



FIRE AND POLICE DISABILITY AND RETIREMENT City of Portland, Oregon



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NEW FPDR ADMINISTRATIVE RULES FOR COVID-19 CLAIMS SUBMITTED BY ACTIVE MEMBERS

In response to the COVID-19 pandemic and the Mayor's declaration of a State of Emergency, the FPDR Director hereby is publishing a policy and is proposing the amendment of the FPDR Administrative Rules to address the unique situations our members are facing in today's environment because of the COVID-19 virus.

FPDR will present proposed administrative rules to FPDR's Board of Trustees in a form substantially similar to the language below to formally adopt at the next Board meeting, but this policy as described below will remain in effect in the meantime due to the nature of the State of Emergency.

5.7.04 – CLAIM APPROVAL OR DENIAL

(A) Disability Claim applications fall into one of the following five categories:

(New Language)

(5) COVID-19 Claims

- (a) Definition: the term "COVID-19 Exposed Employees" means Active Members of the FPDR Plan who are required by their work to have hands-on contact with members of the public or coworkers.
- (b) For COVID-19 Exposed Employees, the City will treat a diagnosis of COVID-19 as occurring at work, unless the preponderance of the evidence indicates that it is not service connected.
- (c) Explanation: Claims filed by COVID-19 Exposed Employees who are diagnosed with COVID-19 will be compensable unless the City shows by a preponderance of the evidence that it is not service connected. Such provision of medical benefits and time loss shall be consistent with statute, the FPDR Plan and/or FPDR's administrative rules or Charter.
- (d) For COVID-19 Exposed Employees who 1) come into contact at work with someone diagnosed with COVID-19, or develop symptoms at work consistent with COVID-19, as defined by the Center for Disease Control (CDC), and 2) the COVID-19 Exposed Employee seeks medical advice within 48 hours of either

known exposure or the development of symptoms, and then follow through within a reasonable time for testing for COVID-19 if recommended by the medical provider, will receive medical benefits and time loss. Such provision of medical benefits and time loss shall be consistent with statute, the FPDR Plan and/or FPDR's administrative rules or Charter.

- (e) Disability benefits will be paid to Active Members who are under a mandatory quarantine ordered under the authority of the Multnomah County Health Officer. Such provision of time loss shall be consistent with statute, the FPDR Plan and/or FPDR's administrative rules or Charter. The FPDR Plan does not permit reimbursement to Members for "room and board" costs incurred to quarantine outside of their home at alternative locations.
- (f) These Administrative Rules, 5.7.16 (a) – (e), are effective immediately and will remain in effect until 30 days after the Mayor's declaration of State of Emergency expires.

Dated: March 18, 2020

Revised: March 30, 2020

A handwritten signature in black ink, appearing to read 'SH', with a stylized flourish extending to the right.

Sam Hutchison, FPDR Director