

WYOMING COVID-19 UPDATES

The definition of injury in Wyoming excludes “any illness or communicable disease unless the risk of contracting the illness or disease is increased by the nature of the employment.” W.S. Sec. 27-14-102(a)(xi)(A). Therefore, it is likely that a healthcare provider or similar worker who contracts Covid-19 could make a workers’ compensation claim. It is still the claimant’s burden to prove that the employment increased the risk, and that the illness can be fairly traced to the employment as a proximate cause. W.S. Sec. 27-14-603(a)(3). Under *Williams v. State ex rel. Wyoming Workers’ Compensation Div.*, 2 P.3d 543 (Wyo. 2000), testing for the virus would probably not be covered by workers’ compensation.

If you have any questions about Wyoming workers’ compensation related Covid-19 issues, please reach out to Doug Stratton, Doug.Stratton@Ritsema-Lyon.com or 970.204.4579.