



September 20, 2016

CIRCULAR LETTER NO. 2294

To All Members and Subscribers of the WCRIBMA:

ELIMINATION OF ANNIVERSARY RATING DATE

The Commissioner of Insurance has approved the WCRIBMA's filing which recommended the elimination of the Anniversary Rating Date (ARD) in Massachusetts, effective 12:01 A.M., May 1, 2017, applicable to new and renewal policies.

Revised Massachusetts manual rate pages will be available on our website at www.wcribma.org. Attached is a copy of the WCRIBMA's April 29, 2016 Filing Memorandum indicating the Purpose, Background, Proposal, Impact and Implementation of this Item.

Please contact me at 617-646-7594 or dcrowley@wcribma.org if you have any questions.

DANIEL M. CROWLEY, CPCU
Vice President – Customer Services

Attachments

FILING MEMORANDUM

PURPOSE

The purpose of this filing is to obtain approval to eliminate the Anniversary Rating Date (ARD) in Massachusetts.

On July 7, 2015, the National Council on Compensation Insurance, Inc. ("NCCI") filed Item B-1430 – Elimination of Anniversary Rating Date (ARD) in 37 states under their jurisdiction. As of October 16, 2015, 36 of those states have approved the filing to eliminate the ARD. The majority of independent rating bureau states will also be filing to eliminate the ARD. With NCCI's permission, the Workers' Compensation Rating & Inspection Bureau of Massachusetts ("WCRI BMA") has modified NCCI's Filing Memorandum (Exhibit I) and proposes to adopt NCCI's filing, with amendments. As such, this filing includes copyrighted material of the NCCI, to which NCCI reserves all rights.

BACKGROUND

As defined in the Massachusetts Workers' Compensation and Employers Liability Insurance Manual Rule 1-G - Anniversary Rating Date, "ARD is the effective month and day of the policy in effect and each annual anniversary thereafter unless a different date has been established by the MA Bureau or another licensed rating organization". In Massachusetts, rules, classifications, and rates are applied on an ARD basis.

Typically, the ARD is the same as the policy effective date. In 2014, the ARD and policy effective date were the same for approximately 91% of Massachusetts policies. However, in those situations in which the ARD is different than the policy effective date, more than one set of rules, classifications, or rates may apply to a policy during a single policy period. For example, assume the workers' compensation rates change annually on January 1. If a policy has an effective date of January 1 but an ARD of July 1, the new rates would initially apply to that policy on July 1, regardless of the policy's effective date. In those situations, where two sets of rates apply to the same policy, the Anniversary Rating Date Endorsement (WC 00 04 02) is used to show that the ARD is different from the policy effective date.

ARD applies only to workers' compensation insurance; no other lines of insurance use an ARD rules system. As a result, for many in the insurance industry, and particularly for employers, the ARD rules have been, and continue to be, a source of confusion. While the concept may be relatively simple, in practice, the determination of ARD can be difficult. This is most apparent in cases where a policy has been cancelled and rewritten or when an employer has multiple policies with varying effective dates.

Confusion for carriers and employers also results in situations where ARD applies to some, but not all, states listed on a policy. In those situations, the rules, classifications, and rates for that policy may have varying effective dates depending on the employer's policy history and states included on the policy. This adds more confusion to an already complex situation for employers and carriers to administer.

Over the past several years, a number of states have eliminated ARD¹. In these states, the rules, classifications, and rates apply based on the policy effective date only. Therefore, if a policy with a January 1 effective date is cancelled midterm and rewritten effective July 1, the rules, classifications, and rates in effect on July 1 apply to the rewritten policy. NCCI indicates that for the states that have eliminated ARD, there have been no reports of market disruption or evidence of carriers or employers cancelling policies midterm to take advantage of rate increases or decreases. NCCI has reported that they have not received a single employer complaint or carrier concern regarding the elimination of ARD in any of their jurisdictions that have eliminated the ARD.

It should be noted that in Massachusetts, carriers are not allowed to cancel a policy to apply increased rates. Pursuant to M.G.L. Chapter 152, Section 55A, an insurance carrier can only cancel a workers' compensation policy mid-term if based on one or more of the following reasons:

- Non-payment of premium;
- Fraud or material misrepresentation affecting the policy or insured;
- A substantial increase in the hazard insured against.

Also, any insured initiated cancelation, other than when assigned risk coverage is being replaced through the voluntary market or when the insured is retiring from business, will continue to be cancelled on a short rate basis and subject to a short rate penalty.

