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June 3, 2021

ALL ASSOCIATION MEMBERS

Circular Letter No. 21-1787

**RE: NCCI ITEM U-1402—Injury Description Codes for Adverse Reaction to
Vaccination for COVID-19 and Other Diseases**

The Minnesota Department of Commerce has approved the above filing applicable to claims with accident dates of December 1, 2020 and subsequent.

The purpose of this item is to establish a new Nature of Injury Code 38: Adverse Reaction to a vaccination or inoculation. Please note the description to Cause of Injury Code 82 on the WCIO website has been extended to include vaccinations as part of the description.

With the national rollout of COVID-19 vaccinations during the present pandemic period, there was an industry interest to identify claims that resulted in adverse reactions to the vaccinations. This item will enable COVID-19 vaccination claims reported during the pandemic to be identified with Nature of Injury Code 38 and existing Cause of Injury Code 83 (Pandemic). The update to existing Cause of Injury Code 82 will be available for reporting any vaccination claims from other diseases.

Exhibit 1 displays the revisions to the *Minnesota Statistical Plan Manual*. A copy of National Council's original filing memorandum is also included to provide additional background information regarding Item U-1402.

Please direct any questions you may have concerning this item to MWCIA's Actuarial department by calling 952.897.1737, Option 3 or by emailing actuarial@mwcia.org.

A NOTICE TO MEMBERSHIP:

MWCIA would like to remind our membership who have filed a Limited Power of Attorney with the Minnesota Department of Commerce that no materials referenced in this Circular Letter are required to be independently filed with the Department.

Exhibit 1

Minnesota Statistical Plan Manual

Effective for Claims with an Accident Date of December 1, 2020

CURRENT LANGUAGE	PROPOSED LANGUAGE
PART 7 — CODING VALUES AND STATISTICAL CODES	PART 7 — CODING VALUES AND STATISTICAL CODES
Loss Information Codes	Loss Information Codes
6. Nature of Injury Code	6. Nature of Injury Code
NONE	<u>38. Adverse reaction to a vaccination or inoculation</u>



APRIL 7, 2021

CIF-2021-07

ITEM FILING ANNOUNCEMENT

Countrywide—Announcement of Item U-1402—Injury Description Codes for Adverse Reaction to Vaccination for COVID-19 and Other Diseases—UPDATED**ACTION
NEEDED**

NOTE: The attachment has been updated to clarify the applicable states.

Please review the changes outlined in the attachment to this circular for impact to your company's systems and procedures. Also review the weekly *Status of Item Filings* circular for state approval of this item.

Note: Arkansas law does not permit NCCI to file rules and rates on its members' behalf. Therefore, insurance carriers must make an independent filing with the Arkansas Insurance Department electing to adopt, or not adopt, an item filing filed by NCCI and subsequently approved by the Department. When such a filing is made with the Department, make sure that the NCCI item filing number (not the NCCI circular number) is referenced.

Caution: At the time of distribution of this circular, this filing has been filed with the regulator but is **not yet approved**. This information is provided for your convenience and analysis. Please do not use this information until the regulator has approved the filing.

BACKGROUND

NCCI has submitted Item U-1402—Injury Description Codes for Adverse Reaction to Vaccination for COVID-19 and Other Diseases to the appropriate state regulatory authority. This item is applicable for claims with accident dates of December 1, 2020, and subsequent in all states indicated in the filing except Hawaii. In Hawaii, the effective date is determined upon regulatory approval of the individual carrier's election to adopt this change.

Additionally, this item has been submitted to the independent bureaus for their consideration.

This item proposes the following revisions to NCCI's *Statistical Plan for Workers Compensation and Employers Liability Insurance (Statistical Plan)*:

- Part 6—Coding Values to establish new Nature of Injury Code 38—Adverse reaction to a vaccination or inoculation
- Part 6—Coding Values to add a description to Cause of Injury Code 82 and extend the code to vaccinations

IMPACT

There will be no premium impact as a result of the changes proposed in this item.

