

# Did you hear it's Easier to File a FECA Claim for COVID-19 now?

The American Rescue Plan Act of 2021 that President Biden signed on March 11, 2021, makes it **much easier** for federal workers diagnosed with COVID-19 to establish coverage under the Federal Employees' Compensation Act. To establish a COVID-19 claim, you simply need to establish that you are a "covered employee," meaning that:

1. **You were diagnosed with COVID-19.** Specifically, you were diagnosed with COVID-19 while employed in the Federal service at any time during the period of January 27, 2020 to January 27, 2023; and,
2. **Your duties include any risk of exposure.** Specifically, within 21 days of your diagnosis of COVID-19, you carried out duties that—
  - a. required contact with patients, members of the public, or co-workers; or
  - b. included a risk of exposure to the novel coronavirus.



## What Does the Change in the Law Mean?

1. **You are only required to establish that your duties included a risk of exposure to COVID-19.** You do not have to prove you were engaged in high-risk employment; that you were actually exposed to the virus; or that you were exposed to someone who had the virus while performing your duties.
2. **If you establish that you are a "covered employee," any diagnosed COVID-19 will be deemed to have been proximately caused by your Federal employment.** You no longer have to establish a causal link between your employment and your COVID-19 diagnosis.



## What to Do:

You can quickly and easily file a **CA-1** Claim for COVID-19 through the Employees' Compensation Operations and Management Portal (ECOMP). You can access ECOMP at [ecomp.dol.gov](https://ecomp.dol.gov). If you have never used ECOMP, you can [view this instructional video](#) to learn how to register for an ECOMP account, [and this video](#) to learn how to file a COVID-19 claim. If you don't have access to a computer, contact your supervisor.



## Why File Now? What if I Think I Am OK?

If you were previously diagnosed with COVID-19 or even if you believe you just have a mild case of COVID-19, you should consider filing a COVID-19 FECA claim **now** even if you have fully recovered and/or had an asymptomatic infection.

- In the event you develop a consequential injury, impairment or illness later as a result of your COVID-19 diagnosis, timely filing your claim **now** will facilitate the processing of any future claim for any such consequential condition or impairment.
- If you wait until you experience a consequential injury or illness to file your COVID-19 claim, your claim may be subject to time limitation and you will have to establish **both** the initial COVID-19 claim and the consequential condition claim before benefits can begin.

**Subject: Processing FECA Claims for COVID-19 under the American Rescue Plan Act of 2021**

**Background:** The Federal Employees' Compensation Act (FECA) covers injury in the performance of duty; injury includes a disease proximately caused by federal employment. The U.S. Department of Labor's (DOL) Office of Workers' Compensation Programs (OWCP) Division of Federal Employees', Longshore and Harbor Workers' Compensation (DFELHWC) administers the FECA. The FECA provides to an employee injured while in the performance of duty, the services, appliances, and supplies prescribed or recommended by a qualified physician, which OWCP considers "likely to cure, give relief, reduce the degree or the period of disability, or aid in lessening the amount of the monthly compensation." See 5 U.S.C. 8103. The FECA pays compensation for the disability or death of an employee resulting from injury in the performance of duty.

On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. This new legislation streamlines the process for federal workers diagnosed with COVID-19 to establish coverage under the FECA. Specifically, Section 4016 of the ARPA provides that a "covered employee" as defined below shall, with respect to any claim made by or on behalf of the covered employee for benefits under the FECA, be deemed to have an injury proximately caused by exposure to COVID-19 arising out of the nature of the covered employee's employment.

Under Section 4016 of the ARPA, the term "covered employee" means an individual:

- Who is an employee under Section 8101(1) of title 5, United States Code, employed in the Federal service at any time during the period beginning on January 27, 2020, and ending on January 27, 2023;
- Who is diagnosed with COVID-19 during such period; and
- Who, during a covered exposure period prior to such diagnosis, carries out duties that—
  - require contact with patients, members of the public, or co-workers; or
  - include a risk of exposure to the novel coronavirus.

Previously, COVID-19 claims under the FECA were processed under the guidelines provided by FECA Bulletin No. 20-05 (released March 31, 2020) and FECA Bulletin No. 21-01 (released October 21, 2020). This Bulletin supersedes FECA Bulletins 20-05 and 21-01.

With respect to all COVID-19 cases processed under the ARPA, no benefits are payable after September 30, 2030. This statutory limitation on benefits does not apply to COVID-19 claims accepted prior to March 12, 2021.

**Purpose:** To provide guidance regarding the processing of COVID-19 FECA claims as set forth in the ARPA.