



**Workers'  
Compensation  
Board**

**BETTER FOR WORKERS**

**BETTER FOR BUSINESS**

PAY TO THE  
ORDER OF

**BETTER FOR PAYERS**



**What Payers  
Need to Know**

# AGENDA

1 OnBoard: Limited Release

2 *New York Workers'  
Compensation Drug Formulary*

3 *New/Updated New York Medical  
Treatment Guidelines (MTGs)*

4 *New York State Workers' Compensation  
Fee Schedules*

5 Transitioning to the *CMS-1500* form

6 Payer Compliance

7 Telehealth update

8 Resources/questions

ONBOARD

**OnBoard:  
Limited Release**

# OnBoard: Limited Release (OBLR) now available!

## Phase 1:

- Medication prior authorization requests (PARs)
- Submission of *Requests for Decision on Unpaid Medical Bill(s) (Form HP-1.0)*
- REMINDER: eCase remains your go-to for up-to-date case information, including all PAR documents



# OnBoard: Limited Release rollout schedule

Phase One	Medication PARs & Form HP-1.0	Now live!
Phase Two	Durable Medical Equipment PARs	April 4, 2022
Phase Three	Treatment/Testing PARs	May 2, 2022




# OnBoard resources

Stay informed: [wcb.ny.gov/onboard](https://wcb.ny.gov/onboard)

- Walkthrough of registration process
- Video tutorials
- Recorded presentations
- Training
- Webinar – March 16

The screenshot shows a dark navigation sidebar on the left with the following sections: SECTIONS, Overview, What Is a PAR?, Access, eForms, Payer Determination, Email Notifications, OnBoard Dashboard, PAR Process, and Training & Resources. The main content area on the right is titled "Training & Resources" and includes sections for Training (with a link to "Training for Payers"), Videos (with a link to "Intro to OnBoard: Video"), Guides (with a link to "OnBoard: Registration Guide - Payers, Pharmacy Benefit Managers and Medical Review Organizations: Guide / Video"), Fact Sheets (with a link to "OnBoard: Limited Release – What Insurers Need to Know"), Webinars (with a link to "OnBoard: Limited Release for Insurers Webinar – April 2021: Video / Slides"), and Questions about OnBoard? (with a link to "Email [onboard@wcb.ny.gov](mailto:onboard@wcb.ny.gov)").

Questions: [onboard@wcb.ny.gov](mailto:onboard@wcb.ny.gov)



**New York Workers'  
Compensation  
Drug Formulary**



# *New York Workers' Compensation Drug Formulary*

- All new and refill prescriptions must comply in conjunction with OnBoard: Limited Release
- Requests for non-formulary medications will need to go through the Medical Portal process
- The Board has required that payers provide prescribers with a list of their patients currently taking non-formulary medications
- Payers were required to notify patients taking non-formulary medications of the medications and instructed to talk to their providers

# *New York Workers' Compensation Drug Formulary*

Coinciding with the launch of OnBoard: Limited Release, are the following:

- Clarification that a medical marijuana PAR will no longer be submitted via the existing variance request process



**New/Updated**  
**New York**  
**Medical Treatment**  
**Guidelines (MTGs)**

# New/Updated *MTGs*

Public comments are being reviewed for:

- *New York Traumatic Brain Injury (TBI)*
- *New York Complex Regional Pain Syndrome (CRPS )*
- *New York Eye Disorders*



# Medical Treatment Guidelines Update

The following **updated *MTGs*** will become effective on May 2, 2022:

- Neck
- Shoulder
- Mid and Low Back
- Knee and Non-Acute Pain

# Medical Treatment Guidelines Update

The following **new MTGs** will become effective on May 2, 2022:

- Ankle and Foot Disorders
- Elbow Injuries
- Hand, Wrist and Forearm Injuries (including Carpal Tunnel Syndrome)
- Hip and Groin Disorders
- Occupational Interstitial Lung Disease
- Occupational/Work-Related Asthma
- Post-Traumatic Stress Disorder and Acute Stress Disorder
- Work-Related Depression and Depressive Disorders
- Traumatic Brain Injury
- Complex Regional Pain Syndrome
- Eye Disorders

# MTG Training

Medical Treatment Guidelines training is available on the Board's website

- Payers take non-CME trainings
- Visit Health Care Providers section at [wcb.ny.gov](http://wcb.ny.gov)

## Medical Treatment Guidelines Training

**SECTIONS**

Overview

Available Courses

### Overview

Since 2010, the Workers' Compensation Board has developed training programs designed to meet the needs of the different stakeholders who participate in the WC system and use the Medical Treatment Guidelines (MTGs). The training has courses for the treatment of injuries and illnesses for the updated Mid and Low Back, Neck, Shoulder, Knee and Non-Acute Pain MTGs, as well as training for the new Ankle and Foot Disorders, Elbow Injuries, Hand, Wrist and Forearm Injuries (including Carpal Tunnel Syndrome), Hip and Groin Disorders, Occupational Interstitial Lung Disease, Occupational/Work-Related Asthma, Post-Traumatic Stress Disorder and Acute Stress Disorder and Work-Related Depression and Depressive Disorders.

