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Edging up

Short takes on emerging industry issues and service enhancements – new PFML programs, our expanded ancillary care solutions, and reimbursement support services and benefits for Oregon employers

Paid leave program updates

BY **BRIDGET CASWELL**

director product compliance and statutory administration, Sedgwick

Maryland establishes new PFML program

Maryland recently enacted the Family and Medical Leave Insurance Program to provide paid benefits to employees on leave for a variety of reasons. The state already requires employers to provide unpaid leave under its existing Flexible Leave Act and Parental Leave Act. [Senate Bill 275](#), which became effective on June 1, 2022, requires all covered employees to contribute to the program, as well as covered employers with 15 or more employees. Contributions begin October 1, 2023 and benefits begin January 1, 2025.

All employers that employ at least one individual in the state are covered, but only those with 15 or more employees must make contributions to the program's fund. Under the new law, an employee who has worked at least 680 hours in the 12-month period immediately before the date that leave begins is covered. Self-employed individuals can also opt-in to the state program.

A covered employee may receive temporary benefits when on leave to care for a child during the first year after the child's birth or placement through foster care, kinship care, or adoption, to care for a family member with a serious health condition, for the employee's own serious health condition which makes them unable to work, to care for a service member who is the employee's next of kin, or because the employee has a qualifying exigency arising out of a family member's deployment as a service member.

Covered employees may receive up to 12 weeks of benefits during each 12-month period. The 12-month period begins on the first day of the calendar week in which the employee applies for benefits. However, an employee can receive an additional 12 weeks of benefits if they request leave to care for a child during the first year after the child's birth or placement and become eligible for benefits due to their own serious health condition during the same 12-month period.

Employers must give a written notice of rights and duties under the law to each employee at the time of hire and once per year thereafter. The new law details the information that

must be included in the notice. Additionally, if an employee requests leave under the law, or if an employer knows that an employee's reason for leave may qualify for benefits under the law, the employer must notify the employee of their eligibility for benefits within five business days.

New PFML program in Delaware

The [Healthy Delaware Families Act](#) is a new paid family and medical leave (PFML) insurance program that provides benefits to employees on leave. While payroll contributions to the program are set to begin on January 1, 2025, employees may not use the benefits until January 1, 2026. Employers with 25 or more employees are subject to all provisions of the law. Employers with ten to 24 employees are only subject to the law's parental leave provisions.

Under the new program, employees can use paid leave benefits for the birth, adoption, or placement of a child through foster care and to care for the child during the first year after their birth or placement, to care for a family member with a serious health condition, for the employee's own serious health condition, and for a qualifying military exigency as defined in

the federal Family and Medical Leave Act. Parental leave may be taken for a maximum of 12 weeks, while medical, family caregiving and exigency leave may be taken for six weeks total in any 24-month period. A maximum of 12 weeks of leave may be taken in any one year. According to the new law, employees are only eligible to use benefits once in a 24-month period, except for parental or reduced schedule leave.

The program requires employees to provide notice to their employer at least 30 days before the date they intend to take leave. If that is not possible, employees must provide notice as soon as practicable. When an employee takes leave for their own serious health

condition or to care for a family member with a serious health condition, they must provide a certification issued by a health care provider.

Employers must provide written notice of the law's provisions to each employee when they are hired and when they request covered leave or when the employer knows that the leave may qualify for benefits under the law. Additionally, employers must display a poster with employees' rights in a conspicuous location in the workplace that is accessible to employees. The poster must be displayed in English, Spanish and any other language that is the first language spoken by at least 5% of the employer's workforce, if one has been provided by the state.

Ancillary care service expansion

BY EILEEN FUENTES RAMALLO
managing director, ancillary services, Sedgwick

Earlier this year, Sedgwick expanded its ancillary care services with the acquisition of Orchid Medical, a nationwide provider of ancillary medical management solutions for the workers' compensation industry. The acquisition helps us grow our ancillary care solutions and continue helping clients provide high quality, cost-effective services for their injured employees.

With this investment, we are further strengthening our holistic approach to caring for clients' injured and ill colleagues, helping them return to maximum health and productivity. Sedgwick's ancillary network now includes more than 40,000 providers and suppliers that offer services to support employees on the road to recovery. With the acquisition, we have expanded and enhanced key services available through our network including diagnostic imaging and prosthetics. We also have negotiated rates with our large network of ancillary service providers, making it

RESOURCES

Maryland Family and Medical Leave Insurance Program

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/SB0275>

Healthy Delaware Families Act

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocumentEngrossment?engrossmentId=25023&docTypeId=6>

easy to carry out employee treatment plans while controlling medical costs.

We are also focused on simplifying the process. Our enhanced processing system will further streamline our ability to assist employers by providing a single point of contact for a broad range of ancillary care needs. Our dedicated care coordinators offer concierge-level support and help manage requests for a wide array of products and services including durable medical equipment, home health, diagnostic imaging, translation and language, and transportation and travel support. We offer a 48-hour scheduling guarantee for all services, as well as same day or next day service for urgent requests.

Sedgwick offers a comprehensive array of integrated or independent managed care solutions tailored to each client's specific needs and designed to produce the best possible outcomes. For more information on our managed care offerings, visit [sedgwick.com/managed-care-solutions](https://www.sedgwick.com/managed-care-solutions).

RESOURCES

Sedgwick's managed care solutions

<https://www.sedgwick.com/managed-care-solutions>

Sedgwick continues to help employers benefit from Oregon's EAIP program

BY **CHERYL DANNEN**

project manager, Sedgwick

Sedgwick offers administrative services to help clients participate in the Oregon employer-at-injury program (EAIP), which offers reimbursements to employers that provide transitional duty options for injured employees.

The Oregon EAIP reimburses employers 50% of the employee's early return to work gross wages for up to 66 workdays within a 24-consecutive-month period. Reimbursements can be requested retroactively for up to two years, in most circumstances. The services we provide support the reimbursement process and help employers benefit from the EAIP.

RESOURCES

Oregon EAIP

<https://wcd.oregon.gov/rtw/Pages/eaip.aspx>

Oregon Workers' Compensation Division website

<https://wcd.oregon.gov/Pages/index.aspx>

For employers that wish to participate, Sedgwick completes the administrative steps starting with identifying qualified claims and adding the necessary system fields. Employers provide the required payment details for the state forms including the employee's modified job description, hours and wages paid while working modified duty. Once all the information is gathered, our team completes and submits the forms.

Having the ability to provide these services in-house and manage EAIP details and claims information on the same system increases efficiency for our clients and examiners. Our claims management system includes features to track periods of modified duty and the reimbursements from the state and routes the reimbursements directly to your existing account.

If you have any questions about the requirements of the EAIP, please contact your client services director at Sedgwick.