



Workers' Compensation Board

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NEW PROVIDER 101: Intro to Becoming a Board-authorized Provider

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Agenda

1. Background
2. Workers' Comp and the Role of Medical Provider
3. Expanded Provider Law
4. Authorized Providers – Current State
5. Authorized Providers – Future State
6. Application Process
7. Other Improvements

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What is Workers' Compensation?



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What is Workers' Compensation?

Workers' compensation is a no-fault system that provides:

- Coverage for on-the-job accidents, injuries and illnesses, including occupational diseases
- Cost of medical care
- Wage replacement
- Protection for employers and their employees

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Workers' Compensation Eligibility

Injured workers are entitled to workers' compensation.

- Insurers must report incidents to the Board
- Workers can also file a claim, but it's not mandatory
- Workers have two years to file claims (except for World Trade Center claims)

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Workers' Compensation Claims

A claim is paid if the employer or insurer agrees that the injury or illness is work-related.

If employer or insurer dispute a claim, a workers' compensation law judge would make the determination.

- Disability benefits may be provided to the worker if the insurer disputes the claim and no benefits are being paid

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Role of the Board

The New York State Workers' Compensation Board:

- Administers and oversees the workers' compensation system in New York
- Ensures employers carry the mandatory insurance
- Receives copies of all claim documents – it is not an insurer or payer of claims
- Conducts hearing before a law judge, as needed

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Health Care Providers' Role in the System



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Health Care Providers' Role

Medical providers must be authorized by the New York State Workers' Compensation Board, and are responsible for administering necessary medical care to claimants and documenting treatment rendered.

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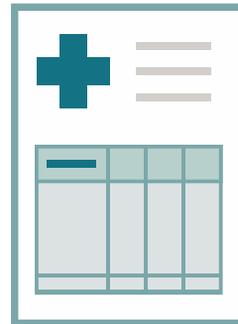
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Medical Reports

Providers are responsible for completing and submitting medical reports to the:

- NYS Workers' Compensation Board
- Insurance carriers
- Claimant's attorney or licensed representative, if applicable



Medical Reports

- **Providers may not bill injured workers; they submit medical bills directly to the insurance carrier or self-insured employer.**
- **Providers can search for an employer's Workers' Compensation insurance carrier on the website:**

wcb.ny.gov > [Health Care Providers](#) >
[Looking for an Employer's Insurance Card?](#) > [Employer Coverage Search](#)

Testimony and Depositions

Reports submitted to the Workers' Compensation Board are evidence in the workers' compensation case.

The following providers may be called upon to testify or be deposed:

- Physicians
- Chiropractors
- Podiatrists
- Psychologists
- Nurse Practitioners
- Licensed Clinical Social Workers

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How Are Providers Paid?

- Board-authorized providers are reimbursed for services according to medical fee schedules
- Available for purchase via Optum
- There are fee schedules for each provider and service type
- The Board resolves all disputes for medical bills that are unpaid or not paid at the proper Medical Fee Schedule amount

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Expanded Provider Law



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Background

- More robust treatment options for injured workers
- New law included in Gov. Cuomo's FY 2020 Enacted Budget
- More types of health care providers
- Faster treatment and recovery

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Authorized Providers – Current State

- Physicians
- Chiropractors
- Podiatrists
- Psychologists
- Ancillary non-authorized: RNs, PAs, OTs, PTs



Approximately 15,000 registered, authorized providers

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Authorized Providers – Future State

- Licensed Clinical Social Workers
- Nurse Practitioners
- Acupuncturists
- Physicians Assistants
- Occupational Therapists and Physical Therapists



Registered, authorized providers will increase by the thousands

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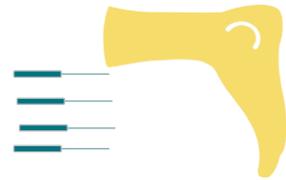
Expanded Provider Law - Acupuncturists

Acupuncturists will be able to:

- Be authorized to treat workers' compensation patients (with referral)

Acupuncturists will *not* be able to:

- Determine initial diagnosis and/or disability
- Determine ongoing disability
- Provide opinion on permanency
- Perform IMEs



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Expanded Provider Law - LCSWs

Licensed clinical social workers will be able to:

- Be authorized to treat workers' compensation patients
- Determine initial diagnosis and/or disability
- Determine ongoing disability
- Provide opinion on permanency



Licensed clinical social workers will *not* be able to:

- Perform IMEs

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Expanded Provider Law – Nurse Practitioners

Nurse practitioners will be able to:

- Be authorized to treat workers' compensation patients
- Determine initial diagnosis and/or disability
- Determine ongoing disability
- Provide opinion on permanency

Nurse practitioners will *not* be able to:

- Perform IMEs



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Expanded Provider Law – Other Changes

- **Physicians Assistants** can be authorized and can treat injured workers under physician supervision
- **Occupational Therapists** and **Physical Therapists** can be authorized and can treat injured workers with a referral



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Why Authorize More Providers?

- Increased medical care available to injured workers
- Ensure they receive quality health care
- Easier for workers to find proper care
- A quicker return to work
- Alignment with modern medical systems

Provider Application Process

- **Physicians:**
 - Will continue to involve medical societies, simultaneous with application to the Board
- **All other providers:**
 - Applications will go directly to the Board for review and approval

Draft Regulations Released

The Board issued regulations in June 2019 that included:

- Descriptions of the new authorization process
- Updates to variance process / C-4 Auth process to include new providers
- Shortly thereafter, updates to the fee schedule

Authorization Process

- Fully electronic
- Application direction based on provider type
- Includes a training element to ensure that new providers are familiar with the workers' compensation system
- Providers, including existing providers, will be expected to re-register with the Board consistent with renewal of their NYS license to ensure the Board's records remain up-to-date

Other Provisions

- Disputed bills from all WC medical services (including Rx and DME) can be resolved at WCB
- All arbitration for valuation objections to medical bills will go to desk arbitration
- Aggregate penalties

Additional Medical Care Improvements

- Medical Fee Schedule update provides higher reimbursement for services
- Transition to universal medical billing form, the *CMS-1500*, to reduce paperwork and administrative burden

More Information

Visit the Expanded Provider section of the Board's website: wcb.ny.gov/newprovider

Questions?

WCBMedicalDirectorsOffice@wcb.ny.gov

Subscribe to WCB for updates:

wcb.ny.gov/notify



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