To maintain your knowledge base, we recommend that you take all the courses.

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### Available Courses

- [New! MTG Lookup Tool overview](#) (8-minute recorded presentation). Learn how to use the Lookup Tool, accessed via the [Medical Portal](#) login, to search the Board's adopted Medical Treatment Guidelines by condition, treatment or test to determine whether a particular condition/treatment combination is "Recommended," "Not Recommended" or "Conditional."
- [Medical professionals](#)
- [Non-medical personnel](#) such as insurance adjusters, medical provider office staff, attorneys and licensed representatives, etc.



**New York  
State Workers'  
Compensation  
Fee Schedules**



# NYS Workers' Compensation Fee Schedules

- *Inpatient and Outpatient Fee Schedules*
- *Workers' Compensation Enhanced Ambulatory Patient Group (EAPG) Fee Schedules*
- *Podiatry Fee Schedule*
- *Dental Fee Schedule*
- *Private Psychiatric Hospital Fee Schedule*
- *Durable Medical Equipment Fee Schedule*
- Fees paid for out-of-state care



# NYS Workers' Compensation Fee Schedules

Health Care Providers

## Medical Fee Schedules

← HEALTH CARE PROVIDERS

### Fee Schedules

The Official New York Workers' Compensation Medical Fee Schedule may be purchased from OptumInsight 360 by writing to PO Box 88050, Chicago, IL 60680-9920, by calling (800) 464-3649 option 1 or online at <https://www.optum360coding.com/>, keyword New York, or <https://www.optum360coding.com/reference-products/workers-compensation/>. The Fee Schedule may also be examined at the Office of the Department of State, 162 Washington Ave., Albany, NY 12231, the Legislative Library, the libraries of the New York State Supreme Court, and the [Workers' Compensation Board District Offices](#).

- [Inpatient & Outpatient Fee Schedules](#)
- [Workers' Compensation Enhanced Ambulatory Patient Group \(EAPG\) Fee Schedules](#)
- [Podiatry Fee Schedule](#)
- [Dental Fee Schedule](#)
- [Private Psychiatric Hospital Fee Schedule](#)
- [Pharmacy Fee Schedule](#)
- [Durable Medical Goods Fee Schedule](#)
- [When Medical Treatment Takes Place in Another State](#)

# Enhanced reimbursement for designated providers

## NYS Workers' Compensation Medical Fee Schedule Ground Rules 17 & 18:

- Effort to increase the number of Board-authorized providers in the primary care medicine and behavioral health specialties
- Family Medicine, General Practice, Internal Medicine, Behavior Health
- Board established specific modifiers which provide a 20% reimbursement increase
- Included in the 2019 Medical Fee Schedule
- Using modifier 1D and 1B for appropriate/applicable Evaluation and Management services
- Only providers with designated Board-assigned rating codes



# Transitioning to the *CMS-1500* *Form*

SEARCH

WWW.

TUE 12:30 PM

PLATFORM

Medical diagnosis

SEARCH

WWW.

