



**Workers'
Compensation
Board**

2024 ANNUAL REPORT



**CLARISSA RODRIGUEZ
CHAIR**



**KATHY HOCHUL
GOVERNOR**

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A BETTER BOARD

**THE MANHATTAN DISTRICT:
IN OCTOBER 2024, THE BOARD
REOPENED ITS HEARING SITES,
INCLUDING THE WHITE PLAINS OFFICE
FOR IN-PERSON HEARINGS, WHILE
STILL OFFERING THE CONVENIENT
VIRTUAL HEARING OPTION.**





EXECUTIVE SUMMARY

**THE BROOKLYN DISTRICT:
THE BOARD'S NEW
BROOKLYN OFFICE AT
ONE PIERREPONT PLAZA
BORDERS BROOKLYN
HEIGHTS, NEW YORK CITY'S
FIRST HISTORICAL DISTRICT.
HILLARY CLINTON USED THIS
LOCATION AS HER CAMPAIGN
HEADQUARTERS WHEN
RUNNING FOR PRESIDENT.
THE BOARD'S STATEN ISLAND
LOCATION IS ALSO PART OF
THIS DISTRICT.**



Executive Director Steven Scotti and Vice Chair Freida Foster listen to Chair Clarissa Rodriguez speaking at the NYS Workers' Compensation Board 2024 Conference.

EXECUTIVE SUMMARY

The New York State Workers' Compensation Board (Board) is pleased to submit its **2024 Annual Report**. Pursuant to *Workers' Compensation Law § 153*, this report details the Board's work in hearing and deciding cases and related aspects of the Board's operations, including the assembly and adjudication of workers' compensation claims, and employer and payer compliance.

The Board is a special revenue agency that acts as the "court system" for a \$9 billion annual* workers' compensation program. The Board ensures that wage replacement and medical benefits are paid in a timely manner, consistent with laws and regulations governing workers' compensation, volunteer firefighters, ambulance, and civil defense workers, disability benefits, and Paid Family Leave.

In 2024, the Board advanced its modernization efforts, while improving access to medical care and meeting the needs of injured workers and employers. Benefit levels rose for injured workers, and employers continued to see lower assessment rates and lower premium levels.

The Board continued to make progress on its multi-year OnBoard modernization program, which is moving historically paper-based systems online. Following the successful 2022 launch of OnBoard: Limited Release, the first release of the Board's new business information system, the Board implemented more than 75 enhancements to the system. In December 2024, the Board launched the first eForm (electronic submission) for attorneys that significantly expedites the receipt and resolution of requests and brings data quality controls to submissions.

Efficiency was a key theme in 2024, as the Board made changes to reduce backlogs in reviewing prior authorization requests (PARs), get hearings scheduled more quickly, eliminate medical billing dispute backlogs, and expand desk review of Section 32 waiver agreements to expedite benefits, among other improvements. The Board also reopened to the public for in-person hearings and other services by appointment, for the first time since March 2020.

**Based on actual workers' compensation insurance premiums reported in 2023.*

CLAIMS



THE BUFFALO DISTRICT (WESTERN NEW YORK): HOTEL LOBBY SCENES FOR THE 1984 BASEBALL-THEMED FILM THE NATURAL (STARRING ROBERT REDFORD) WERE FILMED INSIDE THE ELLICOTT SQUARE BUILDING, HOME OF THE BOARD'S BUFFALO OFFICE.

CLAIMS OVERVIEW

In 2024, the Board received over nine million claims documents, filed by a variety of system stakeholders, including health care providers, injured workers, employers, attorneys, and insurers. This is a reduction of more than two million documents compared to 2022, due to the shift toward online processing through OnBoard.

