

New York State Workers Compensation & Disability Benefits Insurance Requirements

Workers Compensation Requirement:

Section 57 of the New York State Workers Compensation Law (WCL) requires that State and municipal entities prior to entering into a contract must ensure that the contractor applying for that contract has appropriate New York State workers compensation insurance coverage.

Disability Benefit Insurance Requirement:

Section 220(8) of the New York State Workers Compensation Law (WCL) requires that State and municipal entities prior to entering into a contract must ensure that the contractor applying for that contract has appropriate New York State disability benefits insurance.

If your agency is awarded a contract with the Office of Mental Health (OMH), OMH must be able to verify proof of Workers Compensation and New York State Disability Insurance. If OMH cannot verify your agency's coverage on the New York State Workers Compensation website, proof of NYS Workers Compensation and NYS Disability insurance must be included with the contract. To access the NYS Workers Compensation website, go to <http://www.wcb.state.ny.us/>, press the icon "Does Employer Have Coverage," agree to disclaimer, enter information in one of the search questions, preferably your FEIN Number (Federal Employer Identification Number), and fill in the 6 character image at bottom of page.

If your agency's coverage cannot be verified on the WCB website, you must submit proof of insurances with your contract documents. **Failure to submit proof of insurances with your contract package will result in non-approval of your contract.**

The following forms are acceptable in order to meet this requirement:

- 1) **C-105.2** Certificate of Workers Compensation Insurance provided by your insurance carrier. **Please Note:** The New York State Insurance Fund provides its own version of this form, the **U-26.3**.

OR

- 2) **SI-12** - Certificate of Workers Compensation Self-Insurance obtained by calling the New York State Workers Compensation Board's Self-Insurance Office at 518-402-0247.

OR

- 3) **GSI-105.2** - Certificate of Participation in Workers Compensation Group Self- Insurance provided by the Contractors Group Self-Insurer.

AND

- 1) **DB-120.1** - Certificate of Disability Benefits Insurance provided by your insurance carrier.

OR

- 2) **DB-155** - Certificate of Disability Benefits Self Insurance obtained by calling the New York State Workers Compensation Board's Self-Insurance Office at 518-402-0247.

Contractors with **no** employees and certain out of state entities where New York State Workers Compensation and/or Disability Benefits Insurance Coverage is **not** required may use:

CE-200 Certificate of Attestation for New York Entities with No Employees and Certain Out Of State Entities, form CE-200 can be filled out electronically on the New York State Workers Compensation Board's website, www.wcb.state.ny.us, under the heading "Forms." Applicants filling electronically are able to print a finished Form CE-200 immediately upon completion of the electronic application. Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers Compensation Board. Applicants using the manual process may wait up to four (4) weeks before receiving a CE-200.

Please note: The Name and Address of the Entity Requesting Proof of Coverage should be the Office of Mental Health, 44 Holland Avenue-7th floor, Albany, NY 12229.

The Legal Name and Federal Identification Number (FEIN) on the Workers Compensation board website of the insured and/or on all proof of insurance documentation must match the name that is on the contract.

If you have any questions, please contact [Laurie Danforth](#).

NYS Charities Registration Requirement

Article 7-a of the Executive Law requires, with certain exemptions, that non-profit organizations that receive funding of \$25,000 or more in total from governmental agencies must register with the Office of the Attorney General (OAG) as a charitable organization. OMH is required to provide proof of active filing status when submitting contracts to the Office of State Comptroller (OSC) for approval. Failure to maintain updated filing with the Charities Bureau will result in a delay in approval of your contract.

If your organization is exempt from filing with the Charities Bureau, you must submit a written statement that the organization is exempt pursuant to one of the categories indicated on the OAG's Request for Registration Exemption (Schedule E) which can be accessed at <http://www.ag.ny.gov/forms.html>.