The benefits of eliminating ARD and establishing a uniform approach of using the policy effective date to determine the application of rules, classifications, and rates include:

- **Consumer Responsiveness**—Policyholders and agents have complained about the complexity and confusion caused by the ARD rule. They do not deal with an ARD system when purchasing any other types of commercial or personal insurance. By eliminating ARD, the consumer purchasing experience for workers compensation insurance will conform to all other lines of insurance.
- **Uniformity**—Massachusetts would use the same approach used in most other states for applying rules, classifications, and rates to a policy, which would be particularly beneficial for multistate policies.

¹ NCCI indicates that the ARD was eliminated in the states of Alabama, Illinois, Louisiana and Maine more than 13 years ago and more recently, in Georgia, New Mexico, and West Virginia.

- **Simplicity**—ARD is complicated to apply in circumstances such as short-term policies, gaps in coverage, and ownership changes. Use of policy effective date, instead of ARD, would mean that rules, classifications, and rates applied to a policy would remain the same throughout the policy period regardless of such circumstances.
- **Ease of Understanding**—Use of the policy effective date would simplify policyholder understanding. It would also eliminate the need for complicated explanations regarding application of the ARD rule, which can require the use of more than one set of rates, rules or classifications for a given policy.

PROPOSAL

We propose to eliminate the ARD in Massachusetts.

In order to effectuate the elimination of ARD, this filing also proposes to:

1. Eliminate or revise ARD rules in the following Massachusetts manuals:
 - a. Massachusetts Workers' Compensation & Employers Liability Insurance Manual (Exhibit 2)
 - b. Massachusetts Statistical Plan (Exhibit 3)
2. Adopt NCCI's proposed revisions to the rules in their Experience Rating Plan Manual that came about as a result of the filing to eliminate the ARD (Exhibit 4).
3. Adopt NCCI's proposed revisions to the Information Page Notes – WC 00 00 01 B (Exhibit 5).
4. Eliminate the Anniversary Rating Date Endorsement (WC 00 04 02)(Exhibit 6).

IMPACT

Based on a review of policy data reported to the WCRIBMA in 2014, the ARD and policy effective date is the same for 91% of the policies. Therefore, the elimination of ARD should not impact a large number of employers. It is not possible to determine the impact for individual employers that have a policy where the ARD and policy effective date differ because ARDs and policy effective dates vary by employer. No statewide premium impact is expected as a result of the changes proposed in this item.

IMPLEMENTATION

The WCRIBMA proposes that this filing become effective for new and renewal policies effective on and after 12:01 a.m. on May 1, 2017.

Exhibit 1



**National Council on
Compensation Insurance**

Laura Backus Hall, CPCU
State Relations Executive
Regulatory Services Division

(P) 802-454-1800 (F) 802-454-1802
Email: Laura_Backus_Hall@ncci.com

July 7, 2015

Mr. Paul Meagher, President
The Workers Compensation
Rating and Inspection Bureau of Massachusetts
101 Arch Street, 5th Floor
Boston, MA 02110-1103

Attention: Dan Crowley, Customer Service Dept.

RE: ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Dear Paul:

In accordance with the applicable statutes and regulations in your jurisdiction, we are filing the above-captioned filing in a number of NCCI jurisdictions. The attached filing memorandum describes the proposed changes.

This filing memorandum is proprietary and copyrighted by NCCI. NCCI grants your organization permission to copy, use and modify the filing memorandum as necessary for filing in your jurisdiction on the condition that the materials are reprinted for distribution or sale only to members of your organization and only for use in your state. In addition, the modified pages must bear the following copyright legend:

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NCCI maintains a report for use by our common members that contains the approval status of national and state item filings (*Status of Item Filings Circular*). Please notify Michelle Smith by phone (561-893-3016) or e-mail (michelle_smith@ncci.com) if your organization files and receives approval of this item. This information will be reflected in the *Status of Item Filings Circular*, which is located on our web site and to which you have been given access.

Sincerely,

A handwritten signature in blue ink that reads "Laura Backus Hall". The signature is written in a cursive, flowing style.

Laura Backus Hall
State Relations Executive

LBH:nek
Attachments

FILING MEMORANDUM

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

PURPOSE

This item eliminates or revises rules and endorsements that reference anniversary rating date (ARD) in the following NCCI manuals:

- ***Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)***
- ***Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance (Experience Rating Plan Manual)***
- ***Statistical Plan for Workers Compensation and Employers Liability Insurance (Statistical Plan)***
- ***Forms Manual of Workers Compensation and Employers Liability Insurance (Forms Manual)***

BACKGROUND

ARD was established in 1923 during the original development of the workers compensation system. As defined in NCCI's ***Basic Manual*** Rule 3-A-2—Anniversary Rating Date, ARD is the effective month and day of the policy in effect, and each anniversary thereafter, unless a different date has been established by NCCI or another licensed rating organization. In the majority of states, rules, classifications, and rates are applied on an ARD basis. ARD applies only to workers compensation insurance; no other lines of insurance use an ARD rules system.

