

NYS Workers' Compensation Industry Updates – July 2024

Workers' Compensation Board to Index Every Complete Case

The Workers' Compensation Board has announced that in an effort to “provide clarity and promote the efficient resolution of claims” it is their intention to have all complete cases indexed by mid-2024.

A claim is considered indexed when the Workers' Compensation Board has issued notice EC-84 which gives the claim a formal WCB claim number. The board considers a claim to be completed when a C-3 (Employee Report of Accident), C-2F or First Report of Injury and a medical report are present in their electronic file.

We at NCA anticipate this will have minimal impact on our clients. NCA's claims system works in such a way that when an employer files a C2F (Employer Report of Accident) any claim with medical treatment and/or lost time a FROI is always filed to accompany the claim in question. By definition this would meet the requirement for a claim to be complete and would not require additional action by the WCB.

Legal Updates – In-Person Hearing Points, OnBoard Submission of Request for Hearing

The Workers' Compensation Board also announced two updates in the legal sector, both of which we at NCA expect to have minimal impact on our claims and minimal impact on our clients.

The WCB has announced that they will be targeting Fall of 2024 to re-open multiple hearing points and customer service centers across the state. This is being done to give injured workers the option to attend hearings on their claim in person should they wish to do so. The Board has utilized a virtual hearing system since March 2020 which allowed them to fully continue operations throughout the pandemic.

Additionally, injured workers' requests to schedule a hearing on their claim(s) will be required to be submitted through the board's OnBoard portal starting in late-2024 as part of their initiative to focus on the use of their web-based platform.

If you are interested in discussing the potential impact of these changes further or would like to inquire in further detail, please contact Erin Jordan at 716-362-6493 or ejordan@ncacomp.com or contact your dedicated NCA account representative.