



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Notes Repeal of 57 Nuisance Fees; Calls for More

PATRICK M. GALLIVAN April 16, 2015

| ISSUE: **LABOR, WORKERS COMP.**



Senator Patrick M. Gallivan (R-C-I, Elma) applauds the repeal of 57 nuisance fees as part of the 2015-16 State Budget, many of which were identified in a 2013 State Senate report on Regulatory Reform. Many of the fees being repealed were listed in the report as unnecessary and burdensome regulations that put New York businesses at a competitive disadvantage.

“Our report identified one thousand duplicative, costly and burdensome regulations and fees that make it more difficult for businesses to grown and succeed in New York,” Gallivan said.

“I thank the governor for repealing some of them, but there is much more that needs to be

done and I urge him to take another look at our comprehensive report and do away with the rest of them.”

The 57 items repealed by the governor will save New York businesses about \$3-million a year by cutting red tape and eliminating costly license and application fees. Among the fees eliminated are 19 that were previously identified in the Senate’s 2013 report, including:

- **Boiler Shop Survey Fee:** A \$600 regulatory fee charged every three years to boiler manufacturers and repairers upon submission to Department of Labor (DOL) of the required plan detailing their quality control system.
- **Laser Regulation Permit Fee:** A \$600 regulatory fee charged every three years to organizations that operate lasers, upon registration of mobile lasers and laser installations with DOL.
- **Scaffold Plan Examination Fee:** This is a \$1,000 regulatory fee charged to businesses for each required submission of detailed scaffold equipment plans that will be used to perform work on buildings taller than 75 feet. DOL reviews the plans to ensure the safety of the equipment.
- **Ski Tows and Passenger Tramways Fees (2):** These \$50 (ski tow) and \$100 (ski lift) regulatory fees are charged to ski areas and other passenger tramway operators at the time of the annual DOL inspection.
- **Workplace Safety and Loss Certification Application Fee:** This is a \$1,000 fee charged to individuals who apply and are certified to conduct workplace safety and loss prevention consultations. Fees are lower when multiple individuals apply.
- **Workplace Safety and Loss Specialist Certification and Recertification Fees (2):** This is an \$800 fee charged to individuals who receive certification as a workplace safety and loss prevention management specialist. A \$600 recertification fee is charged every three years with \$100 charged for each additional recertification. Fees are lower when multiple individuals apply.
- **Workplace Safety and Loss Incentive Application and Renewal Fees (2):** This is a \$100 regulatory fee charged to individuals or businesses who apply for certification as a workplace safety and loss prevention

management specialist and work with employers to reduce workers compensation costs by implementing safety and health, return to work, and/or drug and alcohol prevention programs. The fee is assessed per program for a maximum of \$300 per individual applicant. A \$100 renewal application fee is charged per program every three years for a maximum of \$300.

- **Chiropractic Arbitration Request Fee:** This is a \$5 fee paid by a service provider related to any chiropractic dispute or arbitration of a bill handled by the Workers Compensation Board.
- **Claimant's Representative License Fee:** This is a \$100 fee paid by individuals who are licensed with the WCB and represent claimants before the Board.
- **Hospital Arbitration Request Fee:** This is a \$5 fee paid by a service provider related to any hospital dispute or arbitration of a bill handled by the Board.
- **Medical Arbitration Request Fee:** This is a \$5 fee paid by a service provider for any medical dispute or arbitration of a bill handled by the Board.
- **Medical Center Authorization License Fee:** This is a \$200 license fee for compensation medical bureaus operated by qualified physicians for the diagnosis and treatment of industrial injuries or illnesses.
- **Medical / X-Ray Bureau Authorization License Fee:** This is a \$200 license fee paid by compensation medical bureaus operated by qualified physicians for the diagnosis and treatment of industrial injuries or illnesses.
- **Podiatry Arbitration Request Fee:** This is a \$5 fee paid by a service provider related to any podiatry dispute or arbitration of a bill handled by the Board.
- **Psychology Arbitration Request Fee:** This is a \$5 fee paid by a service provider related to any psychology dispute or arbitration of a bill handled by the Board.
- **Publication Fee:** This is a \$5 regulatory fee for purchasing Board publications.

- Self Insurer's Representative License Fee: This is a \$100 license fee paid by a third party administrator and/or self-insured employer. These entities represent employers at Board hearings.
- Subpoena Fee: This is a \$15 regulatory fee for subpoenas to obtain Board documents.
- X-Ray Laboratory Authorization License Fee: This is a \$5 license fee paid for a separate laboratory to engage in X-ray diagnosis or treatment of an injured worker.