

WORKERS' COMPENSATION
Thought Leadership Compendium 2024

Workers' Compensation Thought Leadership *Compendium*

At Goldberg Segalla, our attorneys share their expertise by providing in-depth analysis of the latest challenges and opportunities that face your business. We share these insights through newsletters, blogs and email alerts which are recognized by clients as well as the broader legal and business community. In addition, Goldberg Segalla attorneys regularly develop and present complimentary, interactive webinars that explore the practical implications of trends and developments in the law.

This 2024 Workers' Compensation Thought Leadership Compendium provides a snapshot of the insights and information published by the attorneys in our Workers' Compensation practice group this past year, along with direct links to each individual client alert, webinar recording and article.

If you are not already receiving our client alerts and webinar invitations, we encourage you – and anyone on your team – to sign up to receive them by visiting the [Subscribe page](#) of our website.

ALERTS

New York Enacts New Law for Workers Facing Job-Related Mental Injury | December 13, 2024 →

A major part of this law is that now all employees in New York can apply for workers' compensation if they feel they are undergoing a mental health crisis caused by their job. In the past, this option was only available for select first responder positions.

Fraud Doesn't Pay in New York – November 2024 Update | December 2, 2024 →

An overview of recent decisions demonstrating the Board's continuing attitude toward 114-a.

New Procedure in New York for Additional Injury Sites & Consequential Injuries November 25, 2024 →

Starting December 2024, if the WCB receives a Request for Further Action by Legal Counsel (Form RFA-1LC) presenting prima facie medical evidence (PFME) for an unestablished injury or condition, the WCB will expedite a determination by issuing a Proposed Decision finding PFME.

Pennsylvania Governor Signs Bill Requiring Direct-Deposit Option on Workers' Comp Payments November 25, 2024 →

Gov. Josh Shapiro on Oct. 29 signed Senate Bill 1232, amending the Pennsylvania Workers' Compensation Act to require that employers and insurers offer claimants the option to receive their Workers' Compensation payments by way of direct deposit.

Defending HIMP-1 Claims: Top Things to Know | November 4, 2024 →

In New York State, the Health Insurance Matching Program – widely known as HIMP – provides means for a claimant's private health insurer to seek reimbursement for treatment they believe a workers' compensation carrier or self-insured employer should have paid. The exposure from a single HIMP-1 claim can range from hundreds to hundreds-of-thousands of dollars, and the volume of claims is rising rapidly. But you have options other than automatically paying those claims.

Fraud Doesn't Pay in New York – August 2024 Update | August 29, 2024 →

The latest installment of our popular series highlighting successful Workers' Compensation fraud litigation.

Counsel Fee Increases From 20% to 25% on New Jersey Workers' Compensation Cases August 23, 2024 →

On August 22, 2024, New Jersey increased the available counsel fee for petitioner's attorneys from 20% to 25%. The increase was signed into law by Acting Governor Nicholas Scutari. The applicable section of the Statute, N.J.S.A. 34:15-64, now reads: "The official conducting any hearing under this chapter may allow to the party in whose favor judgment is entered, costs of witness fees and a reasonable attorney fee, not exceeding 25 percent of the judgment."

Appellate Court's Liberal Ruling on Accident and Causation | August 7, 2024 →

In *Cronk v. Illinois Workers' Compensation Commission*, the Appellate Court took a very liberal approach in determining what it takes to prove employment is a causative factor. An accidental injury does not need to be the sole causative factor of an injury, nor even the primary causative factor, as long as it was a causative factor in the resulting condition of ill-being.

Fraud Doesn't Pay In New York – May 2024 Update – 3rd Anniversary Edition | May 31, 2024 →

As part of our Quarterly Practice Group Update, we present the next installment of examples demonstrating success in fraud litigation.

NC Supreme Court Clarifies Requirements for Accessing Causality of Medical Treatment in Workers' Compensation Cases | April 17, 2024 →

It is well established that under the North Carolina workers' compensation law, the question of whether a specific medical treatment is compensable or not hinges largely on the causal relationship between the treatment sought and the workplace injury. This principle, deeply ingrained in North Carolina's workers' compensation statutes, ensures that compensation remains focused on injuries directly related to the workplace, rather than morphing into a general health insurance policy for employees.

Fraud Doesn't Pay in New York – February 2024 Update | February 26, 2024 →

An overview of recent decisions demonstrating the Board's continuing attitude toward 114-a.

Update on Medical Marijuana Reimbursements in Pennsylvania | January 31, 2024 →

In 2023, there were several separate Commonwealth Court opinions that addressed payment of medical marijuana and CBD oil prescriptions per the PA Workers' Compensation Act.

Professional Employer Organizations See Rare Workers' Compensation Coverage Win at New York Third Department | January 29, 2024 →

For the first time, the New York Third Department found no coverage on the part of Professional Employer Organizations for a non-leased employee. PEOs must continue to provide their insurance policy, client leasing agreement, a detailed list of all leased employees, and testimony regarding the same in defense against workers' compensation coverage claims.

WEBINARS

Uncovering Staged Accidents: Effective Defense Strategies in Construction | December 18, 2024 →

Defending HIMP-1 Claims in New York | October 15, 2024 →

How to Maximize Subrogation Recovery in New York Workers' Compensation Claims
September 12, 2024 →

Medicare Tune Up: Boosting Efficiency and Minimizing Costs | August 8, 2024 →

Construction Site Accidents: The Benefits of collaborating Workers' Compensation and General Liability Defense | July 16, 2024 →

Occupational Exposure/Repetitive Motion Claims: NJ and Beyond | May 16, 2024 →

ARTICLES

Rise of Transportation Contractors Leading to Complex Coverage Litigation | September 12, 2024 →

The post-Covid influence over the “gig economy” has led to an expansion of self-employed or by-the-job employed individuals in the delivery and transportation industry. CDL jobs have proven they are not immune to this economic trend.

Even with Unfavorable IME Opinions on Causal Relationships, Psychological Workplace Injuries May Be Not Compensable | July 22, 2024 →

Job stress is an unfortunate reality of being part of today's workforce. The capacity for being able to deal with such stress varies from worker to worker, but whether that stress is the cause of someone's psychological “injury” is a question for medical professionals to determine. Often times, such questions extend beyond the examination room and into the courtroom or before a Workers' Compensation Board.

Philip Unwin, Scott Green, and Todd Jones Join The Business Council Connect Podcast
February 22, 2024 →

Three Goldberg Segalla Partners, Philip Unwin, Scott R. Green, and Todd M. Jones engaged in a discussion with The Business Council of New York State on their Connect Podcast, focusing on the current state of workers' compensation in New York State.

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