



Please be advised that on September 16, 2008, the New York State Workers' Compensation Board (NYWCB) adopted new regulations, creating a streamlined docket to resolve controverted (disputed) workers' compensation claims. This new initiative, popularly known as the "Rocket Docket," will take effect January 1, 2009.

As one of the nation's leading experts in workers' compensation, we are providing this update regarding changes brought about by the "Rocket Docket" and guidance concerning these changes. Our goal is to both manage workers' compensation costs while ensuring injured workers receive quality medical care and improve your ability to administer your workers' compensation program.

The "Rocket Docket" regulations were designed to speed resolution of disputed workers' compensation claims. Prior to the 2007 New York Workers' Compensation Law reform, disputed claims took an average of more than 200 days to resolve; the goal of the "Rocket Docket" is to reduce the resolution time of disputed claims to 90 days or less.

PMA's compliance with the new regulations will help to protect you, our customer, from unnecessary disputed claims. Please review the following to learn how you can actively participate in the claims process and assist us in the event of a disputed workers' compensation claim.

Revised Injury Reporting Process

As part of "Rocket Docket", the NYWCB has revised the injury reporting process. If an employee is injured, employers are required to use the new "Employer's Report of Work Related Injury/Illness" form, Form C-2. Please immediately begin using Form C-2 to report all employee injuries. For your convenience, a complete package of all the forms discussed in the letter can be downloaded from our website, http://www.pmagroup.com/NY_WorkCompMaterials.htm. You may also find the form at <http://www.wcb.state.ny.us/content/main/forms/c2.pdf>. In addition, PMA has updated our CINCH on-line claim reporting system to comply with changes in Form C-2.

Presently, the NYWCB requires employers to provide an injured employee with a package of forms used to advise an injured employee of his/her rights under the New York Workers' Compensation Law (NYWCL) and their obligations to utilize approved vendors for diagnostic testing and prescription drugs. In addition to these existing forms, employers must now provide employees with the new forms recently introduced by the NYWCB: the "Employee Claim" Form (C-3) and the "Limited Release of Health Information" Form (C-3.3).

Please report employee injuries to us within 24 hours and complete all parts of the Form C-2. This will enable the PMA Account Claims Representatives to review the Form C-2 prior to initiating the investigation. If you dispute a claim at the time of report and are submitting the form by mail or fax, we ask that you indicate so by writing "negative" at the top of Form C-2. If you dispute a claim and are reporting via CINCH or phone, please indicate in the notepad section that the claim is disputed, and advise PMA's Customer Service Representative.

Controverted (Disputed Claims)

If you dispute a claim, it is necessary that you provide PMA with a specific reason or reasons for your dispute as the "Rocket Docket" requires a carrier or third-party administrator to provide a factual basis for controverting a claim when filing a "Notice of Controversion" Form (C-7). If a claim is controverted your PMA Account Claims Representative will ask you for names of, and access to, witnesses to support your reasons for the dispute. This information is essential. Please note, these witnesses will be required to attend a Hearing at a later date.

PMA recognizes that the new regulations will require additional effort on your part. We remain dedicated to minimizing any disruption to you and make it as easy as possible for you to administer your workers' compensation program. Successful claims handling depends on your cooperation and participation in the administrative, investigative and litigation processes and we appreciate and thank you in advance for your efforts in this regard.

If you have any further questions, please contact your PMA representative.