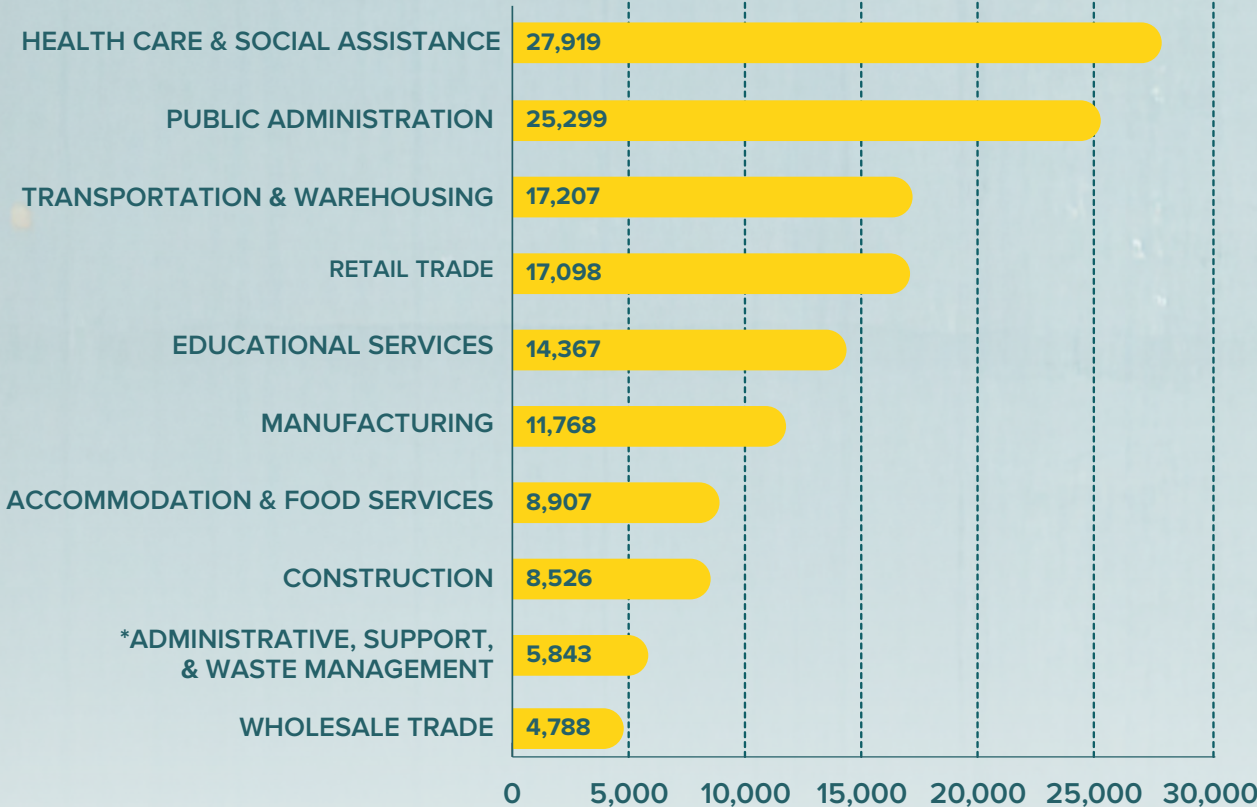


The number of claims assembled and designated complete in 2024 was 165,320. To be considered a complete claim, the Board must receive a formal notice of the injury from the insurer and a qualifying medical document. The number of claims dropped slightly compared to 2023, indicating that claims have started to level off following several years of growth after 2020, when the Board recorded the lowest count of claims since the 2014 implementation of eClaims auto-assembly.

CLAIMS BY INDUSTRY

Health Care and Social Assistance, Public Administration, and Transportation and Warehousing were the three industries producing the most workers’ compensation claims in 2024. The claims represented in the top 10 industries made up 85.7% of the total claims assembled in 2024.

CLAIMS ASSEMBLED IN 2024 BY NAICS INDUSTRY (TOP 10)



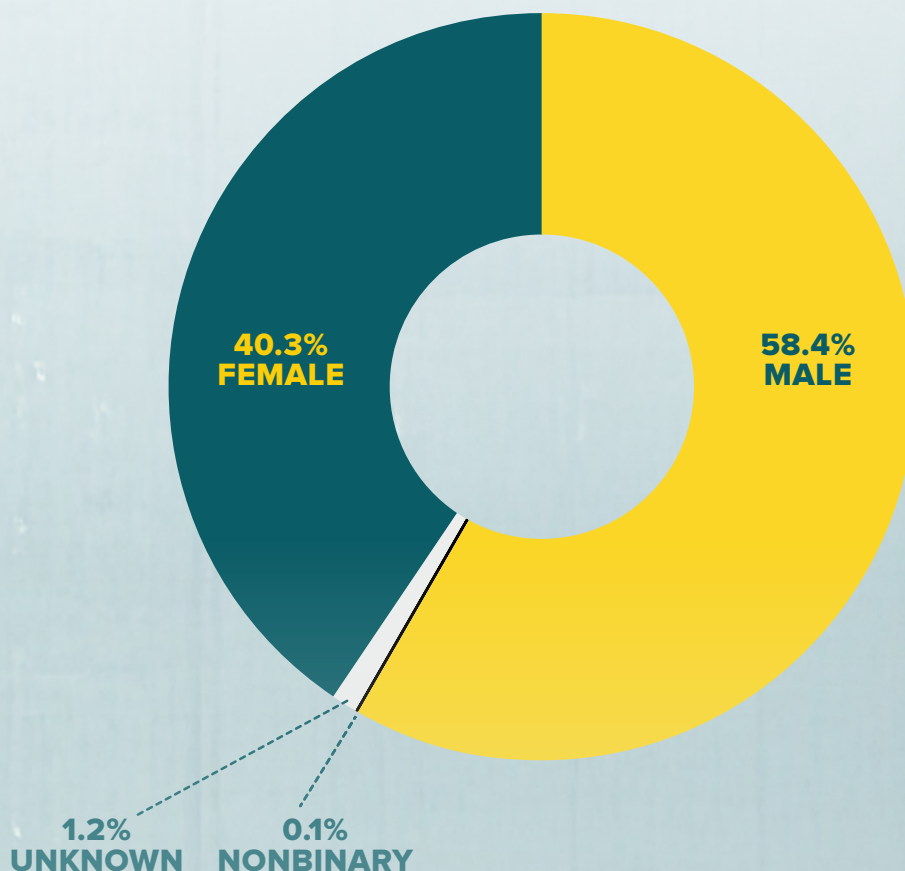
The above represents the top 10 industries for claims assembled in 2024. The claims represented in the top 10 industries make up 85.7% of the total claims assembled in 2024. The other 14.3%, not shown in the chart, fall into one of 11 other industries.

*Administrative, Support, Waste Management, and Remediation

CLAIMS BY GENDER

In 2024, males accounted for 58.4% of claims and females accounted for 40.3%. The injured worker's gender was unknown for 1.2% of claims, and 0.1% of claims were from injured workers who identified as nonbinary.

