



Workers' Compensation Board

May 30, 2018

Monitoring & Compliance

Introduction of New Administrative Determinations (AD) Penalty

Agenda

- Introductions/Welcome
- |
- Why is the new AD process needed?
- |
- What penalties will be covered in the new Administrative Decision (AD-PC pen)?
- |
- How are we reviewing?
- |
- How will the process work?
- |
- Electronic forms
- |
- Questions

Why is the new AD process needed?



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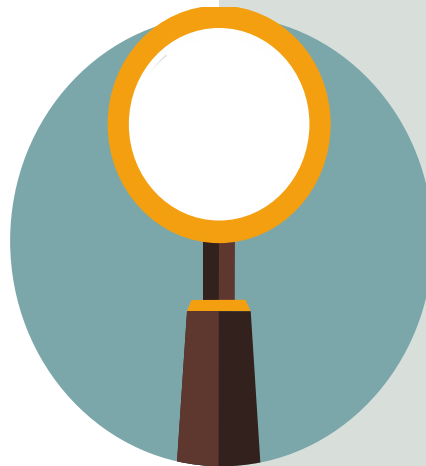
New AD Process

- Ensure all EDI transactions are being measured properly
- Lack of EDI or the filing of incorrect data may lead to the avoidance of measurement(s)
- These penalties do not affect the Payor Compliance percentages



Payor Compliance

- Penalties covered by AD-PC pen
- Use of AD-PC pen on a case-by-case basis to issue all penalties that were avoided due to non-compliant EDI filings



How will these filings be reviewed?



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How Payor Compliance Reviews Claims


- Claims reviewed manually
- Claims checked for missing, late or improper EDI filings that avoided Payor Compliance measurements
- Payor Compliance issues penalties assessed by Administrative Determination (AD-PC pen)



Examples



Carrier improperly files SROI-PD avoiding the SROI measurements



Improper Type of Loss Code (DN0290) of 02 (Occupational Disease) or 03 (Cumulative Injury) was used and Claim Administrator failed to file the FRO/SROI 02 correcting the type of loss code (DN0290) to an 01 (Traumatic Injury)



SROI-PY not filed showing payment of claimant penalty

SROI PD

- SROI PD should be filed if the injured worker has compensable lost time and the carrier is not making payment and has not controverted (FROI/SROI04) the claim
- SROI PD should only be used in very limited circumstances such as:
 - When the carrier has an IME or medical report indicating no disability
 - A different site of injury than originally reported
 - When claimant fails to appear for carrier scheduled appointment per §13-a(3) or scheduled IME within the 7 day waiting period
 - Where there is a medical report in the file that indicates the claimant will be out of work for seven days or less and there is no subsequent medical report of disability beyond the waiting period
 - In the rare instance where the medical evidence indicates a partial disability and the claimant has refused light duty
 - In the rare instance where the claimant is losing time due to injuries on multiple claims and carrier is paying on one claim only, pending apportionment

