

**SUBSTITUTE FOR
HOUSE BILL NO. 4822**

A bill to amend 1969 PA 317, entitled
"Worker's disability compensation act of 1969,"
(MCL 418.101 to 418.941) by adding section 406.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 406. (1) Except as otherwise provided in this section, an**
2 **injury or illness resulting from a first response employee's**
3 **contracting of COVID-19 is rebuttably presumed to be a personal**
4 **injury arising out of and in the course of employment, in the**
5 **absence of evidence to the contrary, if the first response employee**
6 **receives a laboratory-confirmed COVID-19 diagnosis.**

7 **(2) This section applies retroactively, and applies to a first**
8 **response employee who contracts COVID-19 after March 20, 2021 and**
9 **before the earlier of the following dates:**



1 (i) September 1, 2021.

2 (ii) The date when the Michigan occupational safety and health
3 administration emergency COVID-19 rules that took effect May 24,
4 2021, and are effective through October 14, 2021, are lifted or
5 expire.

6 (3) Except for a claim filed under subsection (1), COVID-19 is
7 considered an ordinary disease of life to which the public is
8 generally exposed and an injury or illness resulting from
9 contracting COVID-19 is not compensable under this act.

10 (4) As used in this section:

11 (a) "COVID-19" means the novel coronavirus identified as SARS-
12 CoV-2 or a virus mutating from SARS-CoV-2.

13 (b) "First response employee" means an individual who has
14 regular, direct contact with, or is regularly in close proximity
15 to, patients, inmates, or other members of the public requiring
16 emergency services within the scope of the individual's work for
17 his or her employer and is any of the following:

18 (i) A firefighter as that term is defined in section 1 of the
19 fire prevention code, 1941 PA 207, MCL 29.1.

20 (ii) A law enforcement officer as that term is defined in
21 section 2 of the Michigan commission on law enforcement standards
22 act, 1965 PA 203, MCL 28.602.

23 (iii) Emergency medical services personnel as that term is
24 defined in section 20904 of the public health code, 1978 PA 368,
25 MCL 333.20904.

26 (iv) A state correctional officer as that term is defined in
27 section 2 of the correctional officers' training act of 1982, 1982
28 PA 415, MCL 791.502.

29 (v) A local corrections officer as that term is defined in



1 section 2 of the local corrections officers training act, 2003 PA
2 125, MCL 791.532.