Typically, the ARD is the same as the policy effective date. In 2014, the ARD and policy effective date were the same for approximately 90% of policies. However, there are situations in which the ARD and policy effective date may differ. In those situations, more than one set of rules, classifications, or rates may apply to a policy during a single policy period. For example, assume the workers compensation rates change annually on January 1. If a policy has an effective date of January 1 but an ARD of July 1, the new rates would initially apply to that policy on July 1, regardless of the policy's effective date. In this situation, two sets of rates would apply to the same policy. The Anniversary Rating Date Endorsement (WC 00 04 02) would be used to show that the ARD is different from the policy effective date.

For many in the insurance industry, and particularly for employers, the ARD rules have been, and continue to be, a source of confusion. While the concept may be relatively simple, in practice, the determination of ARD can be difficult. This is apparent in cases where a policy has been cancelled and rewritten or when an employer has multiple policies with varying effective dates. For example, consider an employer with a single policy that has a January 1, 2015 ARD and policy effective date. The annual rate change date is also effective January 1. The policy is cancelled and rewritten with the same carrier effective July 1, 2015–July 1, 2016. The January 1 ARD applies to the rewritten policy until the following January 1. The revised January 1 rates are applied to the rewritten policy until the expiration date of the rewritten policy. A new ARD is established based on the effective date of the rewritten policy and becomes the ARD for future policies. The following table illustrates this example:

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Policy Period	ARD is...	Apply the Rules, Classifications, and Rates Effective On...	From...	Until...
1/1/2015 to 1/1/2016	1/1	1/1/2015	1/1/2015	1/1/2016
7/1/2015 to 7/1/2016	1/1	1/1/2015	7/1/2015	1/1/2016
	1/1	1/1/2016	1/1/2016	7/1/2016
7/1/2016 to 7/1/2017	7/1	7/1/2016	7/1/2016	7/1/2017

Consider another example for an employer that has multiple policies with varying effective dates. The ARD for all of the employer's policies is determined by the effective month and day of the policy with the largest standard premium. An employer's ARD could vary from year to year if there are changes in the employer's premium that results in a change in the policy having the largest standard premium.

The ARD rule isn't applicable in all states. If ARD applies to some, but not all, states on the policy, rules, classifications, and rates for that policy may have varying effective dates depending on the employer's policy history and states included on the policy. This adds more confusion to an already complex situation for employers and carriers to administer.

The states of Alabama, Illinois, Louisiana, and Maine eliminated ARD more than 13 years ago. In recent years, Georgia, New Mexico, and West Virginia have eliminated ARD. In these seven states and Texas, the rules, classifications, and rates apply based on the policy effective date. Therefore, if a policy with a January 1 effective date is cancelled midterm and rewritten effective July 1, the rules, classifications, and rates in effect on July 1 apply to the rewritten policy. In the states that have eliminated ARD, there have been no reports of market disruption or evidence of carriers or employers cancelling policies midterm to take advantage of rate increases or decreases. NCCI has not received a single employer complaint or carrier concern regarding the elimination of ARD in these states.

NCCI has determined that the use of ARD to apply rules, classifications, and rates to a policy is no longer necessary. Therefore, rules and endorsements referencing ARD in NCCI's manuals must be eliminated or revised.

The benefits of eliminating ARD and establishing a national approach of using the policy effective date to determine the application of rules, classifications, and rates include:

- **Consumer Responsiveness**—Policyholders and agents have complained about the complexity and confusion caused by the ARD rule. They do not deal with an ARD system when purchasing any other type of business or personal insurance. Eliminating ARD means the consumer purchasing experience for workers compensation insurance will conform to all other lines of insurance.
- **Uniformity**—All NCCI states would use the same approach for applying rules, classifications, and rates to a policy, which would be particularly beneficial for multistate policies.
- **Simplicity**—ARD is complicated to apply in circumstances such as short-term policies, gaps in coverage, and ownership changes. Use of policy effective date, instead of ARD, would mean that

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

rules, classifications, and rates applied to a policy would remain the same throughout the policy period regardless of such circumstances.

- **Ease of Understanding**—Use of the policy effective date would simplify policyholder understanding. It would also eliminate the need for complicated explanations regarding application of the ARD rule, which sometimes entail use of more than one set of rates for a given policy.

PROPOSAL

This item proposes to:

1. Eliminate or revise several national and state-specific ARD rules in the following NCCI manuals:
 - **Basic Manual**
 - **Experience Rating Plan Manual**
 - **Statistical Plan**
2. Eliminate or revise several national and state-specific endorsements in NCCI's **Forms Manual**.
3. Make minor grammatical and formatting revisions.

