



**DIRECT DEPOSIT OPEN TO ALL CLAIMANTS, PROVIDERS**

NEW YORK STATE INSURANCE FUND

Workers' Comp

# ADVISOR

nysif.com

2nd Quarter 2017

**HOW SAFETY PAYS**

## Is Your Safety Training Doing Its Job?

**CERTIFICATES-TO-GO: NEW FEATURES ADDED TO MOBILE APP**





## NEED TO KNOW... Employer's Role

A new Workers' Comp Board factsheet, [Your Responsibilities as an Employer](#), outlines timely injury and illness reporting.

### This Issue

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- [Is Your Safety Training Effectively Doing Its Job?/5](#)
- [Fraud File: Charge Employer Falsified Sales By \\$570G/7](#)
- [NYSIF U: Pay Only for the Workers' Comp You Need/8](#)

## Great Online Services: Report Payroll, eApp

Reporting payroll electronically and using NYSIF's eApplication to apply for insurance are two useful features on nysif.com for employers and insurance reps.

"Both offer convenient, straight-through processing that is totally online," Director of Underwriting Sherwin Taylor said. "These are great services."

Online payroll reporting is available to most workers' comp and disability benefits policyholders.

Policyholders can find Report Payroll under "Employer" by choosing [Workers' Comp](#) or [Disability Benefits](#) policyholder. Then, simply complete the self-audit, sign it using DocuSign, and electronically submit the report to NYSIF.

To use NYSIF's electronic application for insurance, employers and reps must first create an online account, which is easy. From the home page, click [Login](#), Create An Account, enter the requested information and we'll email you a link to begin using your account the same day.

Employers can use the eApplication to apply for insurance, digitally sign the application and make a premium deposit electronically.

Reps can use the eApplication to apply for insurance for clients, and have their clients complete the process with DocuSign and an electronic deposit.

Employers can find the eApplication under [Looking for Insurance?](#) Representatives can find the eApplication under the [Insurance Representative](#) section.

Registered account holders also can create, print and renew certificates of insurance, as well as access policy and claims information.

—nysif.com—

**HAVE YOU  
SIGNED UP  
YET?**

**Register Now**

## WCA FYI

# Paid Family Leave to Begin Jan. 1, 2018

**G**overnor Andrew Cuomo signed into law a Paid Family Leave (PFL) Program that will provide New Yorkers job-protected, paid leave to bond with a new child, care for a loved one with a serious health condition, or help relieve family pressures when someone is called to active military service.

PFL will be added to NYSIF disability benefits (DB) policies effective Jan. 1, 2018. All employees of NYSIF DB policyholders will be automatically covered for PFL under their NYSIF DB policies.

The cost of coverage will be set by the Department of Financial Services (DFS) later this year, and will be fully funded through employee payroll deductions, which may begin on or after July 1, 2017. To be eligible for PFL benefits with NYSIF, an employee must have worked for the NYSIF policyholder for 26 weeks full-time or 175 days part-time.

Program benefits initially offer up to eight weeks of paid leave at 50% of the employee's average weekly wage (AWW) up to the maximum benefit of 50% of the New York State AWW. The program will be fully implemented on Jan. 1, 2021, and will offer up to 12 weeks paid leave at 67% of the employee's AWW, up to the maximum benefit of 67% of the NYS AWW.

For more information, please refer to these resources:

#### **PFL website:**

<https://www.ny.gov/paidfamilyleave>

#### **WCB draft regulations:**

<http://www.wcb.ny.gov/PFL/pfl-regs.jsp>

#### **DFS draft regulations:**

<http://www.dfs.ny.gov/insurance/rproindx.htm>

**Paid Family Leave Help Line: (844) 337-6303**

The Notice of Proposed Rule Making was published in the Feb. 22, 2017 edition of the State Register. Comments on the proposed rule are accepted for 45 days. The final rules may change based on comments received.

