

**New York State Department of Civil Service**  
DIVISION OF CLASSIFICATION & COMPENSATION

Classification Standard

**Occ. Code 6830500**

<b>Insurance Fund Hearing Representative, Grade 22</b>	<b>6830500</b>
<b>Supervising Insurance Fund Hearing Representative, M-2</b>	<b>6830800</b>

Brief Description of Class Series

Positions in this title series prepare and litigate workers' compensation claims on behalf of the New York State Insurance Fund at hearings before Workers' Compensation Law Judges. They evaluate hearing proceedings and provide appropriate follow-up to decisions.

These positions are classified only at the New York State Insurance Fund.

Distinguishing Characteristics

*Insurance Fund Hearing Representative:* full performance level; prepares and litigates difficult workers' compensation claims cases.

*Supervising Insurance Fund Hearing Representative:* one position class; formulates and implements procedures and guidelines for all Insurance Fund Hearing Representatives.

Related Classes

Unemployment Insurance Hearing Representatives prepare and present contested benefit claims and employer contribution liability cases at quasi-judicial hearings before Unemployment Insurance Referees and the Unemployment Insurance Appeal Board.

Illustrative Duties

*Insurance Fund Hearing Representative*

Reviews assigned workers' compensation claims and prepares for litigation.

- Assesses issues to be heard, such as accident, notice, and causal relationship or

questions of NYSIF coverage.

- Examines case documents including medical documentation for periods claimed, consultant's medical reports, and investigation reports.
- Reviews relevant evidence of an accident, including medical records for pre-existing disabilities and degree of disability, and payroll records to verify average wages, and period of lost time.
- Confirms that appropriate notice was given by the claimant and that there is a causal relationship to the claimant's employment.
- Reviews and recommends medical, consultant, and specialized investigation reports for occupation disease cases.
- Reviews formal proof of dependence such as marriage, death, and birth certificates, and medical evidence for death cases.
- Searches the Workers' Compensation Board's case folder for any documentation not in NYSIF's case folder.
- Performs depositions medical practitioners and experts in accordance with New York Civil Practice Laws and Rules.

Represents NYSIF at pre-hearing settlement conferences and at Workers' Compensation Board hearings and settlement conferences.

- Interviews NYSIF witnesses and takes testimony, both direct and cross-examination of witnesses appearing before the Workers' Compensation Board.
- Argues NYSIF's position in the case, including questions of fact and law, and objects to improper questions asked by the claimant's attorney.
- Argues against unreasonable penalties imposed by the Workers' Compensation Board and adverse findings made by the Workers' Compensation Law Judge, thereby protecting the record for possible appeal.
- Negotiates with claimant's attorneys or representatives for a possible settlement of contested issues, treatment and awards, or settlement of case under Section 32 of the Workers' Compensation Law.
- Argues and negotiates with representatives of other carriers for favorable apportionment of NYSIF's liability.
- Prepares and presents oral arguments, memoranda of law, and summations incorporating evidence, expert opinions, and legal principles

Performs post-hearing activities.

- Completes hearing reports by summarizing the hearing proceedings, outcomes of the hearing, issues involved, and important details of testimony.
- Composes memorandums to Claims Services staff specifying the amount of award due and to whom payable such as an employer when claimant never lost wages or dependents in death cases.
- Issues recommendation for examination of claimant by an independent medical consultant.
- Offers recommendation for necessary claim workup and strategy on claim resolution.
- Provides recommendations regarding appeals of decisions.

*Supervising Insurance Fund Hearing Representative*

Participates in formulating standards, procedures, and guidelines for the program.

Supervises Insurance Fund Hearing Representatives.

- Oversees and advises Insurance Fund Hearing Representatives in preparing difficult, high-cost claims cases.
- Directs training programs to ensure that all Insurance Fund Representatives statewide are familiar with current Workers' Compensation Law and Rules and Department policies and procedures.
- Monitors staff performance and directs related quality control studies.

Serves as the Hearing Office liaison to other departments such as Legal and Claims.

Compiles monthly statistical reports for management

Reviews cases on appeal to the Board by either NYSIF or the claimant and personally litigates the most sensitive and high-cost claims.

## Minimum Qualifications

### *Insurance Fund Hearing Representative*

Promotion: one year of service as a Claims Services Representative 1, Investigator 2 (Compensation Claims), or Medical Care Representative.

### *Supervising Insurance Fund Hearing Representative*

Promotion: one year of service as an Insurance Fund Hearing Representative.

**Note:** Classification Standards illustrate the nature, extent, and scope of duties and responsibilities of the classes they describe. Standards cannot and do not include all the work that might be appropriately performed by a class. The minimum qualifications above are those required for appointment at the time the Classification Standard was written. Please contact the Division of Staffing Services for current information on minimum requirements for appointment or examination.

Date: 5/2022

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