New Mexico Specific:

This item proposes that rules in NCCI's **New Mexico Workers' Compensation Assigned Risk Pool Manual (NMARM)** be revised.

Texas Specific:

This item proposes that Texas-specific rules in NCCI's **Retrospective Rating Plan Manual for Workers Compensation and Employers Liability Insurance (Retrospective Rating Plan Manual)** be revised.

IMPACT

Based on a review of policy data reported to NCCI in 2014, the ARD and policy effective date for most policies is the same date. Therefore, it is expected that the elimination of ARD will not impact a large number of employers. It is not possible to determine the impact for individual employers that have a policy where the ARD and policy effective date differ because ARDs and policy effective dates vary by employer. No statewide premium impact is expected as a result of the changes proposed in this item.

EXHIBIT COMMENTS AND IMPLEMENTATION SUMMARY

In all states except Hawaii, this item is to become effective for new and renewal policies effective on and after 12:01 a.m. on May 1, 2017.

In Hawaii, the effective date is determined upon regulatory approval of the individual carrier's election to adopt this change.

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
National Exhibits			
1-Rule	Details the revisions to Introduction—Application of Manual Rules.	<ul style="list-style-type: none"> All states except MA Also, refer to state exhibits for AL, GA, IL, LA, ME, NC, NM, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 1-Rule would become applicable 	Revises NCCI's Basic Manual
2-Rule	Details the elimination of Rule 3-A-2.	<ul style="list-style-type: none"> All states except MA Also, refer to state exhibits for AL, AZ, GA, IL, LA, ME, NM, OR, TX, VA, WV 	
3-Rule	Details the revisions to Rule 3-A-11-e.	<ul style="list-style-type: none"> All states except HI, ID, MA, OR, TX Also, refer to state exhibits for GA, HI, IL, NM, OR, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 3-Rule would become applicable 	
4-Rule	Details the revisions to Rule 3-A-16-b(4).	<ul style="list-style-type: none"> All states except MA, TX Also, refer to state exhibits for GA, IL, NM, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 4-Rule would become applicable 	

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Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
National Exhibits			
5-Rule	Details the revisions to Rule 3-A-19-a.	<ul style="list-style-type: none"> All states except MA, TX Assigned risk policies in CT, NH, TN Also, refer to state exhibits for GA, IL, NM, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 5-Rule would become applicable 	Revises NCCI's Basic Manual
6-Rule	Details the revisions to Rule 3-A-21.	<ul style="list-style-type: none"> All states except MA Also, refer to state exhibits for GA, IL, NM, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 6-Rule would become applicable 	
7-Rule	Details the revisions to Rule 4-B-4-b.	Assigned risk policies in AL, AR, DC, IA, ID, IN, KS, MS, NH, SC, SD, TN, VT, WV	
8-Rule	Details the revisions to Rule 4-B-4-n.	Assigned risk policies in AL, AR, DC, IA, ID, IN, KS, MS, NH, SC, SD, TN, VT, WV	
9-Rule	Details the revisions to Rule 4-C-5-b(3).	Assigned risk policies in AL, AZ, CT, DC, GA, ID, IL, IN, KS, MS, NC, NH, NV, OR, SC, SD, TN, VT, WV	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
National Exhibits			
