STATE OF NEW YORK

8900

2025-2026 Regular Sessions

IN ASSEMBLY

June 16, 2025

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to assessment rates for employers who have an established alternate dispute resolution

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 151 of the workers' compensation law is amended by adding a new subdivision 2-a to read as follows:

2-a. Notwithstanding the provisions of subdivision two of this section, for fiscal years beginning on and after April first, two thousand twenty-six, for those affected employers who obtain coverage which includes the alternative to operate an alternate dispute resolution program for the express purpose of administering workers' compensation benefits for the employees of such employers through a self-insurance plan which has been approved by the chair as referenced in subdivision three of section two hundred twenty-eight of this chapter, the chair shall establish an assessment rate which reflects the savings in additional estimated annual administrative expenses which the board would have incurred, but for the establishment of such alternative by the employer, and which is at a rate which in no event shall exceed fifty percent of the assessment rate for all other affected employers as described in subdivision two of this section.

§ 2. Section 228 of the workers' compensation law is amended by adding a new subdivision 3 to read as follows:

3. Notwithstanding the provisions of subdivision one of this section, in computing the estimated annual expenses necessary to administer such provisions of law for fiscal years beginning on and after April first, two thousand twenty-six, for all employers who utilize a dispute resolution program to administer workers' compensation benefits and who no longer participate in the program provided for in subdivision eight of

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD13367-01-5

section fifteen of this chapter as a result of their execution of a wholesale agreement with the board, the assessment rate for those employees to pay their fair share of the estimated annual amount shall be as determined pursuant to the provisions of subdivision two-a of section one hundred fifty-one of this chapter.

§ 3. This act shall take effect immediately.