To find **NYSIF PFL updates** when they become available, please visit [www.nysif.com/paidfamilyleave](http://www.nysif.com/paidfamilyleave)

# NYSIF Expands Direct Deposit Online Service

**N**YSIF direct deposit is now available for medical providers. Register for a customer account now and sign up for direct deposit with simple online enrollment.

NYSIF also has expanded direct deposit to disability benefits claimants for the first time. The expansion of direct deposit service is in addition to already eligible workers' comp claimants and beneficiaries.

Direct deposit payments are convenient and secure, with no worry that checks may be lost or stolen. Learn more about electronic payments with direct deposit at [nysif.com/directdeposit](https://nysif.com/directdeposit).

## New for Providers

NYSIF made several service enhancements at our [nysif.com](https://nysif.com) medical provider portal.

## Direct Deposit of Medical Payments

NYSIF can make payment for up to 25 separate bills with each direct deposit. Providers will now receive an email notification each time we make deposit to your account.

## Payee Portal Search

We expanded our search parameters to make it easier for providers to obtain the information needed to submit bills for payment. Help NYSIF process medical bills more efficiently, resulting in faster payments, by including complete information on your bill submissions.

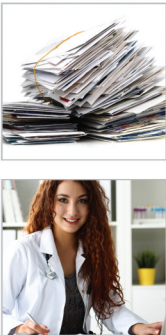
## Electronic Bill Submission

NYSIF added a third billing vendor that providers can now use to submit medical bills electronically. NYSIF urges providers to take advantage of electronic bill submission by using any of our three vendors. Visit the [Medical Provider](#) section of [nysif.com](https://nysif.com) for details about medical bill submission, direct deposit and more.

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FOR PROVIDERS, EACH  
DIRECT DEPOSIT CAN  
CONTAIN PAYMENT FOR UP  
TO 25 SEPARATE BILLS.

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Tired of dealing with paper?

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Problem solved

Create a NYSIF online account to use our medical provider portal and enroll in direct deposit. Track billing online. Receive quicker access to payments with efficient, electronic direct deposit.

New York State Insurance Fund 

[nysif.com/directdeposit](https://nysif.com/directdeposit)

— [nysif.com](https://nysif.com) —

**HAVE YOU  
SIGNED UP  
YET?**

**Register Now**

## NYSIF Adds Enhanced Security for Online Accounts

At NYSIF, we take your privacy seriously. We are pleased to tell you we have added a feature to further protect the security of your online customer account.

The first time you log in to your online account, in addition to your username and password, you will be prompted to choose and answer three security

questions and specify either a mobile number or email address to receive verification alerts.

If NYSIF needs to verify your account during a future log in, you will be asked to answer one of the three security questions. By providing your responses, you will verify that you are the online account owner.

# NYSIF Has Instant Quote for Domestic Workers' Comp Policies

**N**YSIF is pleased to introduce Instant Quote for employers seeking workers' comp insurance coverage for domestic workers.

Instant quote allows employers to quickly and easily apply for workers' comp coverage for household employees in one short session. In only minutes, an employer or representative can create/log in to an online account, complete a short application, receive a quote and pay the premium deposit to receive coverage. There is absolutely no obligation to purchase a policy after receiving the quote.

Take advantage of this new service by visiting [nysif.com](http://nysif.com), creating or logging in to your Customer Account and selecting Get a Quote for Domestic Workers.

The streamlined domestic workers' application is only available online and consists of just six questions.

See [About Auditing](#) at [nysif.com](http://nysif.com) or use this [link](#) for more information on household employees' classifications.

## Household Employee Payroll Descriptions

The number and type of domestic workers you employ are the basis for determining premium for household employee workers' comp policies. The two basic classifications of household employees are "inside" and "outside." They are further categorized by the number of hours they work per week:

- **Household employees (inside)** are engaged exclusively in household work performed inside the residence. Examples include cook, housekeeper, babysitter and nanny.
- **Household employees (outside)** are engaged exclusively in household work performed outside the residence. Examples include a gardener or private driver.
- **Full-time:** any household worker who is employed more than 20 hours per workweek.
- **Part-time/Occasional:** any household worker who is employed 20 hours or less per workweek.