NCCI ACTION

NCCI will take the following action for Item U-1402:

- Issue a circular notifying you when the item is approved as filed, approved with changes, disapproved, or withdrawn
 - Update the weekly *Status of Item Filings* circular on **ncci.com** with the latest state status
 - Publish updated pages for NCCI's *Statistical Plan* once approved in all jurisdictions
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**PERSON TO
CONTACT**

If you have any questions, or if you wish to have access to the manuals referenced in this circular, please contact either of the following:

For general questions, contact:

Customer Service Center
NCCI
901 Peninsula Corporate Circle
Boca Raton, FL 33487
800-NCCI-123 (800-622-4123)

For technical questions, contact:

Bruce Hallman
Data Consultant
NCCI
901 Peninsula Corporate Circle
Boca Raton, FL 33487
561-893-3747

FILING MEMORANDUM

ITEM U-1402—INJURY DESCRIPTION CODES FOR ADVERSE REACTION TO VACCINATION FOR COVID-19 AND OTHER DISEASES

PURPOSE

This item implements the following changes to NCCI's *Statistical Plan for Workers Compensation and Employers Liability Insurance (Statistical Plan)*:

- Establishes new Nature of Injury Code 38—Adverse reaction to a vaccination or inoculation
- Adds description to existing Cause of Injury Code 82—Absorption, Ingestion, or Inhalation, NOC

The new Nature of Injury Code 38 is to identify claims that result in adverse reactions to vaccinations for COVID-19 and other diseases. The added description to Cause of Injury Code 82 will extend its use to include vaccinations as part of the description. The filing will implement the code changes effective for claims with an Accident Date of December 1, 2020, and subsequent.

BACKGROUND

The Injury Description Code is a three-part data element comprising Part of Body, Nature of Injury, and Cause of Injury codes. Additions and changes to these coding values are coordinated through the Workers Compensation Insurance Organization (WCIO) to promote the uniformity of code values for all workers compensation data collection organizations.

With the national rollout of COVID-19 vaccinations during the present pandemic period, there was an industry interest to identify claims that resulted in adverse reactions to the vaccinations. This item filing will enable COVID-19 vaccination claims reported during the pandemic to be identified with Nature of Injury Code 38 and existing Cause of Injury Code 83 (Pandemic). The update to existing Cause of Injury Code 82 will be available for reporting any vaccination claims from other diseases.

PROPOSAL

This item proposes the following revisions to NCCI's *Statistical Plan*:

1. Update Part 6—Coding Values to establish new Nature of Injury Code 38—Adverse reaction to a vaccination or inoculation
2. Update Part 6—Coding Values to add a description to Cause of Injury Code 82 and extend the code to vaccinations

IMPACT

There will be no premium impact as a result of the changes proposed in this item.

EXHIBIT COMMENTS AND IMPLEMENTATION SUMMARY

In order to implement this item, the attached exhibits detail the changes required to NCCI's *Statistical Plan*.

In all states except Hawaii, this item is effective for claims with an Accident Date of December 1, 2020, and subsequent.

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FILING MEMORANDUM

**ITEM U-1402—INJURY DESCRIPTION CODES FOR ADVERSE REACTION TO VACCINATION
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In Hawaii, the effective date is determined upon regulatory approval of the individual carrier's election to adopt this change.

Exhibit	Exhibit Comments	Implementation Summary
1	6-D-3-b	Added code and phraseology.
2	6-D-3-c	Added description of code.

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**ITEM U-1402—INJURY DESCRIPTION CODES FOR ADVERSE REACTION TO VACCINATION
FOR COVID-19 AND OTHER DISEASES**

EXHIBIT 1
STATISTICAL PLAN—2008 EDITION
PART 6—CODING VALUES
D. Loss Information
3. Injury Description Codes

b. Nature of Injury Codes

Nature of Injury Code identifies the type of the injury for a given claim.

