

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 593

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO WORKER'S COMPENSATION; AMENDING CHAPTER 4, TITLE 72, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 72-452, IDAHO CODE, TO PROVIDE THAT
3 COVID-19 VACCINATION-RELATED ACCIDENTS OR INJURIES SHALL BE COMPENS-
4 ABLE; AND DECLARING AN EMERGENCY.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 4, Title 72, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 72-452, Idaho Code, and to read as follows:

10 72-452. COVID-19 VACCINATION-RELATED ACCIDENTS OR INJURIES. (1) It is
11 the public policy of the state of Idaho, consistent with the constitution-
12 ally recognized and inalienable rights of liberty, that every person within
13 the state of Idaho is and shall be free to choose or decline to choose any
14 mode of securing health care services without penalty or threat of penalty.
15 Whether an employer may legally mandate that an employee receive a COVID-19
16 vaccination is not settled, and this section is not intended to resolve that
17 question.

18 (2) If an employer requires an employee to receive a COVID-19 vacci-
19 nation in the course of employment or as a condition of hiring or continued
20 employment, any accident or injury caused by such vaccination shall be com-
21 pensable.

22 (3) The provisions of this title shall be construed in the light most
23 favorable to an employee with respect to a claim for compensation for any ac-
24 cident or injury caused by a COVID-19 vaccination received in the course of
25 employment or as a condition of hiring or continued employment.

26 (4) For purposes of this section, "COVID-19 vaccination" means the ad-
27 ministration of a vaccine that is licensed under section 351 of the public
28 health service act, 42 U.S.C. 262, or authorized for emergency use under sec-
29 tion 564 of the federal food, drug, and cosmetic act, 21 U.S.C. 360bbb-3, for
30 COVID-19.

31 (5) Nothing in this section shall be construed to indicate support for
32 nor authorization of vaccine mandates.

33 SECTION 2. An emergency existing therefor, which emergency is hereby
34 declared to exist, this act shall be in full force and effect on and after its
35 passage and approval.