Workers' Comp

New York Announces Full Formulary Implementation Date

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The New York State Workers' Compensation Board has formally announced their drug formulary will be fully implemented on June 7, 2021, for all medications, including renewal and refill prescription unless prior authorization has been obtained. The bulletin contained Board instruction on a notification process to providers and claimants that payers must follow as outlined in rule. Notifications are required to be sent prior to April 1, 2021. The Board has prescribed a notice format payers are obligated to use.

The process for implementing the formulary has been delayed over 2020 due to the pandemic. The Board rolled out their drug formulary for new prescriptions in December 2019, and there was a six-month delay for implementing renewal and refill prescriptions. As June 2020 approached, the Board announced a delay in implementing the formulary for refill and renewal prescriptions to ease the burden on providers dealing with the additional challenges the pandemic had placed on their practices. As December 2020 approached, the Board announced one more delay so that the full implementation of the formulary would follow on the heels of the rollout of their new prior authorization system.

The Board's decision to wait until after the implementation of their new electronic prior authorization will help reduce confusion on how the renewal and refill prescriptions should be pre-authorized going forward, and should be welcome news to the industry.

The bulletin from the Board along with the required formats for notices can be found here.

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