

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

The amendments of 12 NYCRR Part 300.13 and 12 NYCRR 300.14 will apply to all claimants, self-insured employers, uninsured employers until the liability of the uninsured employer's fund is established, private insurance carriers, the State Insurance Fund, Special Funds, no-fault carriers when granted standing by being allowed to fully participate in a hearing, and any surety, including but not limited to the uninsured employer's fund, and the liquidation bureau, and third party administrators across the state. These individuals and entities exist in all rural areas of the state.

2. Reporting, recordkeeping and other compliance requirements:

Adoption of the rule will clarify the process for making applications for administrative appeals and/or reopening cases. It is not anticipated that the proposed amendments will require any additional staffing or resources by rural employers.

3. Costs:

As this rule imposes no new, additional, actions on regulated parties, but merely clarifies procedures already in place, there should be no additional costs to the regulated parties or the Board. It is anticipated that the proposed amendments will reduce administrative costs to all parties by adding clarity and guidance in the making of applications for administrative appeal and/or to reopen closed cases.

4. Minimizing adverse impact:

As stated above, the implementation of this rule is expected to reduce costs and consume fewer resources for all participants in the workers' compensation system including rural participants. The additions will provide greater clarity and guidance.

5. Rural area participation:

The proposal will be available for public comment on the Board's website and in the State Register, and the Board will duly consider all public comments received.