

QUESTION 13 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK V

ABKCO is a medium-sized Michigan company. With an improving economy in the spring of 2013, ABKCO's business has increased and ABKCO wants to share its improving fortunes with its workforce. Toward that end, ABKCO has offered its employees an increase in its employer-provided life insurance benefit. ABKCO's employees could, at their option, obtain an increase in the face value of their policies so long as they pass a brief health examination and blood test.

Sarah, an employee of ABKCO, took advantage of ABKCO's offer and underwent the health exam and blood test at ABKCO's workplace during normal working hours. Unfortunately, she developed an infection as a result of the blood testing.

Sarah claims her infection is a work-related injury for purposes of workers' compensation. ABKCO disagrees, saying it is not work related for purposes of the workers' compensation statute.

Answer the following question with reference to Michigan workers' compensation law and without regard to any potential third-party liability relating to the blood tests:

Assuming Sarah's infection is an injury for purposes of workers' compensation, is this type of injury covered by the workers' compensation statute? Explain your answer.

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