



Workers'
Compensation
Board

BETTER FOR WORKERS

BETTER FOR BUSINESS

CLARISSA M. RODRIGUEZ

WCB.NY.GOV

AGENDA

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The *New* NYS Workers' Compensation Board

2

Key Accomplishments

3

Continuing Our Progress in 2019

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The New NYS Workers' Compensation Board

After a historically productive 2017 and 2018, the New York State Workers' Compensation Board is performing better than it has in decades

- Delivered on key legislative reforms
- Implemented nation-leading initiatives
- Instituted processes that speed payment of benefits and reduce costs

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The Results are Striking!

Injured worker benefits increase while employer costs decrease



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Workers' Compensation Board



Vastly Improving The Injured Workers' Experience

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Injured Workers Now Promptly Paid

9 in 10

Injured Workers in New York Get Their 1st Workers' Compensation Benefit Paid Timely



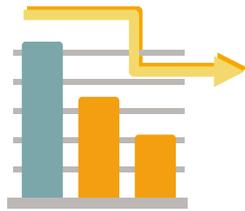
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Lowest Dispute Rate in Decades

The Board improved the controversy rules during a systematic, concerted effort to stop unnecessary disputes, leading to the **lowest controverted claims rate in decades**



**Controverted
Claims 2018 Rate
5.9%**

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Better Worker Protections

New procedures to ensure workers get a hearing within 45 days when they are not receiving benefits and their claim is undisputed.



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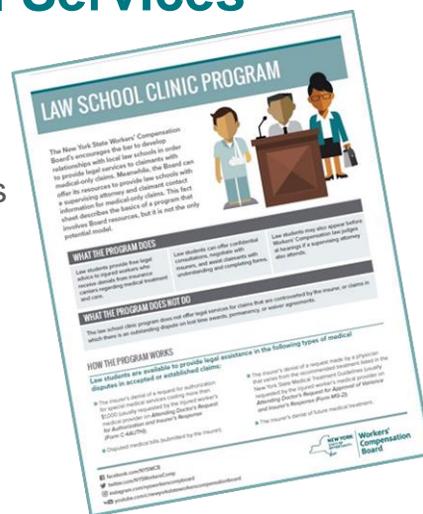
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Expanding Access to Legal Services

Board amended existing legal clinic regulation to create ongoing clinics

- Recent graduates and third-year students can provide legal services
- Especially helpful to injured workers who face difficulty finding representation in medical-only cases



Expanded Provider – Law Passed!

Allows Acupuncturists, Nurse Practitioners, and Licensed Clinical Social Workers to treat

- Eligible to provide services on or after 1/1/20
- Physicians Assistants can be authorized and can treat injured workers under physician supervision
- Occupational Therapists and Physical Therapists can be authorized and can treat injured workers with a referral
- New provider application process will be launched
- Training will be provided summer/fall 2019





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Slashing System Costs

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Employer Assessments Cut by 33%

The assessment rate has greatly reduced since the Business Relief Act of 2013, declining **33 percent**



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Insurance Rates Declining

2018 had the largest rate cut in more than a decade



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Outdated, Expensive Special Fund Closed

Board successfully defended a lawsuit to close the Reopened Case Fund to new cases



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Making A Difference With New Technology

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Innovating with Virtual Hearings

- First in-the-nation initiative
- Now available at all Board locations
- App available on iOS now; Android slated for September



MAY 2019

22,500+

Virtual hearings held in May 2019

52% (11,905)

Had at least 1 participant attend remotely

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Virtual Hearings – What We’re Hearing



“It was amazing to not have to suffer the long ride to the actual building.”

“Totally awesome! This should have been invented years ago. Makes attending a meeting pleasurable and does not pose scheduling conflicts.”

“I live in Florida. It was such a good experience to be at the hearing through virtual hearing. It saves me money and stress. Thank you.”

“It was incredibly simple and very convenient! I really appreciate this option!”

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Accepting Online Payments

Stakeholders can now review bills and pay

- Assessments
- Penalties
- Other Costs

Online!



