

NCAComp, Inc.

NYS Workers' Compensation Industry Updates July 2021

Labor Market Attachment

- The Workers' Compensation Board had previously suspended the obligation of injured workers to show continued attachment to the labor market following classification.
- This suspension went into effect on March 7, 2020 and coincided with the pandemic state of emergency in New York.
- On August 16, 2021 this suspension will be lifted and injured workers will be obligated once again to show attachment, within any remaining restrictions of the state of emergency.

Direct Deposit

- Effective July 1, 2021 all injured workers are entitled to receive direct deposit for lost time benefits. Injured workers must complete the application for direct deposit, form DD-1, which NCA will supply and which is also available on the board's website.

Drug Formulary

- On December 5, 2019 the Workers' Compensation Board implemented a drug formulary to assist in regulating ongoing and new prescriptions. The implementation of this formulary was to be phased, with an original full implementation planned for June 1, 2020.
- Phase 1 impacted new prescriptions only and was implemented on December 5, 2019 however phase 2, which was to address ongoing prescriptions was delayed due to the pandemic.
- Phase 2 implementation has been delayed multiple times over the past year and as of the time of writing is due to be implemented at a date yet to be determined later in the summer of 2021.

Please contact your NCA account manager or Erin Jordan at ejordan@ncacomp.com or 716-362-6493 if you would like to discuss the impact of any of these changes in detail.