Review Process

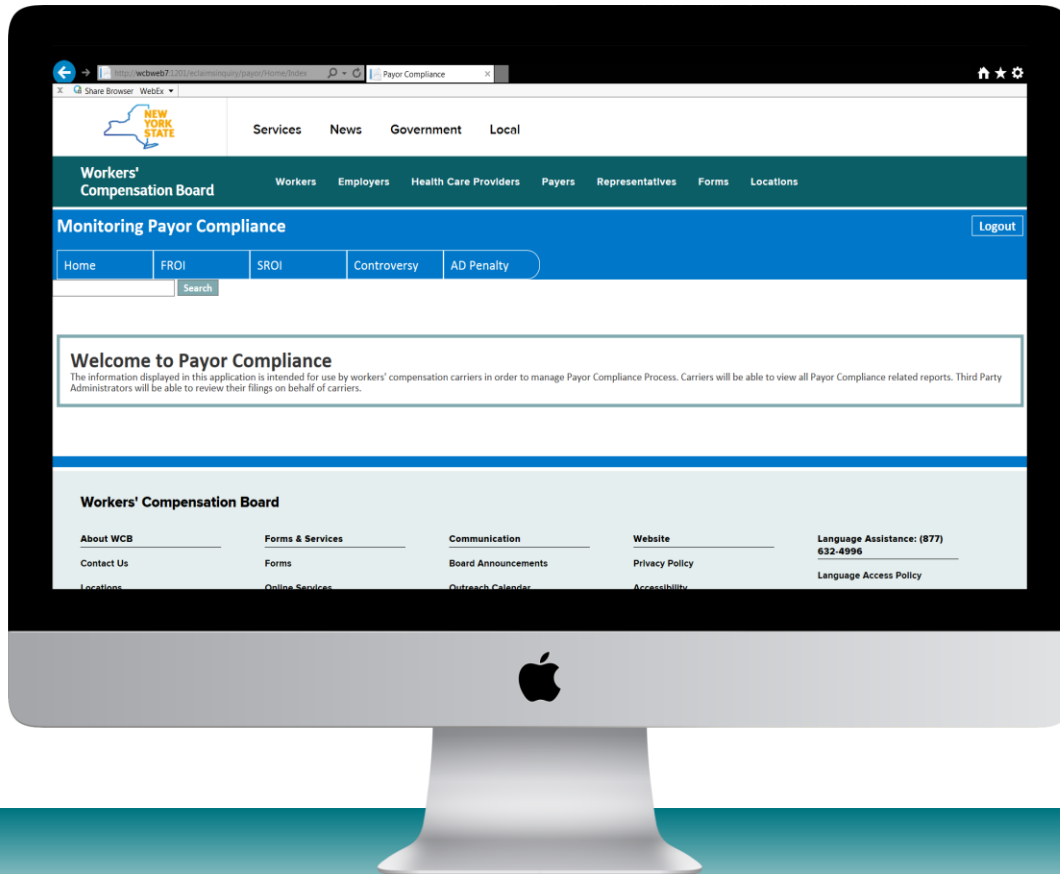


1. Board issues Administrative Decision penalty (AD-PC pen). Penalties on these cases do not affect Payor Compliance measurements
2. Payer(s) receive Administrative Decision (AD-PC pen) using their CIS address
3. Administrative Decision (AD-PC pen) objections require a timely request for review using the Board's Payor Compliance application
 - Penalties objected to separately
 - Click AD PC pen tab for specific penalty, enter objection reason, and click "Object to AD" button

Review Process

4. WCLJ will issue a Reserved Decision for requested review. Objection to the Reserved Decision follows the RB-89 process
5. Penalties payable to the claimant are required to have the SKOP PY filed within 10 days of the payment date





Contact information

Viewing Payor Compliance Reports

Problems viewing Payor Compliance reports?

Monitoring@wcb.ny.gov

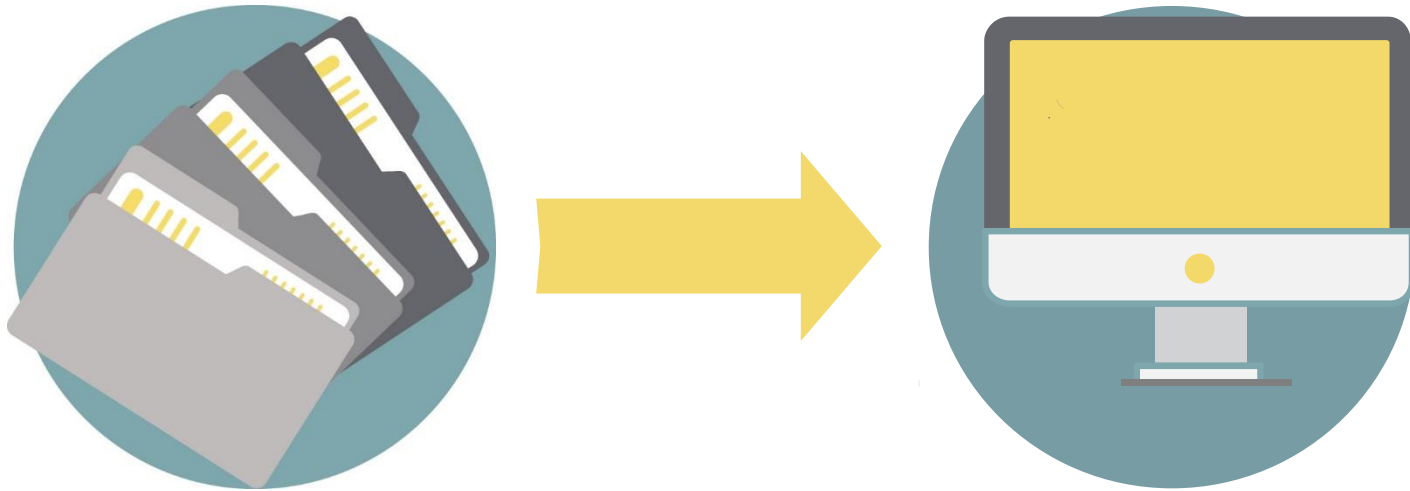


Electronic Forms

Email monitoring@wcb.ny.gov

Receive claim notices digitally:

www.wcb.ny.gov/content/ebiz/notices/notices_overview.jsp



For more information:

Matthew Kent

Monitoring Unit

monitoring@wcb.ny.gov

Website:

wcb.ny.gov/content/main/Monitoring/Overview.jsp





QUESTIONS?