CLAIMS ASSEMBLED IN 2024 BY GENDER

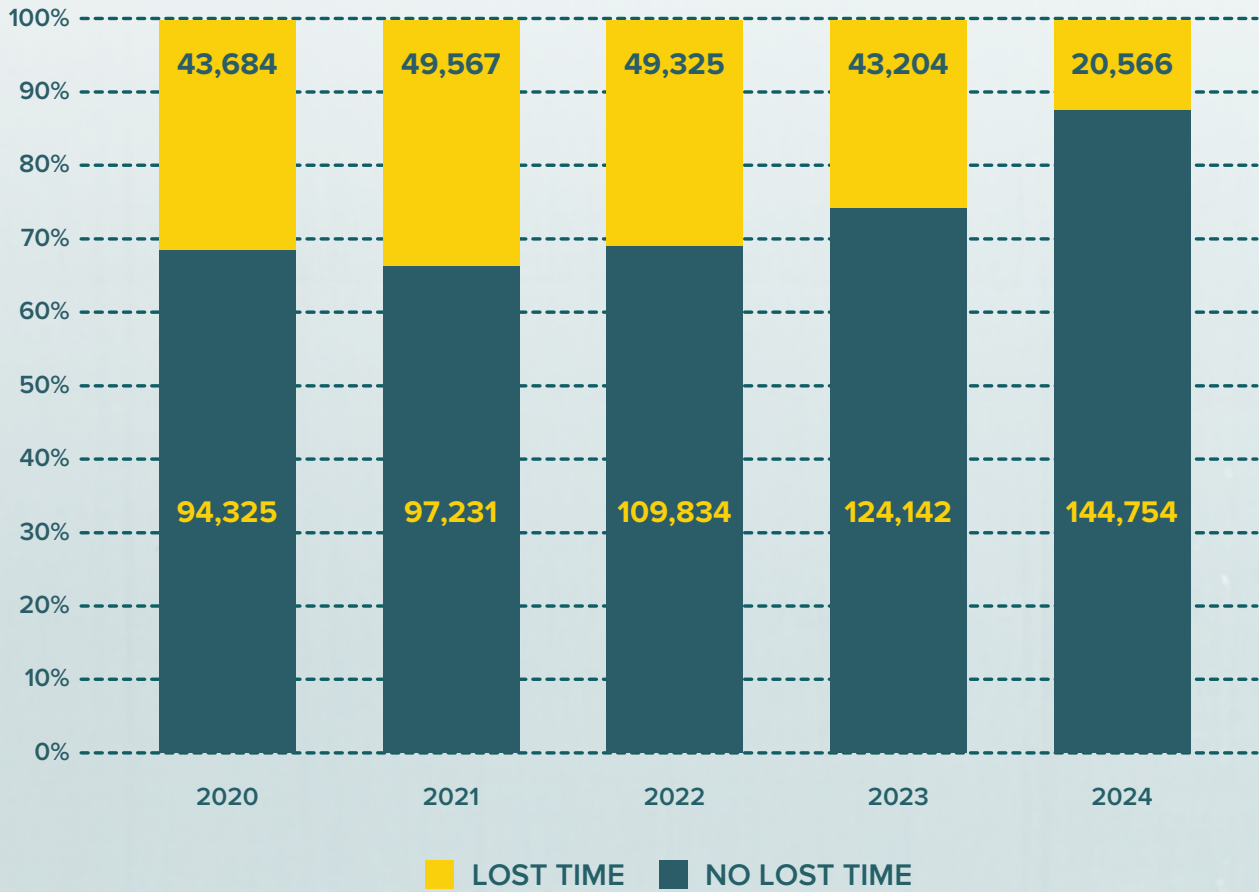


CLAIMS BY TYPE

A workers' compensation claim may be submitted for medical treatment and for lost time (replacement of lost wages) due to a claimant's work-related injury or illness. Generally, as claims mature year to year, and additional documentation is received, the number of claims with lost time increases. While the 2024 claims are not yet mature enough to show the true breakdown of claims with or without lost time, the majority of claims received in 2024 have no lost time, which is similar in comparison to previous years.