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CREATING AN ACCOUNT IS EASY...

LOGIN, SIGN UP, RECEIVE AN EMAIL

FROM NYSIF, ACCESS YOUR

ACCOUNT THE SAME DAY.

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— [nysif.com](http://nysif.com) —

**HAVE YOU  
SIGNED UP  
YET?**

**Register Now**

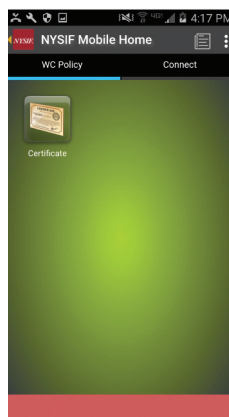
## Sign Up to Use Our Mobile App for Certificates To-Go

**R**egister now at [nysif.com](http://nysif.com) to start using our NYSIF Mobile Policy app. There's no waiting for certificates of insurance when you use our online system, and when you use our new app you can create, print or send certificates at a moment's notice from anywhere.

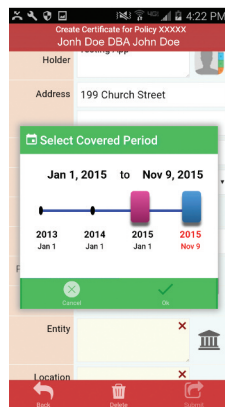
In addition to managing certificates, you can access policy information by clicking the Note icon in the header (near right). Recent updates to the app include a slider screen (center) to select the certificate period, and a notification screen (far right) if you opt to provide advance notice of cancellation to the certificate holder.

The NYSIF Mobile Policy app is for policyholders only. Download the free app from the Google Play Store or Apple iTunes.

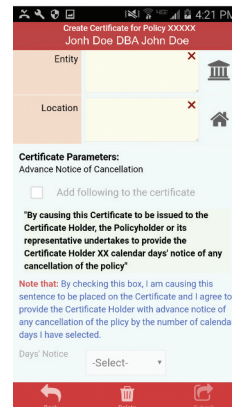
Mobile App – NYSIF Mobile Wallet  
APP Home Screen



Mobile App – NYSIF Mobile Wallet  
Create Certificate Screen  
Select Coverage Period



Mobile App – NYSIF Mobile Wallet  
Create Certificate Screen  
Notice of Cancellation





# SAFETY COP

Gary Dombroff, CSC  
NYSIF



## Making Safety Training Pay Off

**E**very business and organization, no matter how large or small, must train its employees to be safe. Ideally, this training begins with every employee's orientation, when teaching job skills, and throughout his or her career. Workers and managers can prevent accidents and be more productive when they can recognize and control workplace hazards.

Effective safety training can lead to fewer workplace injuries, which, in turn, lowers the cost of workers' comp premiums. Preventing accidents also lowers the hidden costs associated with equipment damage and replacement personnel.

Cost-conscious employers provide training in basic safety topics, job-specific tasks and Occupational Safety and Health Administration (OSHA) standards. Fundamentally, safety training involves identifying competent trainers and developing their safety knowledge and communication skills.

### COMMUNICATION

Effective communication is vital. Trainers must teach new workers the safe way to perform their duties, and provide remedial training for experienced workers when necessary. Simply telling workers what to do is not sufficient. Good training promotes participation and retention, requiring demonstration, feedback and follow-up to make sure workers understand and follow safe work practices and procedures.

Every work area can be a training area. First-line supervisors are usually the primary trainers in both formal and informal settings. Training can occur during staff meetings, toolbox talks, safety committee meetings and work procedure demos. More formal training may include video or classroom sessions. As key personnel, supervisors must initially receive thorough safety training and continuing safety education when needed.

