

**FLORIDA DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF THE CHIEF FINANCIAL OFFICER**

CHIEF FINANCIAL OFFICER DIRECTIVE 2020-05

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, numerous counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and

WHEREAS, the Governor issued Executive Order 20-52 on March 9, 2020, pursuant to the authority vested in him by Article IV, Section 1(a) of the Florida Constitution, the State Emergency Management Act, s. 252.31, Florida Statutes, et al., as amended, and all other applicable laws, and declared a state of emergency for the State of Florida; and

WHEREAS, the Governor, in Executive Order Number 20-52, authorized each State agency to suspend the provisions of any regulatory statute of that agency, if strict compliance with that statute would in any way prevent, hinder, or delay necessary action in coping with this emergency; and

WHEREAS, on March 24, 2020, the Governor issued Executive Order Number 20-83 directing the Surgeon General to issue a public health advisory urging persons over the age of 65 and persons with serious underlying medical conditions that place them at a high risk of severe illness from COVID-19 to stay home and take other measures as necessary to limit their risk of exposure to COVID-19; and

WHEREAS, Executive Order Number 20-83 directed the State Surgeon General and State Health Officer to issue a public health advisory urging those who can work remotely to do so; and

WHEREAS, on March 23, 2020, the Governor issued Executive Order 20-80 requiring, among other things, the screening of individuals whose point of departure originated outside the State of Florida in an area with substantial community spread, including the New York Tri-State Area; and

WHEREAS, members of the Florida National Guard have been activated in response to COVID-19, and are performing duties such as airport screenings, and COVID-19 test administrations, that require substantial contact with populations known or suspected to carry COVID-19; and

WHEREAS, the Division of Risk Management is housed within the Department of Financial Services, an agency headed by the Chief Financial Officer; and

WHEREAS, Section 284.30, Florida Statutes, directs the Division of Risk Management to provide worker's compensation coverage on behalf of the State of Florida to certain state employees; and

WHEREAS, certain state employees, herein defined as "Frontline State Employees" perform critical functions, which cannot be deferred or performed remotely, and require substantial contacts with populations known or suspected of carrying COVID-19; and

WHEREAS, providing workers' compensation benefits to Frontline State Employees who contract COVID-19 will support their recovery, and speed their ability to resume

functions critical to the State of Florida.

THEREFORE, BE IT RESOLVED THAT I, JIMMY T. PATRONIS JR., in accordance with the authority invested in me by Article IV, Section 4 of the Florida Constitution, Executive Order 20-52, and sections 17.30, 20.121(1), 497.103(8), Florida Statutes, hereby issue the following Directive:

Section 1. The Division of Risk Management shall process Workers' Compensation claims submitted by Frontline State Employees who have tested positive for COVID-19, through a reliable method, as compensable claims for occupational disease pursuant to Section 112.1815, Florida Statutes, and Chapter 440, Florida Statutes, unless the State of Florida can show, by preponderance of the evidence, that a Frontline State Employee contracted COVID-19 outside his or her scope of employment as a state employee.

Section 2. For purposes of this Directive, the term "Frontline State Employee" shall include:

- a. First Responders, as defined in Section 112.1815, Florida Statutes, including: law enforcement officers, as defined in Section 943.10, Florida Statutes; firefighters, as defined in Section 633.102, Florida Statutes; and emergency medical technicians or paramedics.
- b. Corrections officers, as defined in Section 943.10, Florida Statutes, and other employees, whose official duties require physical presence in a state-operated detention facility.
- c. State Employees working in the healthcare field, whose duties require contact with persons as they are being tested for COVID-19 or otherwise known to be infected with COVID-19.
- d. Child Safety Investigators, whose duties require them to conduct welfare checks on behalf of minors.
- e. Members of the Florida National Guard, who are called to active duty for service in the State of Florida in response to COVID-19.

Section 3. The Division of Risk Management is further directed to process claims as set forth in Section 1. and Section 2. of this Order, without regard to whether any other non-compensable factor may have contributed to the Employee contracting COVID-19, and compensation shall not be reduced because of any other potential causative factors.

Section 4. The head of any executive or cabinet agency may opt-out of the provisions of this Directive by providing written notice to the Agency Clerk for the Department of Financial Services.

Section 5. This Directive shall remain in effect until rescinded by the Chief Financial Officer or superseded by Executive Order of the Governor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, this 30th day of March, 2020.

Signed, Jimmy T. Patronis, Jr., Chief Financial Officer State of Florida.