What Payers Need to Know
AGENDA

1. OnBoard: Limited Release
2. New York Workers’ Compensation Drug Formulary
3. New/Updated New York Medical Treatment Guidelines (MTGs)
4. New York State Workers’ Compensation Fee Schedules
5. Transitioning to the CMS-1500 form
6. Payer Compliance
7. Telehealth update
8. Resources/questions
OnBoard: Limited Release (OBLR) now available!

Phase 1:

- Medication prior authorization requests (PARs)
- Submission of Requests for Decision on Unpaid Medical Bill(s) (Form HP-1.0)
- REMINDER: eCase remains your go-to for up-to-date case information, including all PAR documents
OnBoard: Limited Release rollout schedule

<table>
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<tr>
<th>Phase</th>
<th>PARs/Equipment</th>
<th>Date</th>
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<tr>
<td>Phase One</td>
<td>Medication PARs &amp; Form HP-1.0</td>
<td>Now live!</td>
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<tr>
<td>Phase Two</td>
<td>Durable Medical Equipment PARs</td>
<td>April 4, 2022</td>
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<td>Phase Three</td>
<td>Treatment/Testing PARs</td>
<td>May 2, 2022</td>
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OnBoard resources

Stay informed: wcb.ny.gov/onboard

- Walkthrough of registration process
- Video tutorials
- Recorded presentations
- Training
- Webinar – March 16

Questions: onboard@wcb.ny.gov
New York Workers’ Compensation Drug Formulary
New York Workers’ Compensation
Drug Formulary

- All new and refill prescriptions must comply in conjunction with OnBoard: Limited Release
- Requests for non-formulary medications will need to go through the Medical Portal process
- The Board has required that payers provide prescribers with a list of their patients currently taking non-formulary medications
- Payers were required to notify patients taking non-formulary medications of the medications and instructed to talk to their providers
New York Workers’ Compensation
Drug Formulary

Coinciding with the launch of OnBoard: Limited Release, are the following:

- Clarification that a medical marijuana PAR will no longer be submitted via the existing variance request process
VASTLY IMPROVING THE INJURED WORKERS' EXPERIENCE

New/Updated New York Medical Treatment Guidelines (MTGs)
New/Updated MTGs

Public comments are being reviewed for:

- New York Traumatic Brain Injury (TBI)
- New York Complex Regional Pain Syndrome (CRPS)
- New York Eye Disorders
Medical Treatment Guidelines Update

The following updated MTGs will become effective on May 2, 2022:

- Neck
- Shoulder
- Mid and Low Back
- Knee and Non-Acute Pain
Medical Treatment Guidelines Update

The following new MTGs will become effective on May 2, 2022:

- Ankle and Foot Disorders
- Elbow Injuries
- Hand, Wrist and Forearm Injuries (including Carpal Tunnel Syndrome)
- Hip and Groin Disorders
- Occupational Interstitial Lung Disease
- Occupational/Work-Related Asthma
- Post-Traumatic Stress Disorder and Acute Stress Disorder
- Work-Related Depression and Depressive Disorders
- Traumatic Brain Injury
- Complex Regional Pain Syndrome
- Eye Disorders
MTG Training

Medical Treatment Guidelines training is available on the Board’s website

- Payers take non-CME trainings
- Visit Health Care Providers section at wcb.ny.gov
VASTLY IMPROVING THE INJURED WORKERS’ EXPERIENCE

New York State Workers’ Compensation Fee Schedules
**NYS Workers’ Compensation Fee Schedules**

- Inpatient and Outpatient Fee Schedules
- Workers’ Compensation Enhanced Ambulatory Patient Group (EAPG) Fee Schedules
- Podiatry Fee Schedule
- Dental Fee Schedule
- Private Psychiatric Hospital Fee Schedule
- Durable Medical Equipment Fee Schedule
- Fees paid for out-of-state care
Health Care Providers

Medical Fee Schedules

Fee Schedules

The Official New York Workers' Compensation Medical Fee Schedule may be purchased from OptumInsight 360 by writing to PO Box 88050, Chicago, IL 60680-8820, by calling (800) 464-3949 option 1 or online at https://www.optum360coding.com, keyword New York, or https://www.optum360coding.com/reference-products/workers-compensation. The Fee Schedule may also be examined at the Office of the Department of State, 163 Washington Ave, Albany, NY 12231; the Legislative Library; the libraries of the New York State Supreme Court; and the Workers’ Compensation Board District Offices.