### BASIC TRAINING

Ideally, safety training is scalable, and should be appropriate for a business's size and operation. Small businesses, or those with little or no industrial operations, might need training in basics like lifting, housekeeping and fire safety. If exposures change, or accidents occur, detailed training can be added.

Teaching individuals or small groups of workers often provides more meaningful training than large meetings. Peer-to-peer training is an effective way to convey safety concepts in actual work settings. Supervisors and co-workers should positively

## EFFECTIVE TRAINING LEADS TO FEWER INJURIES, WHICH CAN LOWER YOUR WORKERS' COMP PREMIUM.

reinforce the message that safety is important. Observe employees at work to determine if they understand hazards and controls. Never tolerate unsafe shortcuts.

### MAKE IT PERSONAL

Safety experts agree on two keys: Hands-on training works better than lectures, and personal stories work better than dry reminders. Master trainer Tim Page-Bottoroff writes that stories can linger in a good way, as with the employee who will "modify my behavior to avoid the injury or close call that happened in the story I was told."

"Finding a good balance of humorous or interesting activities to intersperse with the important messages...will ultimately make for a memorable class," Page-Bottoroff writes. "It has been proven time and again that using a combination of learning activities increases retention."

### VALUABLE RECORDS

Employers with machinery or chemical exposures require more complex training, especially if their operations fall under OSHA standards. The most common OSHA standards, General Industry and Construction, dictate when and which employees must be trained, course content and delivery methods. See the booklet "Training Requirements in OSHA Standards" (OSHA 2254)

<https://www.osha.gov/Publications/osha2254.pdf>.

These employers should designate trainers with knowledge of OSHA regulations and good recordkeeping ability. Good records continually track all training, including the instructor's name, training method and employees trained, and can protect you against citations for negligence by OSHA.

Good records also provide positive motivation. Wise employers note when they have achieved their safety training goals. This not only measures a safety program's progress, but boasts such motivators as the numbers of safety surveys completed, hazards abated and near misses reported

### THE BOTTOM LINE

Proper safety training can prevent accidents and lower workers' comp premiums. Communication between workers, or between supervisors and subordinates, really matters. Safety messages and training are best delivered when they are personal, hands-on and scalable. Employers subject to OSHA standards must document required training for workers addressing hazardous exposures and operational safety.

Visit the **Employer** tab at [nysif.com](http://nysif.com) and choose [Injury and Illness Prevention](#) for more information about workplace safety programs, and access to NYSIF's free [Safety Resources](#).

# Health & Safety Focus

## Top 10 Cited Violations in 2016

OSHA released its preliminary list of the 10-most cited safety and health violations for 2016.

OSHA noted that the list rarely changes, nor does the prevalence of worker deaths and injuries every year, despite ongoing efforts to address these hazards. If all employers simply corrected the top 10 hazards, OSHA said, it is confident the number of deaths, amputations and hospitalizations would drastically decline.

**Top 10 Violations** (OSHA comments in parenthesis):

**Fall protection** (Ongoing fall protection awareness and education campaign must be taken more seriously by employers.)

**Hazard communication**

**Scaffolds**

**Respiratory protection** (Not nearly enough employers provide needed protection and training.)

**Lockout/tagout** (Far too many workers are killed or maimed when machinery starts up suddenly.)

**Powered industrial trucks** (Violations/fatalities involving fork lifts and powered trucks indicates a lack of proper training.)

**Ladders**

**Machine guarding**

**Electrical wiring**

**Electrical, general requirements**



## BLS Reports Increase in Worker Fatalities

Worker fatalities in the U.S. increased to 4,836 in 2015, up from 4,821 reported in 2014, according to the Bureau of Labor Statistics (BLS). The 2015 fatal workplace injury toll was the highest since the Census of Fatal Occupational Injuries (CFOI) recorded 5,214 fatal injuries in 2008.