Nature of Injury	Code	Specific Nature of Injury	Description (If Applicable)
Specific Injury	01	No Physical Injury	i.e., Glasses, Contact Lenses, Artificial Appliance, Replacement of Artificial Appliance
	02	Amputation	Cut Off Extremity, Digit, Protruding Part of Body, usually by Surgery, i.e., Leg, Arm
	03	Angina Pectoris	Chest Pain
	54	Asphyxiation	Strangulation, Drowning
	04	Burn	(Heat) Burns or Scald; the effect of contact with Hot Substances; (Chemical) Burns; Tissue Damage resulting from the Corrosive Action Chemicals, Fumes, etc. (Acids, Alkalies)
	07	Concussion	Brain, Cerebral
	10	Contusion	Bruise—Intact Skin Surface Hematoma
	13	Crushing	To Grind, Pound, or Break into Small Bits
	16	Dislocation	Pinched Nerve, Slipped/Ruptured Disc, Herniated Disc, Sciatica, Complete Tear, HNP Subluxation, Medical Doctor Dislocation
	19	Electric Shock	Electrocution
	22	Enucleation	Removal of Organ or Tumor
	25	Foreign Body	
	28	Fracture	Breaking of a Bone or Cartilage
	30	Freezing	Frostbite and Other Effects of Exposure to Low Temperature
	31	Hearing Loss or Impairment	Traumatic Only; a separate Injury, not the Sequelae of another Injury
	32	Heat Prostration	Heat Stroke, Sun Stroke, Heat Exhaustion, Heat Cramps and Other Effects of Environmental Heat; does not include Sunburn
	34	Hernia	The Abnormal Protrusion of an Organ or Part through the Containing Wall of its Cavity

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EXHIBIT 1 (CONT'D)
STATISTICAL PLAN—2008 EDITION
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Nature of Injury	Code	Specific Nature of Injury	Description (If Applicable)
	36	Infection	The Invasion of a Host by Organisms such as Bacteria, Fungi, Viruses, Mold, Protozoa or Insects, with or without Manifest Disease
	37	Inflammation	The reaction of Tissue to Injury characterized clinically by Heat, Swelling, Redness, and Pain
	<u>38</u>	Adverse reaction to a vaccination or inoculation	
	40	Laceration	Cut, Scratches, Abrasions, Superficial Wounds, Calluses; Wound by Tearing
	41	Myocardial Infarction	Heart Attack, Heart Conditions, Hypertension; the Inadequate Blood Flow to the Muscular Tissue of the Heart
	42	Poisoning—General (NOT OD or Cumulative Injury)	A Systemic Morbid Condition resulting from the Inhalation, Ingestion, or Skin Absorption of a Toxic Substance affecting the Metabolic System, the Nervous System, the Circulatory System, the Digestive System, the Respiratory System, the Excretory System, the Musculoskeletal System, etc.; includes Chemical or Drug Poisoning, Metal Poisoning, Organic Diseases, and Venomous Reptile and Insect Bites; does NOT include effects of Radiation, Pneumoconiosis, Corrosive Effects of Chemicals; Skin Surface Irritations, Septicemia or Infected Wounds
	43	Puncture	A Hole made by the piercing of a pointed instrument
	46	Rupture	
	47	Severance	To Separate, Divide, or Take Off
	49	Sprain	Internal Derangement, a Trauma or Wrenching of a Joint, producing pain and disability depending upon degree of injury to ligaments
	52	Strain	Internal Derangement, the Trauma to the Muscle or the Musculotendinous Unit from Violent Contraction or Excessive Forcible Stretch
	53	Syncope	Swooning, Fainting, Passing Out, no other Injury
	55	Vascular	Cerebrovascular and Other Conditions of Circulatory Systems, NOC; excludes

