



Massachusetts Workers Compensation Claims for Housestaff Physicians

CIR housestaff physicians in Massachusetts who test positive for COVID-19 and become sick from the virus should take action to preserve their right to seek compensation and cover related medical expenses should they become seriously ill. In such situations, housestaff who are not paid or forced to use significant amounts of their own leave time as a result of becoming infected with the virus at the workplace can claim equitable relief through their state's Workers Compensation insurance program. Any housestaff physician who is out of work for more than five days is eligible for compensation such as lost wages, leave time and medical coverage. In addition, housestaff physicians who suffer long-term health effects from COVID-19 as a result of their workplace exposure will be eligible for medical care coverage in the future if their workers compensation claim is successful. It is important to note that private health insurance may not cover a workplace-related illness or future medical expenses incurred as a result of COVID-19.

Housestaff who are infected at work should notify the hospital's Human Resources Department that they are ill from COVID-19 and state that they contracted the virus at the hospital. The notice should request that the hospital file a report documenting that you suffered an injury from exposure to COVID-19. If you live with family members or others who have not tested positive for COVID-19, you should document that in your notice.

Your notice should also describe the working conditions that caused you to become infected. If you have treated COVID-19 patients in, for example, the ICU or ER, you should identify the unit you worked in and describe whether you were in contact with COVID-19 patients or if you treated and/or tested patients who displayed the symptoms of the illness such as fever and cough. If you were provided with inadequate PPE or none at all, you should also state so with appropriate details in your notification (for example, if you were forced to work without gloves or without appropriate masks). You should also indicate whether you received appropriate training for any PPE that you were given. This information should also be shared with your health care provider with a request that it be documented in the medical record.

Your notice should also include your name, hospital and specialty in your notification. A copy of the notice should be emailed to MA_COVID-19workerscomp@cirseiu.org. CIR can connect injured house staff physicians with a Massachusetts workers compensation attorney should they need to file a claim.

The following COVID-19 FAQ is intended for CIR Members only. This guidance is intended to be informational only and should not be construed as legal advice.