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eCase Document Upload

- Makes managing case files simpler and more convenient
- Uploads directly to case folder and is viewable within minutes by all parties
- Available for use up until and including the day of the hearing
- Intended use for attorneys (both claimant and insurance carriers), insurers, TPAs, self-insured employers, and claimants



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Business Information System

New and improved claims system

- Replaces legacy systems
- Better access to real-time claim data
- New self-service features
- Reduce reliance on forms
- Expansive communication effort
- Partner with external stakeholders



Vendor selected - work to begin this Summer!

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Improving Health Care & Benefit Determinations

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Improving Care for Injured Workers

Medical Fee Schedule

- Fee increases went into effect on April 1
- Additional 20% for certain specialty providers
- Emergency room and rural clinics will also get a small increase

Adopting the CMS-1500

- Simplify medical reporting
- Transition to the universal billing form
- Expecting to go live with CMS-1500 transactions shortly

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Establishing a Drug Formulary

- **Drug formulary** includes high-quality and cost-effective preauthorized medication
- Formulary regulations finalized in May and went into effect June 5
- New Formulary **Fee Schedule** was adopted as final



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Medical Portal

Electronic System to provide ready access to medical information such as pharmacy prior authorization and treatment guidelines.

Phase I – Fall 2019



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New Medical Treatment Guidelines

- Board has been working with the Medical Advisory Committee
- Several Treatment Guidelines are in progress
- Expect to release some for public comment this summer
- Upon adoption, new Treatment Guidelines will be available through the Medical Authorization System



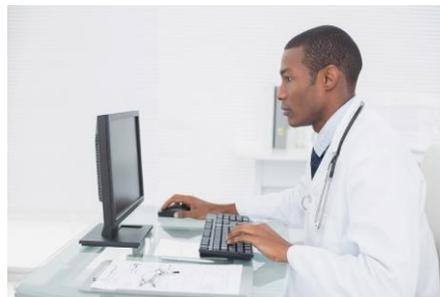
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Revising Impairment Guidelines

- New guidelines took effect January 1, 2018, for Schedule Loss of Use Awards
- Training developed/provided



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Launching The Nation's Best Paid Family Leave

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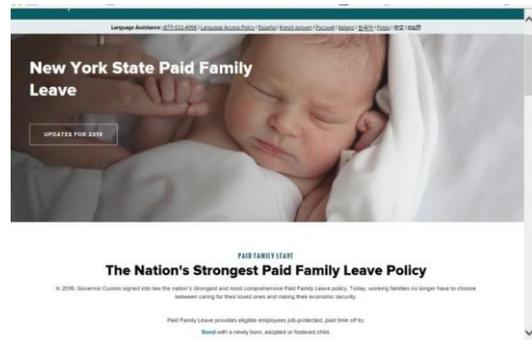
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Paid Family Leave

2019 Enhancements:

- More time with loved ones
- Greater financial security
- New support for donors
- Same strong protections
- Fully-funded by employees



For complete details, visit our refreshed website: PaidFamilyLeave.ny.gov
Questions? Call the PFL helpline: (844) 337-6303



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Looking Ahead

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What's Next

Medical Treatment Guidelines



SUMMER 2019

New Provider Authorization



SEPTEMBER 2019

Formulary Prior Authorization



NOVEMBER 2019

MG-2/ C-4 AUTH



JANUARY 2020

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Farm Laborers Fair Labor Practices Act

- **Effective 1/1/2020**
- **Changes the labor law and public health law, touching on workers' compensation**
- **Disability and Paid Family Leave exclusion has been removed**



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Stay-at-Work / Return-to-Work

- **The longer an injured worker is out of work, the more protracted the period of disability**
- **WCB is exploring ways to assist injured workers & employers with early intervention efforts around SAW/RTW initiatives**
- **Example:**
 - Strengthening our partnerships with existing workforce development resources
 - Exploring ways to facilitate SAW/RTW resources to employers
- **Do you run a RTW program?**



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Thank you

Stay tuned for updates...

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Learning More about the Board



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Board Announcements
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#NYSWorkersCompBoard



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