MEDICAL

MEDICAL

Diagnostic procedures

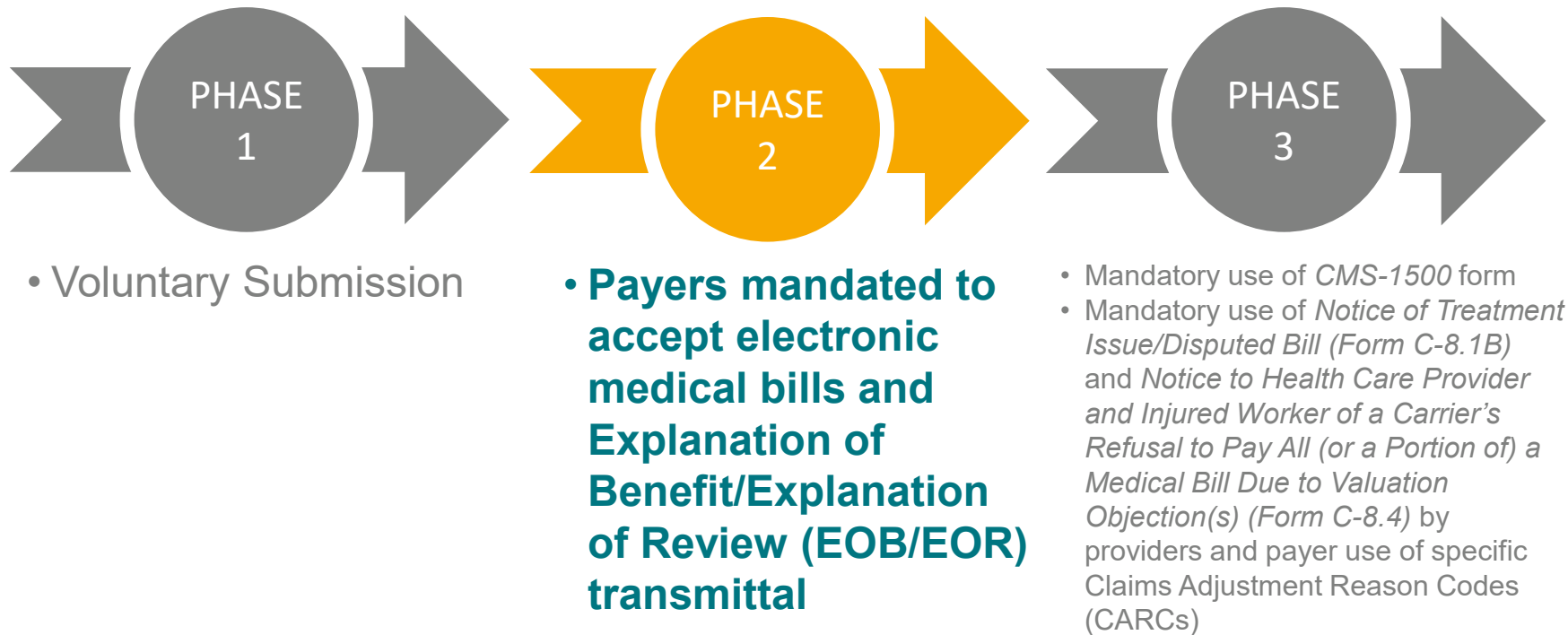
Differential diagnosis

MEDICAL

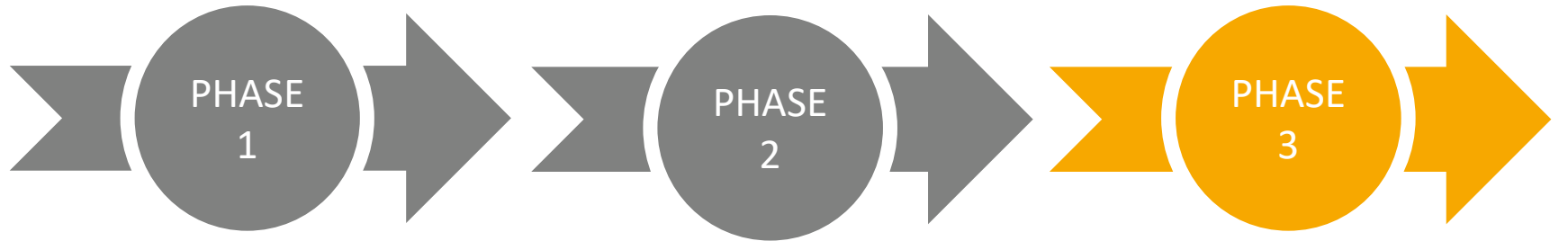
MEDICAL

Clinical decision support system

# CMS-1500 transition updated timeline



# CMS-1500 transition updated timeline



- Voluntary Submission

- Payers mandated to accept electronic medical bills and Explanation of Benefit/Explanation of Review (EOB/EOR) transmittal

- **Mandatory use of CMS-1500 form**
- **Mandatory use of *Notice of Treatment Issue/Disputed Bill (Form C-8.1B)* and *Notice to Health Care Provider and Injured Worker of a Carrier's Refusal to Pay All (or a Portion of) a Medical Bill Due to Valuation Objection(s) (Form C-8.4)* by providers and payer use of specific Claims Adjustment Reason Codes (CARCs)**

# CMS-1500 medical narrative report template and requirements

- The Board has developed a medical narrative report template
- Template includes the three mandatory elements to include with most narratives
- A medical narrative report may be found legally defective if these elements are missing

Report template can be found at:

[wcb.ny.gov/CMS-1500/requirements.jsp](http://wcb.ny.gov/CMS-1500/requirements.jsp)



A photograph of a business meeting with a teal overlay. Several people in suits are gathered around a table, looking at documents. A calculator, a pen holder, and a laptop are visible on the table. The text 'Payer Compliance' is overlaid in white on a teal circular background.