10-Rule	Details the revisions to Rule 4-C-6-a.	<ul style="list-style-type: none"> Assigned risk policies in AL, AZ, CT, DC, GA, ID, IL, IN, KS, MS, NC, NH, NV, OR, SC, SD, TN, VT, WV Also, refer to state exhibits for AL, GA, IL, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 10-Rule would become applicable 	Revises NCCI's Basic Manual
11-Rule	Details the revisions to Rule 4-H-1-a(5).	Assigned risk policies in AK, AL, AR, AZ, CT, DC, GA, IA, ID, IL, IN, KS, MS, NC, NH, NV, OR, SC, SD, TN, VA, VT, WV	
12-Rule	Details the revisions to Rule 1-B(3) and Rule 1-B(4).	<ul style="list-style-type: none"> All states Also, refer to state exhibits for GA, IL, NM, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 12-Rule would become applicable 	Revises NCCI's Experience Rating Plan Manual
13-Rule	Details the revisions to Rule 2-B.	<ul style="list-style-type: none"> All states Also, refer to state exhibits for GA, IL, LA, NM, OR, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 13-Rule would become applicable 	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
National Exhibits			
14-Rule	Details the revisions to Rule 3-C-2.	<ul style="list-style-type: none"> All states Also, refer to state exhibits for GA, IL, NM, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 14-Rule would become applicable 	Revises NCCI's <i>Experience Rating Plan Manual</i>
15-Rule	Details the revisions to Rule 4-D.	<ul style="list-style-type: none"> All states except IL Also, refer to state exhibits for GA, IL, KS, NM, OR, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 15-Rule would become applicable 	
16-Rule	Details the revisions to Rule 4-E.	<ul style="list-style-type: none"> All states except AK, FL, IL, KS, ME, MO, NE, OR, TN, TX Also, refer to state exhibits for AK, FL, GA, IL, KS, ME, MO, NE, NM, OR, TN, TX, WV In the states listed above where state rule exceptions are being eliminated, the proposed national rule as shown in Exhibit 16-Rule would become applicable 	
17-Rule	Details the removal of the reference to the <i>Basic Manual</i> rules for prior ARD applicability from Part 3-B.	All states except MA, NC, TX	Revises NCCI's <i>Statistical Plan</i>
18-Rule	Details the revisions to Part 3-G.	All states except MA, NC, TX	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
National Exhibits			
19-Form	Details the revisions to the Information Page Notes (WC 00 00 01 B).	All states except IN, MA, NC	Revises NCCI's Forms Manual
20-Form	Details the withdrawal of the Anniversary Rating Date Endorsement (WC 00 04 02).	All states except AL, GA, IL, IN, LA, MA, ME, NC, NM, TX, WV	
21-Form	Details the revisions to the Contracting Classification Premium Adjustment Program Workers Compensation Premium Credit Application (Form NC-5000 A).	<ul style="list-style-type: none">CT, HI, MT, NE, NM, OK, ORForm NC-5001 is being withdrawn in NM; proposed Form NC-5000 B as shown in Exhibit 21-Form would become applicable NM	
22-Form	Details the withdrawal of the Contracting Classification Premium Adjustment Program Application for Non-ARD States (Form NC-5001).	NM	
State Exhibits			
23-Rule	Details the elimination of Alabama State Rule Exception to Introduction—Application of Manual Rules.	AL	Revises NCCI's Basic Manual
24-Rule	Details the elimination of Alabama State Rule Exception 3-A-2.	AL	
25-Rule	Details the elimination of Alabama State Rule Exception 4-C-6-a.	Assigned risk policies in AL	Revises NCCI's Basic Manual
26-Form	Details the withdrawal of the Alabama Anniversary Rating Date Endorsement (WC 01 04 02).	AL	Revises NCCI's Forms Manual

