

Analyzing the Complexities of COVID-19 Workers' Compensation Claims in Florida

In The News | 1 min read

Jun 26, 2020

Hinshaw's Keith Howell and Kelli Evangelist recently authored an article titled "Exploring COVID-19 Workers' Compensation Liability of Florida Employers," published by the *Daily Business Review* (DBR). Howell and Evangelist review the difficulties claimants face when bringing a COVID-19-related workers' compensation claim, including the "higher burden of proving by clear and convincing evidence" that the disease is eligible for benefits under Florida's occupational disease theory. The authors suggest that this heightened burden of proof may account for the decrease in workers' compensation filing rates.

Howell and Evangelist also discuss an OSHA memo which provides examples of when a virus-infection is work-related and when it is not. In closing, the authors note that while lawyers and activists are lobbying to expand protections for essential employees, Florida employees must continue to meet the more stringent clear and convincing evidence burden when bringing any COVID-19-related workers' compensation claims.

[Read the full article on the DBR website](#) (subscription may be required)

"Exploring COVID-19 Workers' Compensation Liability of Florida Employers," was published by the *Daily Business Review* on June 10, 2020.

Hinshaw & Culbertson LLP is a U.S.-based law firm with offices nationwide. The firm's national reputation spans the insurance industry, the financial services sector, professional services, and other highly regulated industries. Hinshaw provides holistic legal solutions—from litigation and dispute resolution, and business advisory and transactional services, to regulatory compliance—for clients of all sizes. Visit www.hinshawlaw.com for more information and follow @Hinshaw on LinkedIn and X.

Related Capabilities

Labor & Employment