



TEXAS DEPARTMENT OF INSURANCE

Division of Workers' Compensation

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To: Texas Workers' Compensation System Participants

From: Joseph McElrath, Deputy Commissioner, Business Process

Date: March 2, 2021

Re: Reporting COVID-19 and COVID-19 Vaccine Reaction Claims

The Texas Department of Insurance, Division of Workers' Compensation (DWC) provides the following guidance to insurance carriers when submitting a First Report of Injury to DWC using electronic data interchange (EDI) for COVID-19 or a reaction to the COVID-19 vaccine.

How should I report a COVID-19 First Report of Injury to DWC?

On March 27, 2020, DWC published [guidance](#) advising insurance carriers to submit a COVID-19 First Report of Injury using the International Association of Industrial Accident Boards and Commissions' (IAIABC) codes for EDI claims reports: "cause of injury" code 83 – Pandemic and "nature of injury" code 83 – COVID-19.

DWC reminds insurance carriers to use these specific codes when reporting a First Report of Injury involving a COVID-19 exposure or infection. Insurance carriers should also clearly indicate whether the claim involves COVID-19 in the incident description field. Following this guidance allows DWC to accurately monitor the frequency, cost, and outcome of these reported claims.

Should I file a First Report of Injury with DWC if an employee has an adverse reaction to a COVID-19 vaccine?

If a COVID-19 vaccination relates to an employee's job, and it causes the employee to miss one or more days of work, you should file a First Report of Injury with DWC. Submitting a First Report of Injury to DWC does not mean that a COVID-19 vaccine reaction is work-related or that the insurance carrier is liable for payment.

How should I report a First Report of Injury to DWC that involves an adverse reaction to a COVID-19 vaccine?

The IAIABC and the Workers' Compensation Insurance Organizations (WCIO) have developed new coding guidance for reporting an adverse reaction to a COVID-19 vaccine.

Insurance carriers should report COVID-19 vaccine reaction claims using the new "**nature of injury**" **code 38** – Adverse Reaction to a Vaccination or Inoculation **combined** with the "**cause of injury**" **code 83** – Pandemic. Insurance carriers should also clearly indicate whether the claim involves a COVID-19 vaccine reaction in the incident description field by using language such as "COVID-19 vaccine reaction."

Do not report vaccine reaction claims using "nature of injury" code 83 – COVID-19.

Questions?

Insurance carriers should contact their trading partners to discuss claim EDI reporting requirements. For questions, contact Martha Luevano at 512-804-4858 or martha.luevano@tdi.texas.gov.