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
23-Rule	Details the revisions to the Alaska Contracting Classification Premium Adjustment Program Miscellaneous Rule.	AK	Revises NCCI's Basic Manual
24-Rule	Details the revisions to Alaska State Rule Exception 4-E.	AK	Revises NCCI's Experience Rating Plan Manual
23-Rule	Details the elimination of Arizona State Rule Exception 3-A-2.	AZ	Revises NCCI's Basic Manual
24-Form	Details the revisions to the Arizona Employee Leasing Endorsement (WC 02 03 01).	AZ	Revises NCCI's Forms Manual
23-Rule	Details the revisions to Colorado Premium Credits for Certified Risk Management Programs or Service Miscellaneous Rule.	CO	Revises NCCI's Basic Manual
23-Rule	Details the revisions to Connecticut State Rule Exception 3-A-1.	CT	
24-Rule	Details the revisions to the Connecticut Contracting Classification Premium Adjustment Program Miscellaneous Rule.	CT	
23-Rule	Details the revisions to Florida State Rule Exception 3-D-6-a(2)(f).	FL	
24-Rule	Details the revisions to Florida State Rule Exception 3-D-6-h(2).	FL	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
25-Rule	Details the revisions to Florida Contracting Classification Premium Adjustment Program Miscellaneous Rule.	FL	Revises NCCI's Basic Manual
26-Rule	Details the revisions to Florida State Rule Exception 4-E.	FL	Revises NCCI's Experience Rating Plan Manual
27-Rule	Details the revisions to Florida State Rule Exception 5-A-2-b(1).	FL	
28-Form	Details the revisions to the Florida Experience Rating Modification Factor Endorsement (WC 09 04 02).	FL	Revises NCCI's Forms Manual
23-Rule	Details the revisions to Georgia State Rule Exception to Introduction—Application of Manual Rules.	GA	Revises NCCI's Basic Manual
24-Rule	Details the elimination of Georgia State Rule Exception 3-A-2.	GA	
25-Rule	Details the elimination of Georgia State Rule Exception 3-A-11-e.	GA	
26-Rule	Details the elimination of Georgia State Rule Exception 3-A-16-b(4).	GA	
27-Rule	Details the elimination of Georgia State Rule Exception 3-A-19-a.	GA	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
28-Rule	Details the elimination of Georgia State Rule Exception 3-A-21-a(1).	GA	Revises NCCI's <i>Basic Manual</i>
29-Rule	Details the elimination of Georgia State Rule Exception 4-C-6-a.	Assigned risk policies in GA	
30-Rule	Details the elimination of Georgia State Rule Exception 1-B-3.	GA	Revises NCCI's <i>Experience Rating Plan Manual</i>
31-Rule	Details the elimination of Georgia State Rule Exception 2-B.	GA	
32-Rule	Details the elimination of Georgia State Rule Exception 3-C-2-d.	GA	
33-Rule	Details the elimination of Georgia State Rule Exception 4-D.	GA	
34-Rule	Details the elimination of Georgia State Rule Exception 4-E.	GA	
23-Rule	Details the revisions to Hawaii State Rule Exceptions 3-A-11-a and 3-A-11-e.	HI	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the revisions to Hawaii Contracting Classification Premium Adjustment Program Miscellaneous Rule.	HI	
23-Rule	Details the elimination of Illinois State Rule Exception to Introduction—Application of Manual Rules.	IL	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
24-Rule	Details the elimination of Illinois State Rule Exception 3-A-2.	IL	Revises NCCI's Basic Manual
25-Rule	Details the elimination of Illinois State Rule Exception 3-A-11-e.	IL	
26-Rule	Details the elimination of Illinois State Rule Exception 3-A-16-b(4).	IL	
27-Rule	Details the elimination of Illinois State Rule Exception 3-A-19-a.	IL	
28-Rule	Details the elimination of Illinois State Rule Exception 3-A-21-a(1).	IL	
29-Rule	Details the elimination of Illinois State Rule Exception 4-C-6-a.	Assigned risk policies in IL	
30-Rule	Details the elimination of Illinois State Rule Exception 1-B-3.	IL	Revises NCCI's Experience Rating Plan Manual
31-Rule	Details the elimination of Illinois State Rule Exception 2-B.	IL	
32-Rule	Details the elimination of Illinois State Rule Exception 3-C-2-d.	IL	
33-Rule	Details the revisions to Illinois State Rule Exception 4-D. Note: This revision does not affect the current Illinois state rule exceptions to Experience Rating Plan Manual Rule 4-D-1 and Rule 4-D-2.	IL	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
34-Rule	Details the revisions to Illinois State Rule Exception 4-E.	IL	Revises NCCI's <i>Experience Rating Plan Manual</i>
23-Rule	Details the elimination of Kansas Assigned Risk Retrospective Rating Plan Rule 2-a.	Assigned risk policies in KS	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the revisions to Kansas State Rule Exception 4-D.	KS	Revises NCCI's <i>Experience Rating Plan Manual</i>
25-Rule	Details the revisions to Kansas State Rule Exception 4-E.	KS	
26-Form	Details the revisions to the Kansas Professional Employer Organization (PEO) Multiple Coordinated Policy Endorsement for Policy Covering the PEO (WC 15 03 03 A).	KS	Revises NCCI's <i>Forms Manual</i>
23-Form	Details the revisions to the Kentucky Employee Leasing Endorsement (WC 16 03 02 A).	KY	
23-Rule	Details the elimination of Louisiana State Rule Exception to Introduction—Application of Manual Rules.	LA	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the elimination of Louisiana State Rule Exception 3-A-2.	LA	
25-Rule	Details the elimination of Louisiana State Rule Exception 2-B-1.	LA	Revises NCCI's <i>Experience Rating Plan Manual</i>