ASSEMBLED CLAIMS WITH LOST TIME VS. NO LOST TIME BY ASSEMBLED YEAR

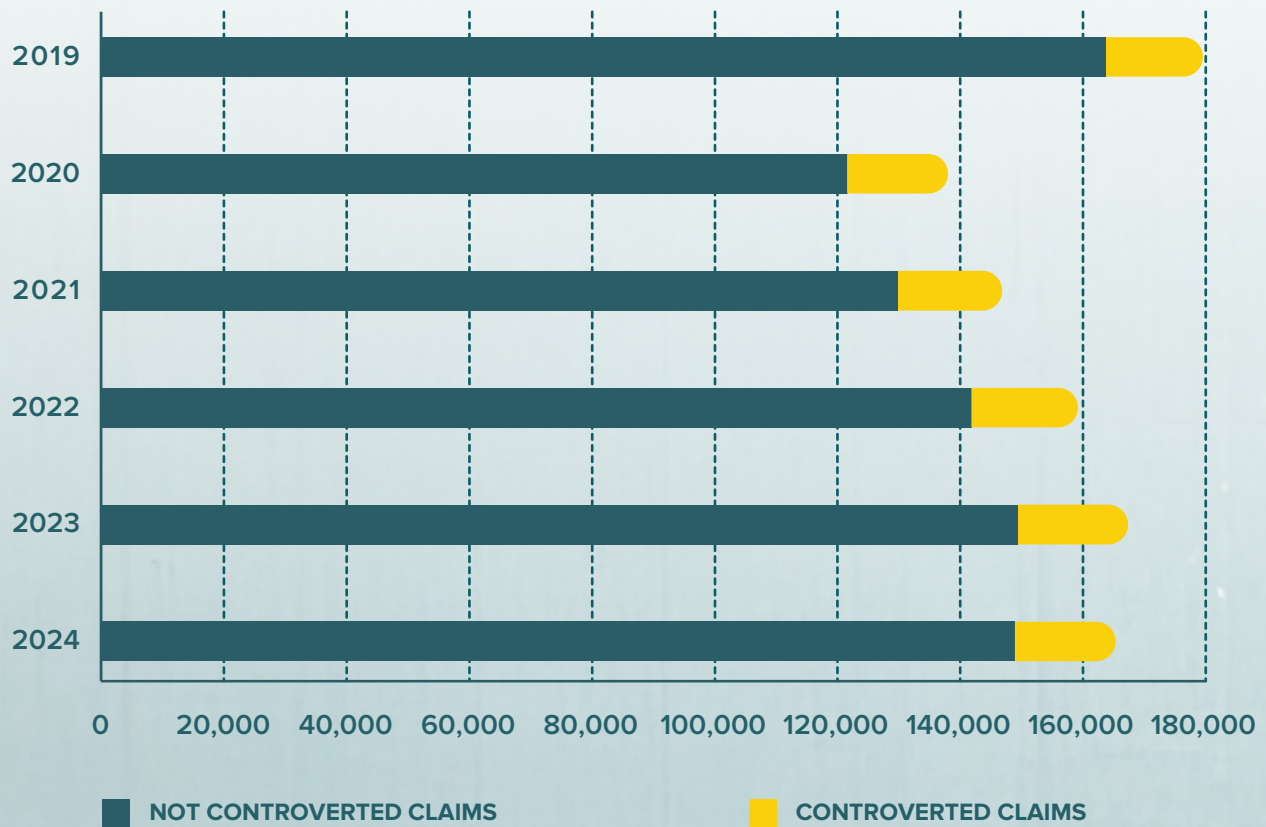


The above chart shows a breakdown of assembled claims with and without lost time, by assembled claim year. As reflected by claims assembled in earlier years, 2024 claims are not yet mature enough to show the true breakdown of lost time.



Although workers’ compensation is a no-fault insurance system, insurance carriers and self-insured employers dispute or “controvert” the injured worker’s eligibility for workers’ compensation benefits in a small number of claims. When a claim is disputed, the claim is subject to the statutory expedited hearing process, which seeks to resolve the claim within 90 days. An important step in that process is scheduling pre-hearing conferences, ideally within 30 days. In 2024, the Board’s median time frame for scheduling pre-hearing conferences for controverted claims was within 27 days of receiving a complete claim, the same as 2023.

ASSEMBLED CLAIMS CONTROVERTED VS. NOT CONTROVERTED FROM 2019 TO 2024



YEAR	TOTAL CLAIMS ASSEMBLED	CONTROVERTED CLAIMS	NOT CONTROVERTED
2019	179,512	15,771	163,741
2020	138,009	16,475	121,534
2021	146,798	16,963	129,835
2022	159,159	17,376	141,783
2023	167,346	17,946	149,400
2024	165,320	16,414	148,906

A controverted claim is one for which the Board has received:

- 1) "Notice That Right to Compensation Is Controverted" indicating that the carrier disputes the claim, and
- 2) Qualifying medical documentation.

The number of controverted claims will increase over time as claims become more mature.

HEARINGS

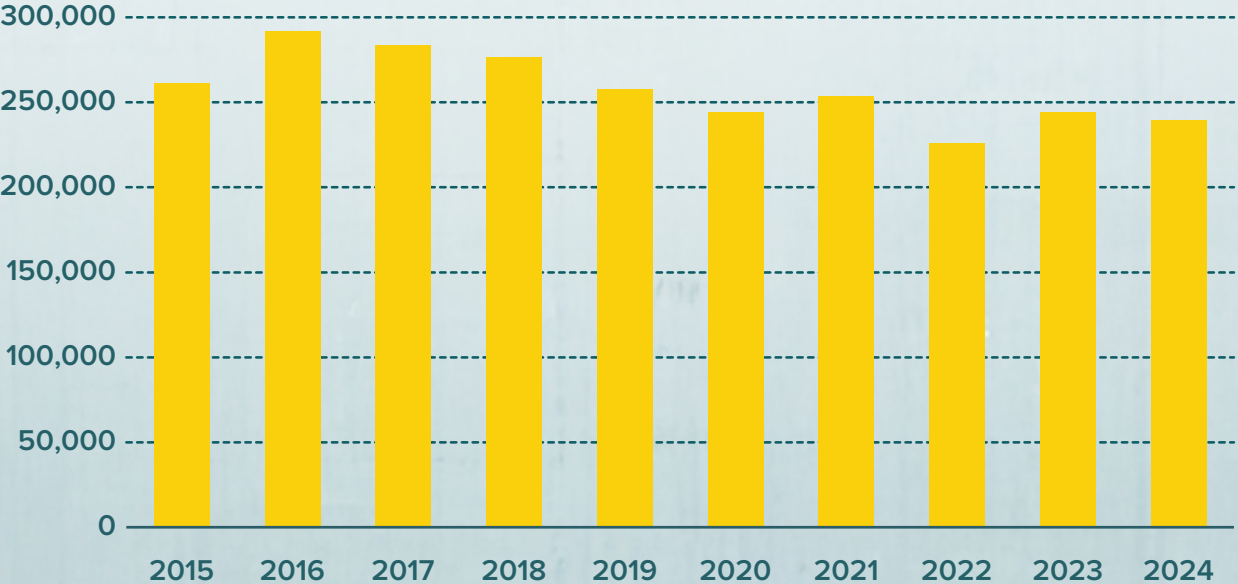
CAPITAL DISTRICT
(EASTERN NEW YORK):
THE MENANDS HEARING
CENTER IS LOCATED AT A
1920s MONTGOMERY
WARD BUILDING — ONE
OF ONLY FOUR OF THESE
ICONIC ART DECO
BUILDINGS LEFT
STANDING. ALSO PART OF
THIS DISTRICT IS THE NEW
WINDSOR LOCATION.



HEARINGS HELD

In 2024, the Board held 239,760 hearings, the large majority of which were conducted remotely through the virtual hearings system as hearing points remained closed to the public until October. The slight reduction in hearings compared to last year was due to efforts to reserve hearings for disputed issues, and by issuing informal claims resolutions on claims that have no disputes. This enables the Board to reduce the time it takes to receive a hearing.

