

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB 2239
Version:	Introduced
Request Number:	6884
Author:	Rep. May
Date:	2/9/2021
Impact:	Exact impact dependent, likely negligible

Research Analysis

HB 2239 directs a positive COVID-19 test of a first responder to be presumed to have been contracted in the course and scope of employment, entitling the first responder to compensation, unless the employer is able to prove otherwise. This presumption shall apply to any claim filed after the effective date of the measure, as well as to any claim filed before the effective date if the claim was denied and an appeal of the denial has been filed with the Workers' Compensation Commission.

For the purposes of this measure, *first responder* is defined as a peace officer, reserve peace officer, firefighter, or emergency medical technician employed by a municipality, county, emergency medical services provider or the State of Oklahoma, or a volunteer firefighter.

Prepared By: Emily McPherson

Fiscal Analysis

HB 2239, as introduced, establishes the presumption that first responders that test positive for COVID-19 contracted the disease in the course and scope of their employment unless their employer proves by a preponderance of the evidence that the disease was not contracted in the course and scope of employment.

The definition of first responder provided in the measure includes those employed by the state. The state may incur costs related to workers' compensation claims over and above what is covered by workers' compensation insurance carried by the state. The exact impact of the measure on state expenditures is dependent on the number and nature of potential claims, but is likely to be negligible.

Prepared By: Clayton Mayfield

Other Considerations

None.