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EXHIBIT 1 (CONT'D)
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Nature of Injury	Code	Specific Nature of Injury	Description (If Applicable)
			Heart and Hemorrhoids; includes Strokes, Varicose Veins—Nontoxic
	58	Vision Loss	
	59	All Other Specific Injuries, NOC	
Occupational Disease or Cumulative Injury	60	Dust Disease, NOC	All Other Pneumoconiosis
	61	Asbestosis	Lung Disease, a form of Pneumoconiosis, resulting from Protracted Inhalation of Asbestos Particles
	62	Black Lung	The Chronic Lung Disease or Pneumoconiosis found in Coal Miners
	63	Byssinosis	Pneumoconiosis of Cotton, Flax, and Hemp Workers
	64	Silicosis	Pneumoconiosis resulting from Inhalation of Silica (Quartz) Dust
	65	Respiratory Disorders	Gases, Fumes, Chemicals, etc.
	66	Poisoning—Chemical (Other Than Metals)	Man-Made or Organic
	67	Poisoning—Metal	Man-Made
	68	Dermatitis	Rash, Skin, or Tissue Inflammation including Boils, etc., generally resulting from direct contact with Irritants or Sensitizing Chemicals such as Drugs, Oils, Biologic Agents, Plants, Woods, or Metals, which may be in the form of Solids, Pastes, Liquids, or Vapors and which may be contacted in the Pure State, or in Compounds, or in Combination with Other Materials; does NOT include Skin Tissue Damage resulting from Corrosive Action of Chemicals, Burns from Contact with Hot Substances, Effects of Exposure to Radiation, Effects of Exposure to Low Temperatures, or Inflammation or Irritation resulting from Friction or Impact
	69	Mental Disorder	A Clinically Significant Behavioral or Psychological Syndrome or Pattern typically associated with either a Distressing Symptom or Impairment of Function, e.g., Acute Anxiety, Neurosis, Stress, Nontoxic Depression

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EXHIBIT 1 (CONT'D)
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Nature of Injury	Code	Specific Nature of Injury	Description (If Applicable)
	70	Radiation	All forms of damage to Tissue, Bones, or Bodily Fluids produced by Exposure to Radiation
	71	All Other Occupational Disease Injury, NOC	
	72	Loss of Hearing	
	73	Contagious Disease	
	74	Cancer	
	75	AIDS	
	76	VDT-Related Disease	Video Display Terminal Diseases other than Carpal Tunnel Syndrome
	77	Mental Stress	
	78	Carpal Tunnel Syndrome	Soreness, Tenderness, and Weakness of the Muscles of the Thumb caused by pressure on the Median Nerve at the point at which it goes through the Carpal Tunnel of the Wrist
	79	Hepatitis C	
	80	All Other Cumulative Injury, NOC	
	83	COVID-19	Coronavirus disease 2019 (COVID-19) is a respiratory disease caused by a coronavirus
Multiple Injuries	90	Multiple Physical Injuries Only	
	91	Multiple Injuries Including Both Physical and Psychological	

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EXHIBIT 2
STATISTICAL PLAN—2008 EDITION
PART 6—CODING VALUES
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3. Injury Description Codes

c. Cause of Injury Codes

Cause of Injury Code identifies the causation of the injury for a given claim.

Cause of Injury	Code	Specific Cause of Injury	Description (If Applicable)
Burn or Scald—Heat or Cold Exposures—Contact With	01	Chemicals	
	02	Hot Objects or Substances	
	11	Cold Objects or Substances	
	03	Temperature Extremes	
	04	Fire or Flame	
	05	Steam or Hot Fluids	
	06	Dust, Gases, Fumes, or Vapors	
	07	Welding Operation	
	08	Radiation	
	14	Abnormal Air Pressure	
	84	Electrical Current	
	09	Contact With, NOC	
Caught In, Under, or Between	10	Machine or Machinery	
	12	Object Handled	
	20	Collapsing Materials (Slides of Earth)	Either Man-Made or Natural
	13	Caught In, Under, or Between, NOC	
Cut, Puncture, Scrape—Injured By	15	Broken Glass	
	16	Hand Tool, Utensil; Not Powered	
	17	Object Being Lifted or Handled	
	18	Powered Hand Tool, Appliance	
	19	Cut, Puncture, Scrape, NOC	