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
26-Form	Details the withdrawal of the Louisiana Anniversary Rating Date Endorsement (WC 17 04 01).	LA	Revises NCCI's <i>Forms Manual</i>
27-Form	Details the revisions to the Louisiana Amendatory Endorsement (WC 17 06 01 E).	LA	
23-Rule	Details the elimination of Maine State Rule Exception to Introduction—Application of Manual Rules.	ME	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the elimination of Maine State Rule Exception 3-A-2.	ME	
25-Rule	Details the revisions to Maine State Rule Exception 4-E.	ME	Revises NCCI's <i>Experience Rating Plan Manual</i>
26-Form	Details the withdrawal of the Maine Anniversary Modification Rating Date Endorsement (WC 18 04 07).	ME	Revises NCCI's <i>Forms Manual</i>
23-Rule	Details the revisions to Maryland Construction Classification Premium Reduction Program Miscellaneous Rule.	MD	Revises NCCI's <i>Basic Manual</i>
24-Form	Details the revisions to the Maryland Construction Classification Premium Reduction Program (CCPRP) Workers Compensation Premium Credit Application (Form 19-1C).	MD	Revises NCCI's <i>Forms Manual</i>

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
23-Rule	Details the revisions to Missouri State Rule Exception 4-E.	MO	Revises NCCI's <i>Experience Rating Plan Manual</i>
23-Rule	Details the revisions to Montana Construction Premium Credit Program Miscellaneous Rule.	MT	Revises NCCI's <i>Basic Manual</i>
24-Form	Details the revisions to the Montana Employee Leasing/Professional Employer Endorsement (WC 25 03 01).	MT	Revises NCCI's <i>Forms Manual</i>
23-Rule	Details the revisions to Nebraska Contracting Classification Premium Credit Adjustment Program Miscellaneous Rule.	NE	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the revisions to Nebraska State Rule Exception 4-E.	NE	Revises NCCI's <i>Experience Rating Plan Manual</i>
25-Form	Details the revisions to the Nebraska Professional Employer Organization (PEO) Multiple Coordinated Policy Endorsement for Policy Covering the PEO (WC 26 03 01).	NE	Revises NCCI's <i>Forms Manual</i>

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
26-Form	Details the revisions to the Nebraska Professional Employer Organization (PEO) Multiple Coordinated Policy Endorsement for Policy Covering the Client (WC 26 03 02).	NE	Revises NCCI's <i>Forms Manual</i>
27-Form	Details the revisions to the Nebraska Experience Rating Modification Endorsement (WC 26 04 01).	NE	
23-Rule	Details the elimination of New Mexico State Rule Exception to Introduction—Application of Manual Rules.	NM	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the elimination of New Mexico State Rule Exception 3-A-2.	NM	
25-Rule	Details the elimination of New Mexico State Rule Exception 3-A-11-e.	NM	
26-Rule	Details the elimination of New Mexico State Rule Exception 3-A-16-b(4).	NM	
27-Rule	Details the elimination of New Mexico State Rule Exception 3-A-19-a.	NM	

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
28-Rule	Details the elimination of New Mexico State Rule Exception 3-A-21-a(1).	NM	Revises NCCI's <i>Basic Manual</i>
29-Rule	Details the elimination of New Mexico State Rule Exception 1-B-3.	NM	Revises NCCI's <i>Experience Rating Plan Manual</i>
30-Rule	Details the elimination of New Mexico State Rule Exception 2-B.	NM	
31-Rule	Details the elimination of New Mexico State Rule Exception 3-C-2-d.	NM	
32-Rule	Details the elimination of New Mexico State Rule Exception 4-D.	NM	
33-Rule	Details the elimination of New Mexico State Rule Exception 4-E.	NM	
34-Rule	Details the revisions to Rule 4-D-2.	Assigned risk policies in NM	Revises NCCI's <i>NMARM</i>
35-Rule	Details the revisions to Rule 8-A.	Assigned risk policies in NM	
23-Rule	Details the revisions to Nevada State Rule Exception 3-D-6-a(2)(g).	Assigned risk policies in NV	Revises NCCI's <i>Basic Manual</i>

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Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
24-Rule	Details the revisions to Nevada State Exception 5-A-2-c.	NV	Revises NCCI's <i>Experience Rating Plan Manual</i>
25-Rule	Details the revisions to the Nevada State Exception to Part 3-F-1.	NV	Revises NCCI's <i>Statistical Plan</i>
26-Form	Details the revisions to the Nevada Employee Leasing Multiple Coordinated Policies Basis Endorsement (WC 27 03 01 A).	NV	Revises NCCI's <i>Forms Manual</i>
23-Rule	Details the revisions to North Carolina State Rule Exception to Introduction—Application of Manual Rules.	NC	Revises NCCI's <i>Basic Manual</i>
23-Rule	Details the revisions to Oklahoma State Rule Exception 3-A-1.	OK	
24-Rule	Details the revisions to Oklahoma Contracting Classification Premium Credit Adjustment Program Miscellaneous Rule.	OK	
23-Rule	Details the elimination of Oregon State Rule Exception 3-A-2.	OR	
24-Rule	Details the revisions to Oregon State Rule Exception 3-A-11-e.	OR	
25-Rule	Details the revisions to Oregon State Rule Exception 3-D.	OR	

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Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
26-Rule	Details the revisions to Oregon Contracting Classification Premium Adjustment Program Miscellaneous Rule.	OR	Revises NCCI's Basic Manual
27-Rule	Details the elimination of Oregon State Rule Exception 2-B.	OR	Revises NCCI's Experience Rating Plan Manual
28-Rule	Details the elimination of Oregon State Rule Exception 4-D-1.	OR	
29-Rule	Details the revisions to Oregon State Rule Exception 4-E.	OR	
30-Rule	Details the revisions to Oregon Group Supplemental Experience Rating Plan Miscellaneous Rule.	OR	
31-Rule	Details the revisions to Oregon Merit Rating Plan Miscellaneous Rule.	OR	
32-Rule	Details the revisions to the Oregon State Exception to Part 3-A.	OR	Revises NCCI's Statistical Plan
33-Form	Details the revisions to the Oregon Group Supplemental Experience Rating Plan Endorsement (WC 36 04 04).	OR	Revises NCCI's Forms Manual
23-Rule	Details the revisions to Tennessee State Rule Exception 4-E.	TN	Revises NCCI's Experience Rating Plan Manual