The overall rate of fatal work injuries dropped from 3.43 per 100,000 full-time equivalent workers in 2014 to 3.38 in 2015.

### Among CFOI findings:

- Roadway fatalities rose nine percent from 2014, accounting for more than one-fourth of all fatal work injuries in 2015.
- Heavy and tractor-trailer truck drivers recorded 745 fatal injuries, the most of any occupation.
- There were 937 fatalities in the private construction industry, the highest total since 975 reported cases in 2008.
- Hispanic or Latino workers suffered 903 fatal injuries in 2015, the most since 937 fatalities in 2007.
- Workers age 65 and older suffered 650 fatal injuries, down from 684 reported in 2014, but the second-largest number for that group since the census began in 1992.

- Homicides were up two percent from 2014 totals.

The 2015 CFOI report released in December 2016 was the first CFOI report without revisions. BLS said it will no longer produce preliminary reports, which it had in past years.

## NYCOSH: Construction Deaths Increase

The New York Committee for Occupational Safety and Health (NYCOSH) released its Annual Report on Construction Fatalities in New York State on Jan. 17, 2017. The report cited an uptick in worker fatalities in New York State, and an overall increase in construction site accidents and deaths due to falls.

### Key NYCOSH findings:

- Latino workers are disproportionately impacted by unsafe working conditions, are more likely than non-Latinos to die on the job, and more likely to die from fatal falls.
- In the decade beginning in 2006 and ending in 2015, 464 construction workers died on the job in New York State.
- According to BLS 2015 data, 49 percent of deaths in New York State and 59 percent of deaths in New York City were caused by falls.
- BLS 2014 data showed more than two in three construction site inspections in New York (68 percent) uncovered safety violations.

NYCOSH said wage and hour violators are more likely to be safety violators, and non-union construction sites are more dangerous.

## Stand-Down to Prevent Falls, May 8-12

May 8-12, 2017, marks the fourth annual [National Safety Stand-Down](#) to prevent falls in construction. The weeklong event encourages employers and workers to pause during the work day to talk about fall hazards and prevention.

Past Stand-Downs have had more than one million participants. The event, sponsored by OSHA, the National Institute for Occupational Safety and Health, and the Center for Construction Research and Training, has expanded to industries beyond construction.



## Safe + Sound Week

June 12-18, has been designated as Safe + Sound Week, a nationwide effort to raise awareness about the value of workplace safety and health programs. Such programs, organizers say, help employers and workers address workplace hazards before they cause injury or

illness, and help improve the bottom line.

OSHA, the National Safety Council, the American Industrial Hygiene Association, the American Society of Safety Engineers, and the National Institute for Occupational Safety & Health are encouraging events and activities that focus on core elements of effective safety and health programs. Sign-up for email updates on the [Safe + Sound Week webpage](#).



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## FRAUD FILE

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# Charge Employer in Premium Scam

**A**cting Brooklyn DA Eric Gonzalez announced charges against the owner of an interior painting company for allegedly defrauding NYSIF by falsifying business records, which resulted in a lower premium than required to secure workers' compensation coverage for his workers.

Vasillios Georgiadis, aka William Georgiadis, 64, of Dyker Heights, Brooklyn, and his company, Coronet Gotham LLC, located in Red Hook, Brooklyn, were charged with insurance fraud, grand larceny, failure to secure workers' compensation insurance, fraudulent practices, falsifying business records and offering a false instrument for filing.

Mr. Georgiadis allegedly underreported Coronet Gotham sales by more than \$570,000 between November 2013 and June 2014, concealing 90 percent of their total sales.

After issuing an insurance policy to Mr.

Georgiadis in November 2013, NYSIF cancelled the policy for nonpayment. During a subsequent NYSIF audit, Mr. Georgiadis allegedly reported that Coronet Gotham had gross sales of \$58,000 for the policy period, all resulting from one contract for a general contractor.