- Inpatient & Outpatient Fee Schedules
- Workers' Compensation Enhanced Ambulatory Patient Group (EAPG) Fee Schedules
- Podiatry Fee Schedule
- Dental Fee Schedule
- Private Psychiatric Hospital Fee Schedule
- Pharmacy Fee Schedule
- Durable Medical Goods Fee Schedule
- When Medical Treatment Takes Place in Another State
Enhanced reimbursement for designated providers

NYS Workers’ Compensation Medical Fee Schedule Ground Rules 17 & 18:

- Effort to increase the number of Board-authorized providers in the primary care medicine and behavioral health specialties
- Family Medicine, General Practice, Internal Medicine, Behavior Health
- Board established specific modifiers which provide a 20% reimbursement increase
- Included in the 2019 Medical Fee Schedule
- Using modifier 1D and 1B for appropriate/applicable Evaluation and Management services
- Only providers with designated Board-assigned rating codes
Transitioning to the CMS-1500 Form
CMS-1500 transition updated timeline

PHASE 1
• Voluntary Submission

PHASE 2
• Payers mandated to accept electronic medical bills and Explanation of Benefit/Explanation of Review (EOB/EOR) transmittal

PHASE 3
• Mandatory use of CMS-1500 form
• Mandatory use of Notice of Treatment Issue/Disputed Bill (Form C-8.1B) and Notice to Health Care Provider and Injured Worker of a Carrier’s Refusal to Pay All (or a Portion of) a Medical Bill Due to Valuation Objection(s) (Form C-8.4) by providers and payer use of specific Claims Adjustment Reason Codes (CARCs)
CMS-1500 transition updated timeline

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CMS-1500 medical narrative report template and requirements

- The Board has developed a medical narrative report template
- Template includes the three mandatory elements to include with most narratives
- A medical narrative report may be found legally defective if these elements are missing

Report template can be found at: wcb.ny.gov/CMS-1500/requirements.jsp
Payer Compliance
When is a suspension due?

Timeliness of suspension under WCL Section 25(1)(d)

- Pursuant to WCL Section 25(1)(d): on Whenever for any reason compensation payments cease, the employer or its insurance carrier shall within sixteen days thereafter, send to the chair a notice on a form prescribed by the chair that such payment has been stopped, which notice shall contain the name of the injured employee or his or her principal dependent, the date of accident, the date to which the compensation has been paid and the whole amount of compensation paid.

- The penalty for a late filing of a suspension under WCL Section 25(1)(d) is $300, which shall be payable to the injured worker.
When is a suspension due?

Timeliness of suspension under WCL Section 25(3)(e)

- Pursuant to WCL Section 25(3)(e): If the payer or employer fails to file a notice or report requested or required by the Board or otherwise required within the specified time period or within 10 days if no time period is specified, a $50 penalty may be imposed which is payable to the Board.

- The filing shall be late if filed more than 16 days after benefits cease unless benefits were being paid pursuant to WCL Section 21-a at the time of the suspension. If so, the filing would be late if not filed within 5 days.
Monitoring compliance

Penalty for late suspension

- If the payer or employer fails to file a notice or report requested or required by the Board or otherwise required within the specified time-period or within 10 days if no time-period is specified, the Board may impose a $50 penalty.
Measuring timeliness

The Board will use one of the following dates to determine the timeliness of the suspension filing, whichever is the latest:

- Benefit Payment Issue Date (DN0192)
- Benefit Period Through Date (DN0089)
- Suspension Effective Date (DN0193)
Performance standards

The penalty under WCL Section 25(3)(e) will not be imposed if a carrier meets the following performance standards set per quarter:

- 1st Quarter 2022 and beyond – 85%
More information

- Email: Monitoring@wcb.ny.gov
- Questions on EDI filings: eclaims@wcb.ny.gov
- Visit wcb.ny.gov – Insurers – Monitoring and Compliance
Telehealth Update
Telehealth

- Emergency telehealth regulations in place since March 16, 2020
  - The most recent telemedicine emergency adoption was filed January 11, 2022
  - A Notice of Emergency Adoption was published in the January 26, 2022, edition of the State Register
  - Includes billable codes for telemedicine

- Notice of Revised Rulemaking published March 2, 2022
  - Comments on revised proposal accepted for 45 days after publication
Making the Board better for payers

As we continue to work on implementing improvements for payers, we’re committed to:

- Increased communication
- Regular engagement regarding OnBoard
Follow the Board

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@NYSWorkersCompBoard

youtube.com/NewYorkStateWorkersCompensationBoard

wcb.ny.gov/notify
More Information

HELPLINE: (877) 632-4996

WEBSITE: wcb.ny.gov (select ‘Payers’ link on top of page)
Thank you

Questions?