

EMPLOYER INFORMATION
MRSA (Methicillin-Resistant *Staphylococcus aureus*)
AND THE WORKERS' COMPENSATION PROCESS

MRSA is a type of staph that is resistant to certain antibiotics. For workers' compensation purposes, a MRSA infection may be considered an ordinary disease of life. Ordinary diseases of life are those to which the general public is exposed outside of the employment. Under some circumstances, ordinary diseases of life may be covered by workers' compensation. If you have an employee who develops a MRSA infection and reports it to you as work-related, you should file the claim with the Office of Workers' Compensation for investigation.

Tips for filing claims

- Use the date the employee was diagnosed with MRSA and told by their physician that the infection was work-related as the date of injury.
- Include any information that you may have about the source of the employee's exposure; for example, was it a co-worker, customer, patient, inmate, etc.
- If known, include any documentation to show that the source of the exposure was positive for the disease.
- If known, include information on possible route of transmission of the disease; for example, breaks in the skin.
- If known, document the dates the employee was exposed to the known source.
- Medical records for the employee will be obtained and reviewed and a statement may be obtained from the employee.
- In cases of suspected MRSA, you may wish to consider including the employee's personal physician or the physician who diagnosed the MRSA infection to the panel you offer affected employees due to the unique nature of this condition.

Investigation Process

The Benefit Coordinator will need to document certain information to make a recommendation on the claim's compensability:

- Has there been a plausible **route of transmission** for the disease that may have occurred during the course and scope of employment?
- Was the **source positive** for MRSA?
- If the employee tests positive for disease, does the evidence support that the disease was contracted in the course of the employment, arose out of the employment, did not result from causes outside of the employment, is characteristic of the employment and was caused by conditions peculiar to the employment?

- If a claim is accepted as compensable coverage would be provided for authorized time out of work based upon approval of disability from the panel physician, testing and medical care for MRSA.
- If the claim is denied, a letter explaining why the claim has not been voluntarily accepted will be sent to the agency, the employee and the Virginia Workers' Compensation Commission. The employee's letter will instruct them to utilize their health insurance and VSDP benefits for medical care and disability.