

April 16, 2020

Director Robert Muriel
Illinois Department of Insurance
320 W Washington St.
Springfield, IL 62701

Dear Director Muriel,

On April 16, 2020, the Illinois Workers' Compensation Commission (IWCC) issued a revised emergency amendment to Code Citation: 2c Ill. Adm. Code 9030.70, which formally changed the standard of proof for COVID-19 claimants alleging a work related exposure and inserting a rebuttable presumption of work related infection for the many workers still employed in the "essential businesses" being performed throughout the State.

While we understand the IWCC's intent of the recent ruling and the need to take care of essential workers during this time, there are subsequent and damaging factors the ruling will have on small business owners, if left unaddressed.

The Independent Insurance Agents of Illinois requests you to collaborate with the National Council on Compensation Insurance (NCCI) to issue a rule concerning any workers' compensation insurance claim stemming from the COVID-19 virus should not negatively impact an employers' experience rating modifier. Without this rule, small employers operating as an "essential business" would be penalized with increases to their workers' compensation insurance premiums for several years, if one or more of their employees contracted the virus.

During this time, when small businesses are hurting the most, we must take action in preventing further economic and financial damage to a sector of employers who will lift the State of Illinois and the country out of this recession. Without this rule, many employers, already dealing with significant revenue losses, will face another cost as they endeavor to stay in business. Hundreds if not thousands of jobs will be lost simply because they cannot afford the insurmountable cost of an increase in their experience rating modifier to their workers' compensation insurance.

Sincerely,



Phil Lackman, CEO
IIA of IL

CC: Lauren Peters, Chief of Staff of the Illinois Department of Insurance