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To: Directors of OHRM and Directors of Personnel

From: Robert DuBois, Director
Employee Benefits Division

Subject: **New Workers' Compensation Notification Requirements**

Date: October 8, 2008

The Workers' Compensation Board promulgated new regulations in July, 2008 related to implementation of Workers' Compensation reform legislation passed in March 2007. The new regulations are entitled "Pharmacy and Durable Medical Goods Fee Schedules and Appendices" and are found in Chapter V. of Title 12 NYCRR. The new regulations govern creation of a workers' compensation pharmacy network.

New York State will be implementing a worker's compensation pharmacy network for all government employees pursuant to the new regulations beginning October 10, 2008. The Department of Civil Service is assisting the New York State Insurance Fund in implementing the new network.

Chapter V., Section 440.4, entitled "Notification," imposes specific notice requirements that all employers in New York State must satisfy when implementing a worker's compensation pharmacy network. The New York State Insurance Fund has created a document that all agencies must post in order to comply with the notice requirement contained in the new regulations. The document is entitled "**IMPORTANT NOTIFICATION CONCERNING WORKERS' COMPENSATION PHARMACY BENEFITS**" and is enclosed.

In addition, NYSIF created a short summary of important aspects of the new program to assist agency human resource officers in implementing the new program. The NYSIF summary is enclosed. The summary includes both posting and distribution requirements related to the "**IMPORTANT NOTIFICATION CONCERNING WORKERS' COMPENSATION PHARMACY BENEFITS**" document, as well as instructions for use of the Workers' Compensation Temporary Prescription Services ID to fill initial workers' compensation prescriptions at participating pharmacies.

Generally, agencies should post the "**IMPORTANT NOTIFICATION CONCERNING WORKERS' COMPENSATION PHARMACY BENEFITS**" as soon as possible. In addition, the notice should also be distributed to all employees either electronically or with payroll checks for the Institutional Payroll (October 22nd) and Administrative Payroll (October 15th). An electronic copy of the notice can be downloaded from the Department of Civil Service's web site: <http://www.cs.state.ny.us/ebdonline/>. Click on the link for Workers' Compensation Pharmacy Network Notification. In addition, each agency should make arrangements to provide all new employees with a copy of the notice following the initial distribution to existing employees.

For additional information on the pharmacy network or short-fill program for workers' compensation prescriptions, please contact your case manager in your NYSIF office.

Enclosures