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EXHIBIT 2 (CONT'D)
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Cause of Injury	Code	Specific Cause of Injury	Description (If Applicable)
Fall, Slip, or Trip Injury	25	From Different Level (Elevation)	Off Wall, Catwalk, Bridge, etc.
	26	From Ladder or Scaffolding	
	27	From Liquid or Grease Spills	
	28	Into Openings	Shafts, Excavations, Floor Openings, etc.
	29	On Same Level	
	30	Slipped, Did Not Fall	
	32	On Ice or Snow	
	33	On Stairs	
	31	Fall, Slip, or Trip, NOC	
Motor Vehicle	40	Crash of Water Vehicle	
	41	Crash of Rail Vehicle	
	45	Collision or Sideswipe With Another Vehicle	Both Vehicles in Motion
	46	Collision With a Fixed Object	Standing Vehicle or Stationary Object
	47	Crash of Airplane	
	48	Vehicle Upset	Overturned or Jackknifed
	50	Motor Vehicle, NOC	
Strain or Injury By	52	Continual Noise	
	53	Twisting	
	54	Jumping	
	55	Holding or Carrying	
	56	Lifting	
	57	Pushing or Pulling	
	58	Reaching	
	59	Using Tool or Machinery	
	61	Welding or Throwing	
	97	Repetitive Motion	Carpal Tunnel Syndrome
	60	Strain or Injury by, NOC	

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EXHIBIT 2 (CONT'D)
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Cause of Injury	Code	Specific Cause of Injury	Description (If Applicable)
Striking Against or Stepping On	65	Moving Part of Machine	
	66	Object Being Lifted or Handled	
	67	Sanding, Scraping, Cleaning Operation	
	68	Stationary Object	
	69	Stepping on Sharp Object	
	70	Striking Against or Stepping On, NOC	
Struck or Injured By—Includes Kicked, Stabbed, Bit, etc.	74	Fellow Worker; Patient	Not in Act of a Crime
	75	Falling or Flying Object	
	76	Hand Tool or Machine in Use	
	77	Motor Vehicle	
	78	Moving Parts of Machine	
	79	Object Being Lifted or Handled	
	80	Object Handled by Others	
	85	Animal or Insect	
	86	Explosion or Flare Back	
	81	Struck or Injured, NOC	Includes Kicked, Stabbed, Bit, etc.
Rubbed or Abraded By	94	Repetitive Motion	Callous, Blister, etc.
	95	Rubbed or Abraded, NOC	
Miscellaneous Causes	82	Absorption, Ingestion or Inhalation, NOC	<u>Not otherwise classified in any other code. Applies only to non-impact cases in which the injury resulted from inhalation, absorption (skin contact), ingestion of harmful substances, or vaccinations.</u>
	83	Pandemic	Includes disease epidemic that has spread across a large region
	87	Foreign Matter (Body) in Eye(s)	
	88	Natural Disasters	Earthquake, Hurricane, Tornado, etc.
	89	Person in Act of a Crime (Other Than Gunshot)	Robbery or Criminal Assault

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**EXHIBIT 2 (CONT'D)
STATISTICAL PLAN—2008 EDITION
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3. Injury Description Codes**

Cause of Injury	Code	Specific Cause of Injury	Description (If Applicable)
	90	Other Than Physical Cause of Injury	
	91	Mold	
	93	Gunshot	
	96	Terrorism (for use with an assigned Catastrophe Code only)	
	98	Cumulative, NOC	All Other
	99	Other—Miscellaneous, NOC	