

The Ohio Bureau of Workers' Compensation Announces Temporary Policy Changes in Response to COVID-19

By Corey Kleinhenz

In response to COVID-19, the Ohio Bureau of Workers' Compensation (BWC) has announced several important policy changes which are currently scheduled to be in effect through April 30, 2020.

1. The BWC is extending all temporary total disability compensation benefits for claimant's who are receiving these benefits through April 30, 2020. The BWC is extending temporary total disability compensation benefits even without updated medical disability certification and support from the claimant's Physician of Record.
2. The BWC is extending all working wage loss and non-working wage loss benefits for a claimant who is currently receiving these benefits through April 30, 2020. The BWC is extending both working and non-working wage loss benefits and is not requiring a claimant to conduct an ongoing job search to be eligible for continued benefits.
3. The BWC is extending all forms of living maintenance benefits through April 30, 2020. A claimant is not required to be actively participating in a rehabilitation program to continue to receive these benefits.
4. The BWC is not suspending the payment of medical benefits or compensation for a claimant's failure to attend any scheduled Independent Medical Examinations (IME) during this period. Traditionally, if a claimant refuses to attend an IME, their claim is suspended until they attend the examination. However, due to COVID-19 the BWC is extending the payment of benefits through April 30, 2020 even if a claimant refuses to attend an IME.
5. The BWC has canceled all IMEs including 90 day, extent of disability, and permanent partial disability examinations. The BWC is exploring alternative means of obtaining medical evidence including "virtual" examinations. However, as of now, there is no set policy in place as to when or how these alternative "virtual" examinations may be implemented.

Considering all the above, there is some actual good news for both public and private employers in Ohio. The BWC has announced that insurance premium installment payments due for March, April and May for the current policy year may be deferred until June 1, 2020, at which time the matter will be reconsidered by the BWC. The BWC will not lapse (cancel) coverage or assess penalties for amounts not paid because of the coronavirus (COVID-19) pandemic. The BWC states that installment payments due for the three months total approximately \$200 million.

Links to the BWC policies and FAQ's can be found [here](#).

Should you have any questions regarding these temporary but important policy changes with the BWC in response to COVID-19, please feel free to reach out to any of the listed attorneys below.

If you have questions, please contact any of the Roetzel attorneys listed attorneys.

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