

Regulatory Flexibility Analysis for Small Businesses and Local Governments for the amendment of 12 NYCRR Sections 324.1 and 324.3.

1. Effect of rule: The proposed amendment will not affect employers, as defined in WCL § 2(3), including the State, municipal corporations, fire districts, public authorities and political subdivisions, who appear before the Board on matters relating to Workers' Compensation claims. The rule does not impact small businesses or local governments as employers or medical providers, though it is intended to enhance the efficiency of the workers' compensation system by providing a self-service medical portal for easy submission and responses to medical authorization requests. A self-insured employer medical provider that does not have the ability to access the medical portal, may continue to process authorizations as is done today.
2. Compliance requirements: The proposed regulation does not require any action by small businesses or local governments. The proposed regulation does not impose or require any reporting requirements or additional paperwork on the part of small businesses or local government.
3. Professional services: Small businesses and local governments will not have to engage any professional services as a result of the proposed regulation.
4. Compliance costs: Small businesses and local governments will not incur any compliance costs as a result of this proposed regulation.
5. Economic and Technological Feasibility: Small businesses and local governments will not incur any capital costs or annual operating costs or be required to purchase or update technological equipment as a result of the proposed regulation.
6. Minimizing adverse impact: The proposed regulation will have no adverse economic impact on small businesses or local governments.

7. Small business and local government participation: Although the proposed regulation does not adversely impact on public or private entities, the Board requested comment on the proposed regulation from the Business Council of New York State.