An audit of the general contractor for whom Mr. Georgiadis and Coronet Gotham worked as a subcontractor allegedly revealed that Mr. Georgiadis submitted invoices totaling \$628,278 paid by the general contractor from November 2013 to April 2014. That amount was \$570,278 more than what Mr. Georgiadis reported to NYSIF for that policy period.

By concealing these sales, Mr. Georgiadis allegedly defrauded NYSIF out of \$64,842 in additional premium.

"NYSIF front-line staff are trained to look for red flags and inaccuracies, which can also result in stopping fraudulent activity before it starts," NYSIF Director of

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## THE DEFENDANT ALLEGEDLY UNDERREPORTED SALES BY MORE THAN \$570G.

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Confidential Investigations John W. Dormin said. "In this case, the fraudulent behavior was discovered by a thorough NYSIF auditor who cross checked information from Mr. Georgiadis and the general contractor."

"This defendant defrauded an agency meant to protect New York's workers," Acting DA Gonzalez said. "He then left his own workers, performing physical and demanding jobs, without coverage and dangerously vulnerable to the financial costs associated with workplace injury."

# New Opioid/Heroin Reforms Take Effect

New health insurance reforms aimed at further combatting New York State's heroin and opioid crisis took effect Jan. 1, 2017. The reforms were part of a legislative package signed by Governor Andrew Cuomo in 2016 [\[WCA3Q2016\]](#).

The new reforms require health insurance plans to cover and increase access to treatment services for New Yorkers suffering from opioid addiction, and expand prevention strategies.

"With these landmark reforms fully enacted, we have removed artificial barriers that prevented New Yorkers from receiving the help they need, and put in place new safeguards to get these drugs off the street," Governor Cuomo said.

New protections include measures that remove barriers to inpatient treatment and medication, including ending prior authorization for inpatient treatment and access to opioid treatment and overdose medications.

Coverage requirements apply to health insurance plans issued or renewed beginning Jan. 1, 2017.

The full legislative package includes several best practices recommended by the Governor's Heroin and Opioid Task Force, such as:

- Reducing prescription limits from 30-days to seven days for initial opioid prescriptions for acute pain, with

exceptions for chronic pain and other conditions.

- Requiring ongoing education for all physicians and prescribers, who must complete three hours of education every three years on addiction, pain management and palliative care.

- Mandating pharmacists provide easy-to-understand information to consumers on risks associated with drug addiction and abuse, including information about local treatment services.

- Requiring data collection on overdoses and prescriptions to assist the state in providing additional protections to combat this epidemic.

## Workers' Comp Advisor

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## A NYSIF 'U' REFRESHER

NYSIF's education and information series for employers.



### Many Reasons to Choose NYSIF PAYGO

Here are several reasons why NYSIF PAYGO is a sensible choice for workers' comp policyholders to pay their premium.

NYSIF PAYGO allows you to:

- Make easy, accurate payments based on actual payroll
- Eliminate down payments
- Minimize audit adjustments
- Manage your cash flow
- **Plus, NYSIF PAYGO is**

**now available to most new and renewal policies regardless of premium size** (except certain contracting codes, including roofing).

Perhaps the best reason to enroll in NYSIF PAYGO is it allows you to pay-as-you-go! Unlike a monthly payment plan, NYSIF PAYGO is based on actual payroll so you pay only for the workers' comp insurance you need, when you need it, which makes it a perfect alternative for seasonal business.

NYSIF PAYGO is a great premium payment option for any business that wants to free cash flow, save time and money, and virtually eliminate yearend audit adjustments. Go to [nysif.com/paygo](http://nysif.com/paygo) for more information or to enroll.



The easiest way to manage your workers' comp premium.

### NYSIF PAYGO

Pay-as-you-go for workers' compensation insurance through your payroll processing company.

 New York State Insurance Fund

[ If you have a question for NYSIF U'e-mail [jmesa@nysif.com](mailto:jmesa@nysif.com) ]