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Bill would create presumption for adverse vaccine reactions

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Work Comp Central

Adverse reactions to the COVID-19 vaccine would be presumed compensable if a Kentucky business mandates vaccination, under a bill prefiled for the 2022 legislative session that begins Jan. 11, 2022.

Bill Request 353, submitted Monday, would create the rebuttable presumption that an adverse reaction including sickness, disease, trauma, injury or other conditions arising within 14 days of receiving a vaccine is an occupational disease. The presumption would apply if an employer requires immunization against COVID-19 as a condition of employment, imposes additional requirements or workplace conditions on workers who refuse vaccination, or provides a bonus or other compensation to those who get vaccinated.



The presumption would be retroactive to Dec. 14, 2020.

Bill sponsor Rep. Felicia Rabourn, R-Turner Station, said in a statement that the possibility of employer-mandated vaccinations force her constituents to face the “grim reality that they must choose between their ability to feed their family or take a vaccine that may cause adverse reactions.” She said businesses should not be allowed to require vaccinations without assuming the risk associated with that decision.

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