties would have the full coverage of the Federal Employees' Compensation Act (FECA) for related medical treatment for wage loss or disability related to that condition or associated complications. See <https://www.dol.gov/owcp/dfec/>

2.) Why does your HRM exposure document indicated we should file a CA-2 and the DOL guidance indicated to file a CA-1?

The HRM-WC document pertains to DOL guidance for all other types of exposure. The DOL guidance is COVID-19 specific and the Forest Service will follow DOL guidance to file a CA-1 for COVID-19.

3.) Who can file a claim?

Any FS employee, including AD hires and Volunteers.

4.) How to file a claim?

Per DOL guidance all COVID-19 claims should be filed as a CA-1 through eSafety.

5.) Can a CA-16 be issued for COVID-19?

No, Injured employee would need to file a claim. Until such time as DOL makes a determination of whether or not the contraction of COVID-19 was in the performance of duties, any costs incurred for testing are the employee's responsibility.

6.) Who pays for Testing?

Until such time as DOL makes a determination of whether or not the contraction of COVID-19 was in the performance of duties, any costs incurred for testing are the employee's responsibility.

7.) Can Agency Provided Medical Care (APMC) be used to pay for testing?

No, Injured employee would need to file a claim. Until such time as DOL makes a determination of whether or not the contraction of COVID-19 was in the performance of duties, any costs incurred for testing are the employee's responsibility.

8.) If someone on an incident tests positive, would the whole team need to file CA-1's and would the whole team need to quarantine for 14 days?

Employees can file CA-1's as precautionary or a claim. Incident command will determine if quarantine is appropriate.

9.) COP?

According to the DOL guidance employees would be entitled to COP. The employing agency will also be expected to provide OWCP DFEC with any information they have regarding the alleged exposure, and to indicate whether they are supporting or controverting the claim. If the employer supports the claim, including that the exposure occurred, and the CA-1 is filed within 30 days, the employee may be eligible to receive Continuation of Pay for up to 45 days.

10.) What requirements of a claim must be met before it can be accepted?

As with any claim, medical evidence establishing a diagnosis of COVID-19 is a requirement.

11.) What will happen if a COVID-19 outbreak occurs among firefighters?

Forest Service employees may choose to file either a precautionary eSafety incident which will stay in the eSafety system or file a CA-1 claim and submit to DOL. Please note, DOL will require a positive test.

12.) How do we know which positions fall under "high-risk employment" as deemed by the DOL?

DOL guidance indicates "High-risk employees are defined as federal workers who are required to have in-person and close proximity interactions with the public on a frequent basis - such as members of law enforcement, first responders, and front-line medical and public health personnel". The Agency is expected to identify if an employee is in a high-risk category.

13.) Can a claim be filed when an employee gets false negative results?

Employees can file a precautionary claim. However, if they wish to file a claim to DOL, DOL will require medical evidence including a positive COVID-19 test result. The employee will be responsible for all cost incurred if the claim is not accepted.

14.) Who has the authority to accept or deny COVID-19 claims?

DOL holds the sole authority on adjudication of claims.

Below are a few links for your research.

<https://www.dol.gov/owcp/dfec/regs/compliance/DFECfolio/FECABulletins/FY2020-2024.htm#FECAB2005>

<https://www.dol.gov/owcp/dfec/InfoFECACoverageCoronavirus.htm>

https://wildfiretoday.com/documents/Eastern_Area_WFRP.pdf

<https://www.fs.usda.gov/about-agency/COVID19-updates>