NUMBER OF HEARINGS FROM 2015 TO 2024



YEAR	TOTAL HEARINGS HELD
2015	261,446
2016	291,641
2017	283,411
2018	276,320
2019	257,781
2020	244,197
2021	253,627
2022	225,862
2023	244,458
2024	239,760

In 2015, the number of hearings excludes commissioner hearings, Board Panel reviews and Section 32 waiver agreements. It includes hearings held at district offices, customer service centers, and hearing point locations. Starting in 2016, the count includes Section 32 hearings.

If a hearing was held to resolve the issues in more than one claim for an individual injured worker, then the total number of hearings in this report reflects the total number of claims addressed at the hearing.

RESOLUTION PROCESS

ROCHESTER DISTRICT: THIS HISTORIC 1900 BUILDING IS LOCATED IN ROCHESTER'S CASCADE DISTRICT, HOME TO THE CORN HILL ARTS FESTIVAL.



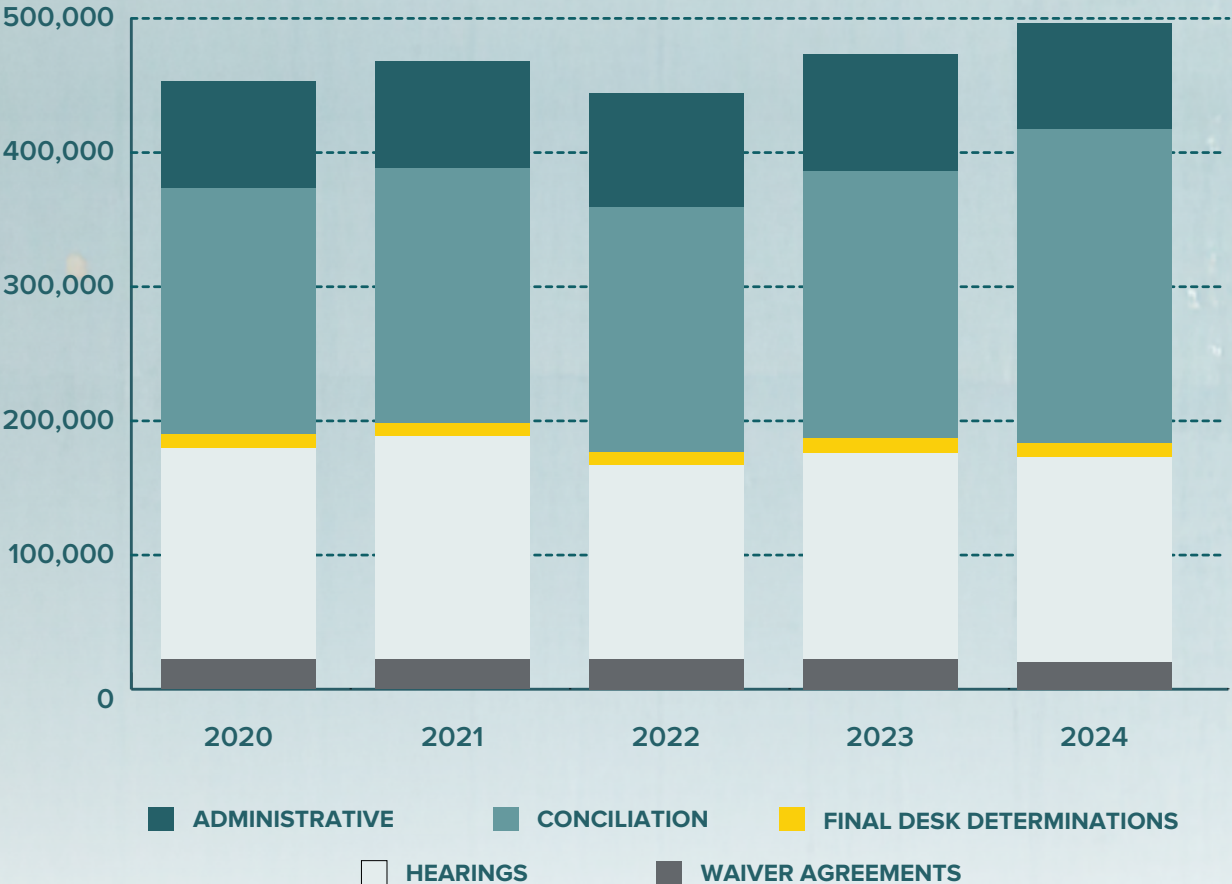
RESOLUTION PROCESSES

The Board adjudicates claims either formally or informally. Formal resolution is achieved via an actual hearing in front of a Workers' Compensation Law Judge. In 2024, the Board held **239,760 hearings**. In approximately 67.7% of those hearings, all issues presented were resolved at the hearing.

Informal resolution includes administrative actions such as issuing desk decisions and proposed decisions based on the submitted documents. The types of issues that are treated as informal resolutions include, but are not limited to, legal objections to medical bills, penalties, procedural decisions on schedule loss development, and undisputed periods of lost time.

In 2024, over 65.2% of resolutions were resolved through informal methods, including proposed Administrative and Conciliation decisions, which allow the Board to issue expedited findings to resolve issues that do not warrant a formal hearing before a Workers' Compensation Law Judge. In 2024, approximately 88.5% of proposed Administrative and Conciliation decisions were agreed to by the parties. Using informal resolution methods allows the Board to spend more time on formal hearings for more complex disputes. Resolving a case may take more than a single hearing or informal decision. In total, the Board issued 496,703 claim resolutions over the course of the year.

