Workers' Comp

New York State Workers' Compensation Board Restores Previous Requirements

December 1, 2022
1 MIN READ

On November 23, 2022, the New York State Workers' Compensation Board adopted language restoring the requirement for self-insured employers and insurance carriers to notify pharmacies and their billing agents when a network has been established that the injured employee must use. The new requirement went into effect the day of its publication into the New York State Register, November 23, 2022.

This amended addition to 12 NYCRR 440.8 restores previous requirements that were effective prior to the implementation of the state's drug formulary. When the initial reimbursement request is received, the bill shall be paid at fee schedule. After the notification is mailed out, the out-of-network pharmacy is deemed to have received the notification five (5) business days after the date of notice. Self-insured employers and insurance carriers are not required to pay any bill or reimbursement request from an out-of-network pharmacy that is deemed to have received the notification required by this section.

The Mitchell Pharmacy Solutions operations team has created letters to send to claimants so they are aware of network pharmacies in their areas. Additionally, our operations team has the notification language ready to send to out-of-network pharmacies and their billing agents when reimbursement requests and bills are received.

If you have any questions about this update, please contact your client services manager.

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