



INFORMATIONAL MEMORANDUM

OIR-20-05M

ISSUED

April 6, 2020

Florida Office of Insurance Regulation

David Altmaier, Commissioner

TO ALL INSURERS AND ENTITIES REGULATED BY THE FLORIDA OFFICE OF INSURANCE REGULATION AUTHORIZED TO WRITE WORKERS' COMPENSATION INSURANCE

~ Workers' Compensation Insurance Guidance Related to COVID-19 ~

In response to the Executive Order [20-51](#) issued by Governor Ron DeSantis establishing COVID-19 response protocols and directing a public health emergency in Florida, Governor DeSantis' Executive Order [20-52](#) declaring a state of emergency in the state of Florida, and Chief Financial Officer Patronis' Directive [2020-05](#) providing workers compensation coverage for public servants on the front line of COVID-19, the Florida Office of Insurance Regulation ("OIR") is issuing this Informational Memorandum to all insurers and entities regulated by OIR ("Regulated Entities") that are authorized to write workers' compensation insurance to provide guidance on the treatment of policyholders as part of the state's ongoing efforts to protect Floridians.

Workers' Compensation Coverage

All Regulated Entities are reminded that [section 440.09](#), Florida Statutes, requires an employer to provide workers' compensation coverage if the employee suffers a compensable injury arising out of work performed in the course and scope of employment. First responders, health care workers, and others that contract COVID-19 due to work-related exposure would be eligible for workers' compensation benefits under Florida law. See [§ 440.151](#), Fla Stat.

Insurers licensed to provide workers' compensation coverage in Florida are reminded of this statutory requirement, which must be applied on a non-discriminatory basis. The OIR expects workers' compensation insurers to comply with all of the provisions of Florida's Workers' Compensation Law and will take appropriate action in the event of non-compliance.

If you have questions regarding this memorandum, please email COVID-19_Orders@flor.com and include "Informational Memorandum OIR-20-05M" in the subject line.