

**MSSNY COMMITTEE ON WORKERS' COMPENSATION AND NO FAULT
INSURANCE
Discussion by email**

Committee Evaluation for the following of HOD Resolution:

2019-271 Shortage of Specialists in Workers' Compensation System

RESOLVED, That the Medical Society of the State of New York work with the Workers' Compensation Board and, if necessary, the legislature to promulgate new regulations or laws that are necessary to increase voluntary participation of necessary specialists and subspecialists in locations and in specialties and subspecialties where there is a shortage of qualified providers; and be it further

RESOLVED, That the Medical Society of the State of New York work with specialty societies that represent the specialties that are in short supply in the Workers' Compensation to develop a joint strategy to resolve this public health problem including review of the current inadequate payment structure.

At the 2019 House of Delegates, this resolution was referred to MSSNY Council. The council referred the resolution to MSSNY's Committee on Workers' Compensation and No Fault Insurance. Since there was no scheduled Committee meeting, Committee discussion was conducted via email.

Many Committee members noted that the WCB increased fees effective April 2019. The WCB is also expanding the use of their medical portal which should alleviate some of the paperwork burden by allowing claims to be filed on the CMS 1500 claim form, rather than the onerous C-4 Form, directly to the Board. These improvements may positively impact physician participation.

In addition, non-physician practitioners are expected to be added to the WC roster for treatment of injured workers on January 1, 2020. Having physician extenders may also alleviate some physician burden and free up time for physician specialists to treat injured workers.

In view of these anticipated improvements and considering that MSSNY will ask for another physician fee increase next year, it is suggested that MSSNY revisit this resolution in two years.

Other members urged non-adoption, since it appears to ask for more regulations in order to force physicians to participate with WC.

Committee Recommendation

The Committee on Workers' Compensation and No Fault Insurance votes to **NOT ADOPT** Resolution 2019-271 Shortage of Specialists in Workers' Compensation System.

(For Council Approval)