# Payer Compliance



# When is a suspension due?

## Timeliness of suspension under WCL Section 25(1)(d)

- Pursuant to WCL Section 25(1)(d): on Whenever for any reason compensation payments cease, the employer or its insurance carrier shall within sixteen days thereafter, send to the chair a notice on a form prescribed by the chair that such payment has been stopped, which notice shall contain the name of the injured employee or his or her principal dependent, the date of accident, the date to which the compensation has been paid and the whole amount of compensation paid
- The penalty for a late filing of a suspension under WCL Section 25(1)(d) is \$300, which shall be payable to the injured worker

# When is a suspension due?

## Timeliness of suspension under WCL Section 25(3)(e)

- Pursuant to WCL Section 25(3)(e): If the payer or employer fails to file a notice or report requested or required by the Board or otherwise required within the specified time period or within 10 days if no time period is specified, a \$50 penalty may be imposed which is payable to the Board
- The filing shall be late if filed more than 16 days after benefits cease unless benefits were being paid pursuant to WCL Section 21-a at the time of the suspension. If so, the filing would be late if not filed within 5 days

# Monitoring compliance

## Penalty for late suspension

- If the payer or employer fails to file a notice or report requested or required by the Board or otherwise required within the specified time-period or within 10 days if no time-period is specified, the Board may impose a \$50 penalty

# Measuring timeliness

The Board will use one of the following dates to determine the timeliness of the suspension filing, whichever is the latest:

- Benefit Payment Issue Date (DN0192)
- Benefit Period Through Date (DN0089)
- Suspension Effective Date (DN0193)

# Performance standards

The penalty under WCL Section 25(3)(e) will not be imposed if a carrier meets the following performance standards set per quarter:

- 1<sup>st</sup> Quarter 2022 and beyond – 85%

# More information

- Email: **[Monitoring@wcb.ny.gov](mailto:Monitoring@wcb.ny.gov)**
- Questions on EDI filings: **[eclaims@wcb.ny.gov](mailto:eclaims@wcb.ny.gov)**
- Visit **[wcb.ny.gov](http://wcb.ny.gov)** – Insurers – Monitoring and Compliance

A woman is shown in profile, holding a smartphone. The screen of the phone displays a telehealth consultation with a male doctor wearing a white coat and glasses. The background is a blurred clinical setting. A large teal circle is overlaid on the right side of the image, containing the text 'Telehealth Update'.

# Telehealth Update

# Telehealth

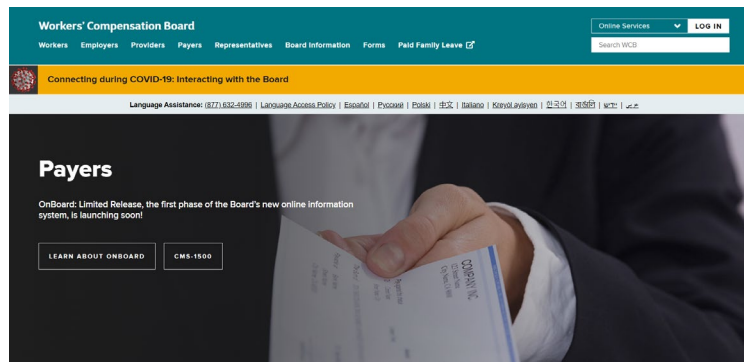
- Emergency telehealth regulations in place since March 16, 2020
  - The most recent telemedicine emergency adoption was filed January 11, 2022
  - A Notice of Emergency Adoption was published in the January 26, 2022, edition of the State Register
  - Includes billable codes for telemedicine
- Notice of Revised Rulemaking published March 2, 2022
  - Comments on revised proposal accepted for 45 days after publication



# Making the Board better for payers

As we continue to work on implementing improvements for payers, we're committed to:

- Increased communication
- Regular engagement regarding OnBoard



# Follow the Board



@NYSWorkersComp



@NYSWCB



@NYSWorkersCompBoard



[youtube.com/NewYorkStateWorkersCompensationBoard](https://youtube.com/NewYorkStateWorkersCompensationBoard)



[wcb.ny.gov/notify](mailto:wcb.ny.gov/notify)

# More Information

**HELPLINE:** (877) 632-4996

**WEBSITE:** [wcb.ny.gov](http://wcb.ny.gov) (*select 'Payers' link on top of page*)



**Workers'  
Compensation  
Board**

**Thank you**

**Questions?**