

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COVERAGE UNDER WORKERS' COMPENSATION
5 FOR NURSES RELATED TO COVID-19; PROVIDING CONDITIONS; AND PROVIDING AN IMMEDIATE
6 EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **NEW SECTION. Section 1. Occupational disease for nurses -- applicability -- definitions.** (1) An
11 employee who contracts covid-19 is conclusively presumed to have contracted an occupational disease arising
12 out of and in the course of employment if the employee:

- 13 (a) is employed as a nurse in a health care setting;
- 14 (b) is exposed to covid-19 in the course of employment as a nurse; and
- 15 (c) receives a:
 - 16 (i) covid-19 diagnosis by a physician, physician assistant, or advanced practice registered nurse;
 - 17 (ii) presumptive positive covid-19 test result; or
 - 18 (iii) laboratory-confirmed covid-19 diagnosis.

19 (2) For the purposes of this section, "nurse" means a registered professional nurse or licensed
20 practical nurse licensed to practice in this state as provided in Title 37, chapter 8, or an advanced practice
21 registered nurse as defined in 37-8-102.

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23 **NEW SECTION. Section 2. Claims exempt from uniform experience rating plan.** The account of
24 an employer under a uniform experience rating plan as provided in 33-16-1023 may not be charged with
25 respect to claims paid under [section 1].

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27 **NEW SECTION. Section 3. Codification instruction.** (1) [Sections 1 and 2] are intended to be
28 codified as an integral part of Title 39, chapter 71, and the provisions of Title 39, chapter 71, apply to [sections

1 1 and 2].

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3 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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5 NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the
6 meaning of 1-2-109, to March 12, 2020.

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8 NEW SECTION. **Section 6. Termination.** [This act] terminates March 12, 2030.

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