CHRISTOPHER T. SUNUNU
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR

Emergency Order #36 Pursuant to Executive Order 2020-04 as extended by Executive Order 2020-05

Ensuring Worker's Compensation coverage for New Hampshire first responders exposed to COVID-19

WHEREAS, on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, an order declaring a State of Emergency due to the Novel Coronavirus (COVID-19); and

WHEREAS, in the days since the Governor declared a State of Emergency, the COVID-19 outbreak in New Hampshire has expanded significantly; and

WHEREAS, the Department of Health and Human Services, Division of Public Health has found that community-based transmission of COVID-19 continues to increase in the State and has been identified in the majority of counties; and

WHEREAS, governmental functions provide critical infrastructure for the people of New Hampshire during the State of Emergency; and

WHEREAS, first responders in the State are among the most essential workers during the State of Emergency and also among the most at risk of exposure to COVID-19.

Now therefore, pursuant to Section 18 of Executive Order 2020-04 as extended by Executive Order 2020-05, it is hereby ordered, effective immediately, that:

1. For the purpose of this Order "First Responder" shall include any individual covered by the definition of "Emergency response/public safety worker" as set forth in RSA 281-A:2 V-c.

2. To be eligible for the provisions of this Order, a First Responder must have tested positive for COVID-19 and the case must have been reported to the Department of Health and Human

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Services pursuant to Section 12 of Executive Order 2020-04 as extended by Executive Order 2020-05.

3. Notwithstanding the provisions of RSA 281-A:2, XI and XIII, 16 and 27, in any proceeding before the New Hampshire Department of Labor or the administratively attached Compensation Appeals Board, there shall exist a prima facie presumption that the First Responder's COVID-19 exposure and infection were occupationally related.

4. This Order shall remain in effect for the duration of the State of Emergency declared in 2020-04.

Given under my hand and seal at the Executive Chambers in Concord, this 24th day of April, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

Chris Sununu

GOVERNOR OF NEW HAMPSHIRE

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