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LEGAL ALERT**Illinois Workers' Compensation Commission Repeals Emergency Rule Change Related to COVID-19 Rebuttable Presumption**

On Monday April 27, 2020, the Illinois Workers' Compensation Commission repealed its emergency rule stating that if front-line workers are infected with COVID-19, it would be presumed to be a result of their work duties.

As we reported in our previous E-note on this subject, on April 23, 2020, a Sangamon County judge issued a temporary restraining order blocking the new rule, which would have granted benefits to workers deemed essential who became ill from the virus. The order resulted from a lawsuit filed by the Illinois Manufacturers Association and the Illinois Retail Merchants Association that had the support of more than two dozen business groups.

During an emergency meeting of the Illinois Workers' Compensation Commission on Monday, the rule was unanimously repealed by the Commissioners, with minimal discussion. While it is still possible that a future legislative amendment on the state level could occur related to this issue, it is clear that the Commission's own actions to institute this emergency rule will not be moving forward at this time. In light of the withdrawal of the rule, the Commission is forming a COVID-19 Action Committee, made up of Commission and practitioner representatives, to examine other possible actions that the Commission may take in response to the COVID-19 pandemic. Currently, the Commission is operating in a limited capacity, reserving in-person hearings for emergency matters only, and strongly suggesting that parties waive oral arguments in their cases set for review before the Commission.

We continue to follow COVID-19 related workers' compensation and disability pension claims issues as they arise. Do not hesitate to contact our office for guidance on these emerging issues.

This newsletter is not to be construed as legal advice or a legal opinion under any circumstance. The contents are solely intended for general informative purposes, and the readers of this newsletter are strongly urged to contact their attorney with regard to any concepts discussed herein.

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For any questions or comments you might have regarding this newsletter, please feel free to contact:

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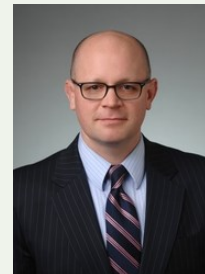
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