

GUIDELINES FOR REPORTING COVID-19 AS AN OCCUPATIONAL DISEASE

Abbreviations: COVID-19- Coronavirus disease-19; SARS-CoV2- Severe acute respiratory syndrome- Coronavirus 2

Occupational disease is defined as a medical-legal term by the List of Occupational Diseases Act and its amendments (hereinafter the Act, Official Gazette 162/98 and 107/07). Article 2 of this Act defines an occupational disease and also the conditions under which these diseases are considered occupational diseases:

(1) An occupational disease is a disease proven to be a consequence of exposure to hazards in the work process and/or work environment, or a disease that is known to be a consequence of exposure to hazards related to the work process and/or work environment, and the intensity and the exposure of hazardous duration is at the level known to cause health impairment.

(2) Occupational disease defined according to paragraph 1 of this Article shall be proven by algorithms accepted in occupational medicine, and the diagnostic procedure shall include:

- 1) occupational history confirming the causal relationship between disease and hazardous exposure at work;
- 2) clinical findings with the appearance of impaired function and/or morphology of organs or organ systems which are known to be caused by certain occupational hazards;
- 3) positive findings of diagnostic methods that can objectify this impairment.

(3) The presence of hazards defined according to paragraph 1 of this Article shall be determined:

- 1) by workplace risk assessments or in another way which enables that the presence of hazards is determined with certainty,
- 2) by determining the intensity (by measuring, by direct insight into working conditions, or in another way which enables that intensity is determined with certainty), and the duration of the hazardous exposure.

Occupational diseases are considered to be diseases determined in the List of Occupational Diseases specified in Article 3 of the Act. Jobs/workplaces at which occupational diseases occur are considered jobs/workplaces where workers are exposed to chemical, physical and biological hazards, and strains from the List of Occupational Diseases. The List of Occupational Diseases established by law contains item 45: "Infectious or parasitic diseases caused by work in activities where an increased risk of infection has been proven", which is applicable to the reporting and recognition of occupational disease caused by SARS-CoV2 infection. The largest number of claims for occupational COVID-19 is expected in healthcare workers, but are also possible in other professions where an increased risk of SARS-CoV2 infection can be

established (for example, police officers, border police officers and guards, judicial police officers, traders working in a pandemic, workers in nursing homes, teachers, etc.).

Workers with established COVID-19 working at their workplace with increased risk of SARS-CoV2 infection should contact their occupational health physician (OHP) by telephone or personally (in cases when the worker has been cured and is SARS-CoV2 negative), and deliver the necessary documentation (personally or by e-mail) for completing the diagnostic procedure according to Article 2, paragraph 2 of the Act:

1) The diagnostic procedure begins with the inspection of medical documentation which proves that the worker is sick with COVID-19:

a) positive laboratory test result according to a taken biological sample for proving an infection (nasopharyngeal swab, nasopharyngeal aspirate sample, bronchoalveolar lavage sample, sputum, serum)

b) clinical documentation- documentation from an infectologist and/or other medical specialists if needed

2) The procedure continues with establishing a relation between the disease and workplace exposure which includes:

a) Taking a detailed occupational history directly from the worker, or indirectly from the official workplace description (form "2 IN"), or from the risk assessment document, with additional data from the employer:

- list of work tasks and official international travels completed by the worker during a one-month period before the occurrence of COVID-19 symptoms, or an employer's statement that the worker had been exposed to SARS-CoV2 at the workplace during a one-month period before the occurrence of COVID-19 symptoms

- data about the usage of personal protective equipment in the one-month period before the occurrence of COVID-19 symptoms

b) Taking a detailed personal medical history from the worker, and statement from the family physician about the worker's other health disorders, or an inspection of the worker's medical record in case if a direct medical examination of the worker is not possible.

c) Taking an epidemiological history (directly from the worker or as a signed statement in case that a direct medical examination of worker is not possible) about COVID-19 among the members of the worker's family or other contacts outside the workplace, about the days out of the work and private travels during the one-month period before the occurrence of COVID-19 symptoms

After the evaluation of collected data and documentation, the OHP will finish the procedure for diagnosing an occupational disease, i.e. draft an opinion on the presence of occupational COVID-19. All rights, conditions and ways for acquiring rights based on occupational diseases are defined in a Regulation about the rights, conditions and ways for acquiring rights from obligatory health insurance in case of injury at work and occupational disease (Official Gazette,

No. 75/14, 154/14, 79/15, 139/15, 105/16, 40/17, 66/17, 109/17, 132/17, 119/18, 41/19 and 22/20), and the Regulation on amendments of regulation about the rights, conditions and ways for acquiring rights from obligatory health insurance in case of injury at work and occupational disease (Official Gazette, No. 39/2020). The amendments regulate the recognition of occupational disease from the day of the disease's occurrence, i.e. from completing the diagnostic procedure, accepting the specific features of an infectious disease. The period for the submission of a claim is from the day of disease's occurrence to three years. The form "Claim for occupational disease" was changed and enclosed in the amended Regulation (Official Gazette, No. 39/2020). The procedure for recognizing and registering an occupational disease is available at <https://www.hzzo.hr/zastita-zdravlja-na-radu/profesionalna-bolest/>.

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