CLAIM RESOLUTIONS BY BOARD PROCESS 2020 TO 2024



CLAIM RESOLUTIONS BY BOARD PROCESS 2020 TO 2024

CLAIM RESOLUTIONS	RESOLUTION YEAR				
	2020	2021	2022	2023	2024
Informal	273,596	279,412	277,084	297,400	323,891
Administrative	79,891	80,466	84,759	86,734	79,470
Conciliation	183,180	189,475	182,654	199,687	233,679
Final Desk Determinations	10,525	9,471	9,671	10,979	10,742
Formal	179,700	188,894	167,056	175,907	172,812
Hearings	157,657	166,865	144,690	153,505	152,574
Waiver Agreements	22,043	22,029	22,366	22,402	20,238
TOTAL	453,296	468,306	444,140	473,307	496,703

Administrative includes Administrative Determinations, Administrative Closures, and Cancellations (a claim is cancelled if it is determined to be a duplicate).

Conciliation provides an informal and prompt resolution of the claim based upon the cooperation of both parties: the injured worker and the insurance carrier/self-insured employer.

Final desk determinations reflect final desk decisions, which are identified by Board decision forms (NOSD-SL, NOSD-NSL, C67-D, C68A-D, and PD-32). The PD-32 waiver agreement has been in effect since March 1, 2016.

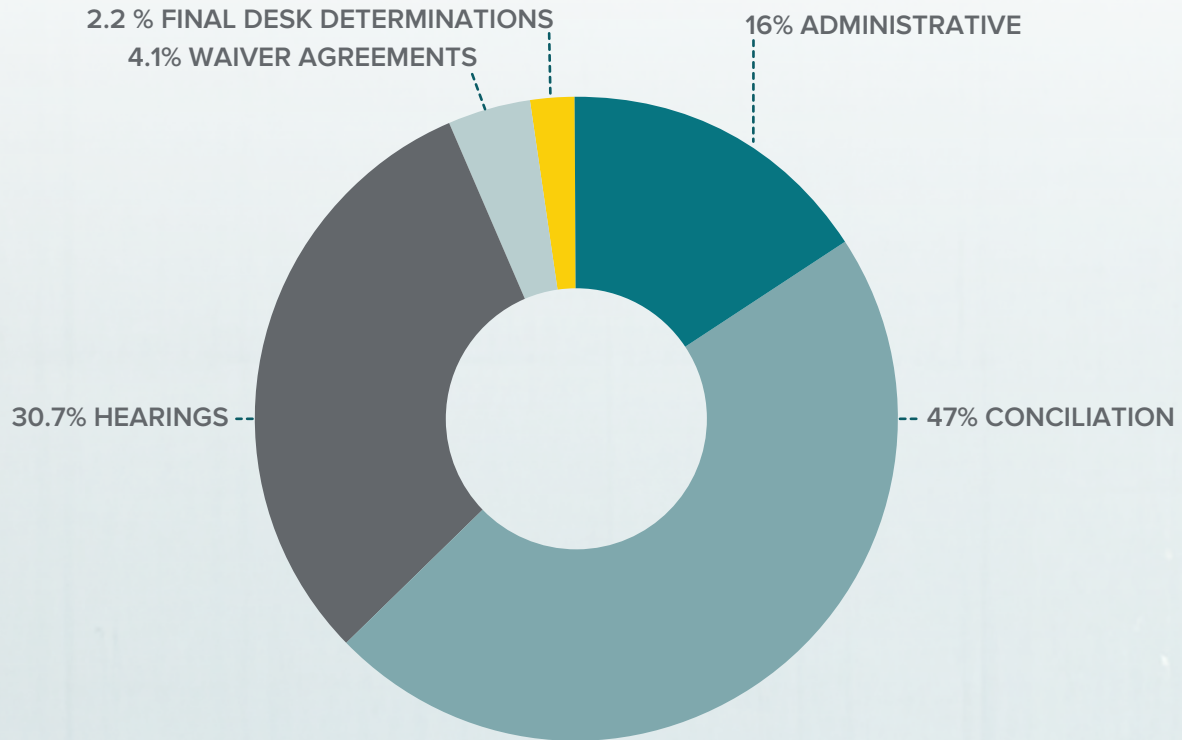
The stipulation agreements have been in effect since November 2, 2016.

Hearings refers to claims resolved by the hearing process in which a judge has determined that no further action by the Board is necessary at the conclusion of the hearing; this includes pre-hearing conferences. Pre-hearing conferences provide a mechanism for the identification of issues and relevant evidence and permits parties of interest to assess their case and to resolve outstanding issues prior to scheduling a hearing regarding those issues. The count of hearings also includes Board Panel and Full Board Review resolutions.

Waiver agreements settle any or all issues in a claim for workers' compensation benefits, subject to the Board's approval.



CLAIM RESOLUTIONS BY BOARD PROCESS IN 2024



CLAIM RESOLUTION	NUMBER OF RESOLUTIONS	PERCENTAGE OF RESOLUTIONS
Informal	323,891	65.2%
Administrative	79,470	16.0%
Conciliation	233,679	47.0%
Final Desk Determinations	10,742	2.2%
Formal	172,812	34.8%
Hearings	152,574	30.7%
Waiver Agreements	20,238	4.1%
Total	496,703	100.0%

Administrative includes Administrative Determinations, Administrative Closures, and Cancellations (a claim is cancelled if it is determined to be a duplicate).

Conciliation provides an informal and prompt resolution of the claim based upon the cooperation of both parties: the injured worker and the insurance carrier/self-insured employer.

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ADMINISTRATIVE APPEALS

BINGHAMTON DISTRICT
(SOUTHERN TIER): THIS
BOARD OFFICE IS LOCATED
IN THE TALLEST BUILDING
IN BINGHAMTON — THE
“CAROUSEL CAPITAL OF
THE WORLD”!

ADMINISTRATIVE APPEALS



If either party disagrees with a judge’s decision, they may request review of the decision by a panel of three Board Members. The prompt resolution of these appealed claims has remained a focus for the Board.

As of January 1, 2025, the overall inventory of appeals stood at 8,164. The overall inventory was higher than other recent years due to several factors, including staff shortages,* cases on hold pending Court of Appeals action, extensive review of COVID-19 decisions, and a December 2021 amendment to the Workers’ Compensation Law that allows appellants extra time to submit information on incomplete appeals.

