



WORKERS' COMPENSATION

# LEGISLATIVE NEWSLETTER

Updates on key state and national level legislative and regulatory news, and their potential impacts on the workers' compensation industry.

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2024

# CALIFORNIA

## Governor Newsom Signs Employee Notice Bill

AB 1870, by Assembly member Liz Ortega, proposed a change to Section 3550 of the Labor Code which would require employers to notify injured workers of their right to consult a licensed attorney for advice under workers' compensation laws. In some cases, such attorney's fees may be paid from an injured worker's recovery.

Governor Gavin Newsom signed this bill which is effective January 1, 2025.

Section 3550 of the Labor Code requires employers to display a poster in a conspicuous location frequently visited by employees and where the notice can easily be read by employees during the workday, with the name of the employer's workers' compensation insurance carrier or the name of the party responsible for claim adjustment if the employer is self-insured. The poster must also include information about an injured worker's right to receive medical care, to select and change the treating physician, to receive indemnity benefits, to whom injuries should be reported, and the time limits to notify the employer of an occupational injury.

Details of AB1870 can be found [HERE](#).

# FLORIDA

## Florida DWC Published Provider Fee Schedule

Florida's Division of Workers' Compensation has published its 2024 Health Care Provider Fee Schedule.

Reimbursement for physicians and non-hospital services increased from 110% to 175% of the Medicare non-facility payment amount. Reimbursement for surgical procedures increased from 140% to 210% of the Medicare non-facility payment amount.

Durable Medical Equipment, Prosthetics, and Orthotics shall be reimbursed 175% of the DME, Prosthetics, and Orthotics Medicare Rural and Non-Rural Mean Rate. Clinical laboratory services shall be reimbursed 175% of the Clinical Laboratory Fee Schedule Medicare Rate.

The 2024 Health Care Provider Fee Schedule can be downloaded [HERE](#).

# NEW YORK

## NYS Board to Require Electronic Submission of CMS-1500

In a recent bulletin, New York State Workers' Compensation Board continues its modernization initiatives by requiring health care providers to contract with an electronic submission partner to submit the CMS-1500 medical billing form electronically beginning in 2025.

The CMS-1500 electronic submission requirement will become mandatory on August 1, 2025. Providers are encouraged to transition from the paper CMS-1500 to electronic submission prior to August 1, 2025 to minimize any potential issues.

The Board highlighted items for providers to keep in mind with the mandatory requirement.

- Providers may still submit a paper CMS-1500 to the electronic submission partner.
- Providers may decide which electronic submission partner to use. Costs and services may vary based on the company selected. The Board provides a list of approved submission partners [HERE](#).
- To offset the cost of using an electronic submission partner, providers may use code 99080.

The price billed for code 99080 should reflect the actual cost incurred by the provider for the electronic submission of the individual bill up to a maximum of one dollar.

The bulletin can be viewed [HERE](#) for additional information.

EK Health Services Inc. is a leading national workers' compensation managed care organization. EK Health restores quality of life for injured workers through innovative, cost-effective solutions, while providing client services with high-touch experiences, customizable solutions, lower costs, and proven results. Our holistic approach integrates the best people, processes, and technology to facilitate the best medical treatment available for return-to-work possibilities.

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