

VIRGINIA ACTS OF ASSEMBLY -- 2012 RECONVENED SESSION

CHAPTER 841

An Act to amend and reenact § 65.2-105 of the Code of Virginia, relating to workers' compensation; presumption; injuries in course of employment.

[H 137]

Approved May 18, 2012

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-105 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-105. Presumption that certain injuries arose out of and were in the course of employment.

In any claim for compensation, where the employee is physically or mentally unable to testify as confirmed by competent medical evidence and where there is unrebutted prima facie evidence that indicates that the injury ~~was work related~~ *arose out of and was in the course of employment*, it shall be presumed, in the absence of a preponderance of evidence to the contrary, that the injury ~~was work related~~ *arose out of and was in the course of employment*.