

# **WORKERS' COMPENSATION BOARD**

## **MISSION**

To protect the well-being of New York's labor force, most private and public sector employers in New York are required to carry workers' compensation and disability benefits insurance for their employees or demonstrate their ability to self-insure. The Workers' Compensation Board reviews claims for workers' compensation payments and assists in resolving disputed claims. In performing these responsibilities, the Board administers provisions of the following laws: the Workers' Compensation Law; the Disability Benefits Law; the Civil Defense Volunteers' Law; the Volunteer Firefighters' Benefit Law; and the Volunteer Ambulance Workers' Benefit Law.

Because of its broad mission, the Board is responsible for implementing many of the reforms included in the Governor's New York Employment, Safety and Security Act that made historic reforms in the workers' compensation system. The Act improved workplace safety and reduced average workers' compensation rates by approximately 35 percent since enactment of the reforms.

## **ORGANIZATION AND STAFFING**

The Board is headed by a Chairperson selected by the Governor and includes 12 additional full-time members nominated by the Governor and confirmed by the Senate for seven year terms. District offices are located in Albany, Binghamton, Brooklyn, Buffalo, Hauppauge, Hempstead, Manhattan, Peekskill, Queens, Rochester and Syracuse, with administrative offices in Albany. To make the hearing process as convenient as possible, the Board has 30 additional customer service centers located throughout the State. The Board will have a workforce of 1,544 positions for 2004-05.

## **FISCAL BACKGROUND AND BUDGET HIGHLIGHTS**

The Board is funded through assessments on the Workers' Compensation and Disability Benefits insurance industry and with revenues produced by various services provided by the Board. The assessments paid by insurers are allocated to three major programs: Disability Benefits; Systems Modernization; and Workers' Compensation.

The 2004-05 Executive Budget recommends approximately \$170.2 million in support for the Board. The recommended funding will enable the Board to fulfill the Governor's commitment to improve service to businesses and injured workers.

## **PROGRAM HIGHLIGHTS**

The Board continues to improve services by resolving claims in the most efficient and equitable manner possible. For instance, the agency continues to refine its formal and informal adjudication tools and resolve more outstanding claims issues for new and reactivated cases.

At the Governor's direction, the Board also created a new Workers' Compensation Fraud Inspector General with staff located across the State. In 2002, investigations by the Inspector General's office resulted in 106 arrests and \$4.6 million in victim restitution, both of which were record high levels.

## **DISABILITY BENEFITS PROGRAM**

Disability benefits provide cash payments in lieu of lost wages to temporarily disabled employees. Coverage is required for employers of one or more employees with such selected exceptions as agricultural enterprises and public employers.

## **WORKERS' COMPENSATION**

### **SYSTEMS MODERNIZATION PROGRAM**

The Office for Systems Modernization manages a multi-year effort to overhaul the Board's capacity to manage and use information. This program also maintains computerized systems vital to various Board operations and collects and analyzes data that measure performance and identify potential problems. Now that the Board has automated and improved the claims processing operation, its focus continues to be directed to other functional areas in need of automation and re-engineering, including Administration, Research and Compliance and Regulatory Services. When the modernization program is complete, the Board will have a new Workers' Compensation Board Information System that will automate and streamline all business activities. This has already increased productivity by enhancing the Board's capacity to process the millions of pieces of information it receives each year.

### **WORKERS' COMPENSATION PROGRAM**

The Workers' Compensation Board reviews workers' claims for benefits, reports of injury filed by employers and medical reports from physicians and other health care providers. The Board adjudicates all issues and law judges make awards and findings to ensure that an entitled claimant promptly receives benefits and medical treatment. The decisions by the law judges may subsequently be appealed to Board panels and eventually to the courts. The Board, through its Bureau of Compliance, also monitors employers to ensure that they properly provide coverage for their employees and imposes penalties on those employers who fail to do so. In addition, the Board's Regulatory Services Bureau authorizes physicians to treat compensation cases, awards licenses to medical providers and arbitrates disputed medical bills.

#### **ALL FUNDS APPROPRIATIONS (dollars)**

<b>Category</b>	<b>Available 2003-04</b>	<b>Appropriations Recommended 2004-05</b>	<b>Change</b>	<b>Reappropriations Recommended 2004-05</b>
State Operations	167,507,000	170,257,000	2,750,000	0
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
<b>Total</b>	<b>167,507,000</b>	<b>170,257,000</b>	<b>2,750,000</b>	<b>0</b>

#### **ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS**

<b>Program</b>	<b>Full-Time Equivalent Positions (FTE)</b>		
	<b>2003-04 Estimated FTEs 03/31/04</b>	<b>2004-05 Estimated FTEs 03/31/05</b>	<b>FTE Change</b>
Disability Benefits			
Special Revenue Funds - Other	51	51	0
Systems Modernization			
Special Revenue Funds - Other	81	81	0
Workers Compensation			
Special Revenue Funds - Other	1,412	1,412	0
<b>Total</b>	<b>1,544</b>	<b>1,544</b>	<b>0</b>

# WORKERS' COMPENSATION

## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2003-04	Recommended 2004-05	Change
Special Revenue Funds - Other	167,507,000	170,257,000	2,750,000
Total	<u>167,507,000</u>	<u>170,257,000</u>	<u>2,750,000</u>

## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2003-04	Recommended 2004-05	Change
Disability Benefits			
Special Revenue Funds - Other	6,727,000	6,861,000	134,000
Systems Modernization			
Special Revenue Funds - Other	35,616,000	35,694,000	78,000
Workers Compensation			
Special Revenue Funds - Other	125,164,000	127,702,000	2,538,000
Total	<u>167,507,000</u>	<u>170,257,000</u>	<u>2,750,000</u>

## STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2004-05 RECOMMENDED (dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Disability Benefits	6,861,000	134,000	3,492,000	(55,000)
Systems Modernization	35,694,000	78,000	4,209,000	(66,000)
Workers Compensation	127,702,000	2,538,000	65,941,000	(1,029,000)
Total	<u>170,257,000</u>	<u>2,750,000</u>	<u>73,642,000</u>	<u>(1,150,000)</u>

  

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Disability Benefits	3,369,000	189,000	0	0
Systems Modernization	31,485,000	144,000	0	0
Workers Compensation	61,145,000	3,567,000	616,000	0
Total	<u>95,999,000</u>	<u>3,900,000</u>	<u>616,000</u>	<u>0</u>