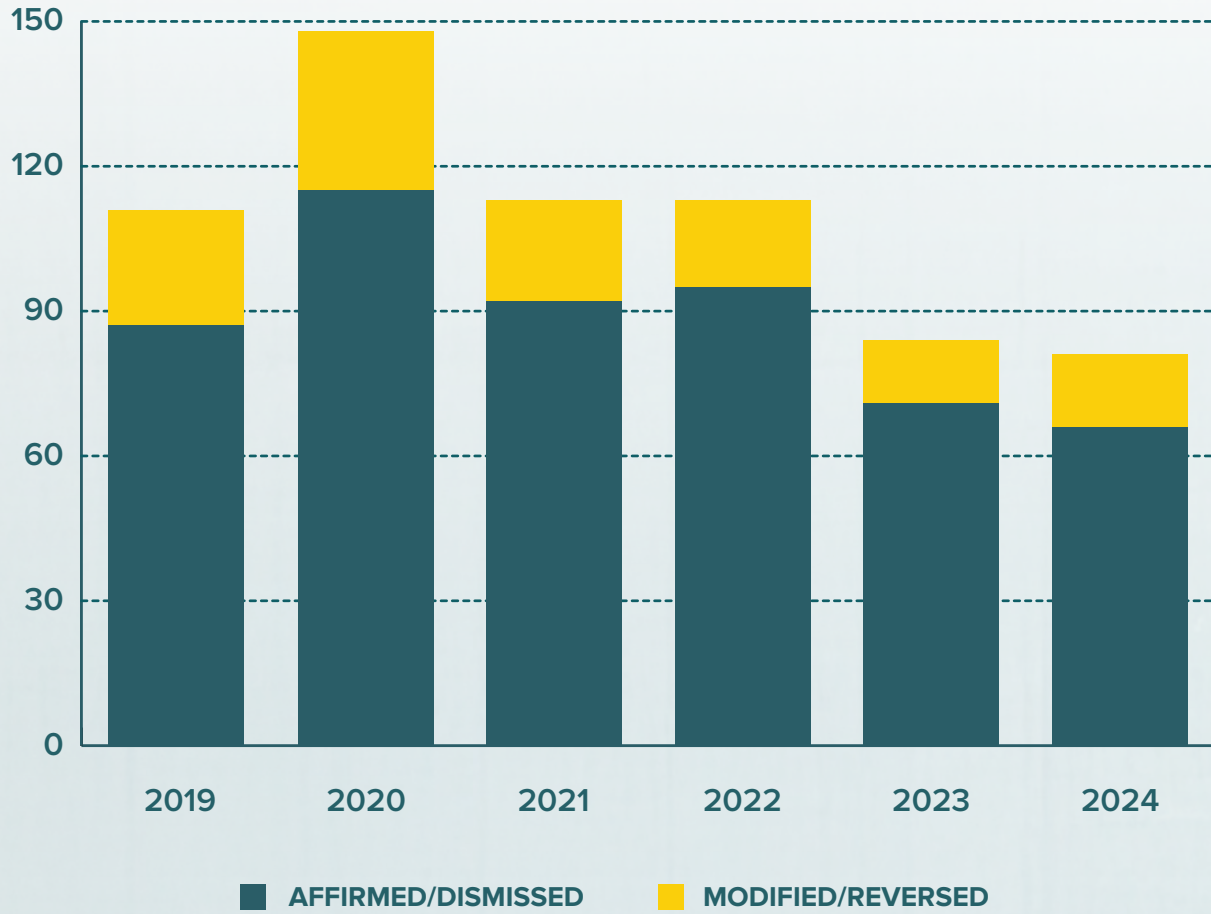
APPEALED CLAIMS INVENTORY

AS OF DATE	INVENTORY
2/1/2024	6,856
3/1/2024	6,892
4/1/2024	7,054
5/1/2024	7,207
6/1/2024	7,299
7/1/2024	7,423
8/1/2024	7,707
9/1/2024	7,754
10/1/2024	7,889
11/1/2024	7,957
12/1/2024	7,920
1/1/2025	8,164

**In 2025, the Board is adding additional staff to reduce the appealed claims inventory.*

If either party disagrees with a Board panel decision, they may appeal the case to the State of New York Supreme Court, Appellate Division, Third Department. Of the 81 appeals decided by the Third Department in 2024, 82% were affirmed or dismissed, and just under 18% were modified or reversed.

APPELLATE DECISIONS BY YEAR FROM 2019 TO 2024



APPELLATE DECISIONS BY YEAR FROM 2019 TO 2024

YEAR	TOTAL DECISION	MODIFIED / REVERSED	AFFIRMED / DISMISSED
2019	111	24	87
2020	148	33	115
2021	113	21	92
2022	113	18	95
2023	84	13	71
2024	81	15	66



BOARD PROGRESS ON KEY INITIATIVES



**THE LONG ISLAND DISTRICT:
THE BOARD'S NEWEST OFFICE
IS LOCATED IN ONE OF THE
STATE'S NEWEST CITIES —
ISLANDIA WAS INCORPORATED
AS A VILLAGE IN 1985. THIS
DISTRICT ALSO INCLUDES THE
BOARD'S GARDEN CITY
LOCATION.**

MODERNIZING AND MOVING KEY PROCESSES ONLINE

Through the multi-year OnBoard modernization program, the Board is moving New York’s paper-based workers’ compensation system online, making it easier for system stakeholders to interact with one another and the Board, and increasing efficiency in getting benefits to injured workers.

In May 2022, the Board launched the first phase of its new business information system, OnBoard: Limited Release (OBLR), which health care providers and payers use to submit, review, and approve prior authorization requests (PARs) for medical treatment. Providers also use it to submit requests for decisions on unpaid medical bills. In 2024, more than 867,233 PARs successfully flowed through the new system, with the all-time count reaching over two million. This online process significantly speeds treatment for New York’s injured workers. The Board continued to make improvements to OBLR, and by year-end, more than 75 system enhancements had been made in total, many based on outreach to and feedback from providers and payers.

Additionally, 123,133 *Requests for Decision on Unpaid Medical Bill(s) (Form HP-1.0)* were submitted online in OBLR, helping providers get paid more promptly. In 2024, the Board eliminated the backlog for administrative and arbitration awards based on *HP 1.0* requests.

In December, the Board moved the *Request for Further Action by Legal Counsel (Form RFA-1LC)* online, eliminating use of the paper form. This is the first OnBoard eForm for attorneys. It will significantly improve accuracy and efficiency of these filings as well as expedite the resolution of requests for action made by attorneys.

STAFFING UP



To help the Board move claims more efficiently and get benefits to injured workers, the Board filled more than 250 positions in 2024. Taking staff attrition into account, the net increase was 80 new employees.

The positions filled included approximately 70 workers’ compensation claims examiners. These new examiners have significantly decreased the amount of time required to process all incoming priority mail, including requests for Board action and assistance. By the end of the year, priority mail was handled within five business days of receipt, down from an average of 12 days, six months prior.

SHARING EFFICIENCIES AND EDUCATION

To help stakeholders use Board systems, processes, and forms in the most efficient, effective manner, the Board launched an “Efficiency Enhancements” bulletin series distributed via email to all Board subscribers. Five issues were distributed in 2024, sharing tips and best practices on a wide range of topics such as including submitting *Request for Action* forms, when to pay deposition fees, and how to properly calculate lost wage benefits. All issues are available on the Board’s website at wcb.ny.gov/efficiency. Additionally, the Board continued its popular webinar program to educate injured workers, employers, and other stakeholders on their rights and responsibilities. In 2024, Board webinars were attended by more than 4,000 people, and reached even more through recorded sessions available on the Board’s website. Topics include Workers’ Compensation 101 & 102; Protecting Yourself and Your Team: Coverage Essentials for Business; Paid Family Leave; and more.

ATTRACTING PROVIDERS TO IMPROVE ACCESS TO CARE



In recent years, the Board has been working to attract more health care providers to the system so injured workers have more treatment options and better access to care. In 2024, the Board implemented new legislation that enables physical therapy assistants and occupational therapy assistants to treat injured workers and met with several New York State health care systems to encourage provider participation. The Board also made significant improvements in the medical billing dispute process, creating new guidance for providers and payers, and substantially reducing dispute resolution turnaround time so payments are awarded faster.

REOPENING TO THE PUBLIC

In October, most Board offices across the state reopened to the public for in-person hearings and services by appointment for the first time since the COVID-19 pandemic struck in March 2020. While virtual hearings remain the standard statewide for all hearing locations, injured workers and other stakeholders who want to attend an in-person hearing may request an appointment to do so. In addition to in-person hearings, workers can request an appointment for free support from the Board's vocational rehabilitation counselors or licensed clinical social workers, receive help filing a claim, use Board resources for case-related activities, or to complete forms.

ENSURING PROMPT PAYMENT AND NOTIFICATION

The Board's continuous efforts to educate payers, monitor their performance against legal time frames, and systematically penalize lapses has resulted in insurers paying timely lost-wage benefits to injured workers and timely filing of benefit suspensions.

In 2024, nine in 10 injured workers received their first benefit payment timely (within 18 days of disability or 10 days from the worker notifying the employer of an injury, whichever is later).

In instances when benefits to injured workers have been suspended, payers must file documentation within 16 days of stopping payment to an injured worker. In 2024, the Board's third full year of monitoring, 88.2% of Subsequent Report of Injury (SROI) suspension transactions were transmitted timely by payers.

A BETTER BOARD

2024 was a year of significant progress for the Board. Substantive advances were made for injured workers and all Board stakeholders, as the Board continued to make good on its promise to be “Better for Workers, Better for Business, and Better for New York.”

In 2025, the Board will continue building on these successes while implementing important legislative changes, including a new law allowing more workers to file workers’ compensation claims for extraordinary work-related stress, new provisions around the use of non-network pharmacies, and the statutory increase to the minimum weekly benefit for injured workers, which as of January 1, 2025, is now more than double what it was two years ago.

Current OnBoard users will continue to see enhancements to the system, while other OnBoard program projects, including new online forms, will move from planning to execution. Medical providers will see more regular increases to medical fee schedules and updates to the Board’s medical treatment guidelines.

Throughout the year, the Board will continue to engage regularly with stakeholders to identify improvement areas, share best practices, and provide important information on Board and legislative initiatives.



THE SYRACUSE DISTRICT (CENTRAL NEW YORK): THE BOARD’S SYRACUSE HEARING CENTER IS LOCATED ON JAMES STREET, NOTABLE FOR ITS MANSIONS ON THE NATIONAL REGISTER OF HISTORICAL PLACES AND ITS DISTINGUISHED RESIDENTS — SYRACUSE FOUNDING FATHER ELIAS WARNER LEAVENWORTH AND GREAT GATSBY AUTHOR F. SCOTT FITZGERALD. THE SYRACUSE DISTRICT INCLUDES THE UTICA AND WATERTOWN LOCATIONS. BOTH BOAST THAT THEIR BUILDINGS ARE THE TALLEST IN THEIR CITIES.



**Workers'
Compensation
Board**

The New York State Workers' Compensation Board protects the rights of employees and employers by ensuring the proper delivery of benefits and by promoting compliance with the law.



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Call: (877) 632-4996

Email: publicinfo@wcb.ny.gov

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