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Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
23-Rule	Details the elimination of Texas State Rule Exception to Introduction—Application of Manual Rules.	TX	Revises NCCI's Basic Manual
24-Rule	Details the elimination of Texas State Rule Exception 3-A-2.	TX	
25-Rule	Details the elimination of Texas State Rule Exception 3-A-21-a(1).	TX	
26-Rule	Details the elimination of Texas State Rule Exception 1-B-3.	TX	Revises NCCI's Experience Rating Plan Manual
27-Rule	Details the elimination of Texas State Rule Exception 2-B.	TX	
28-Rule	Details the elimination of Texas State Rule Exception 3-C-2-d.	TX	
29-Rule	Details the revisions to Texas State Rule Exception 4-D.	TX	
30-Rule	Details the revisions to Texas State Rule Exception 4-E.	TX	
31-Rule	Details the revisions to Texas State Rule Exception 2-D.	TX	Revises NCCI's Retrospective Rating Plan Manual
32-Rule	Details the revisions to Texas State Rule Exception 2-F.	TX	
33-Rule	Details the elimination of Texas State Exception to Part 3-B.	TX	Revises NCCI's Statistical Plan
34-Rule	Details the elimination of Texas State Exception to Part 3-G.	TX	
23-Form	Details the revisions to the Utah Employee Leasing Endorsement (WC 43 03 02).	UT	Revises NCCI's Forms Manual
23-Rule	Details the revisions to Vermont Merit Rating Plan Miscellaneous Rule.	Assigned risk policies in VT	Revises NCCI's Basic Manual

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Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
23-Rule	Details the elimination of Virginia State Rule Exception 3-A-2.	VA	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the revisions to Virginia Contracting Classification Premium Adjustment Program Miscellaneous Rule.	VA	
25-Rule	Details the revisions to Virginia Drug-Free Workplace Premium Credit Miscellaneous Rule.	Assigned risk policies in VA	
26-Rule	Details the revisions to Virginia State Rule Exception 5-A-2-b.	VA	Revises NCCI's <i>Experience Rating Plan Manual</i>
27-Form	Details the revisions to the Virginia Contracting Classification Premium Adjustment Program (CCPAP) Workers Compensation Premium Credit Application (Form 45-3B).	VA	Revises NCCI's <i>Forms Manual</i>
23-Rule	Details the elimination of West Virginia State Rule Exception to Introduction—Application of Manual Rules.	WV	Revises NCCI's <i>Basic Manual</i>
24-Rule	Details the elimination of West Virginia State Rule Exception 3-A-2.	WV	
25-Rule	Details the elimination of West Virginia State Rule Exception 3-A-11-e.	WV	
26-Rule	Details the elimination of West Virginia State Rule Exception 3-A-16-b(4).	WV	

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Exhibit	Exhibit Comments	Applicable Proposal:	Implementation Summary
State Exhibits			
27-Rule	Details the elimination of West Virginia State Rule Exception 3-A-19-a.	WV	Revises NCCI's <i>Basic Manual</i>
28-Rule	Details the elimination of West Virginia State Rule Exception 3-A-21-a(1).	WV	
29-Rule	Details the elimination of West Virginia State Rule Exception 4-C-6-a.	Assigned risk policies in WV	
30-Rule	Details the elimination of West Virginia State Rule Exception 1-B-3.	WV	Revises NCCI's <i>Experience Rating Plan Manual</i>
31-Rule	Details the elimination of West Virginia State Rule Exception 2-B.	WV	
32-Rule	Details the elimination of West Virginia State Rule Exception 3-C-2-d.	WV	
33-Rule	Details the elimination of West Virginia State Rule Exception 4-D.	WV	
34-Rule	Details the elimination of West Virginia State Rule Exception 4-E.	WV	

Note: Some states require that rule and form filings be filed separately. For filing purposes in those states, this memorandum is being provided for both the rule and form exhibits. The rule exhibits are filed with the regulatory authority as Item B-1430-R. The form exhibits are filed with the regulatory authority as Item B-1430-F.

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ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 1-RULE
BASIC MANUAL—2001 EDITION
PART ONE—RULES

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

This manual contains rules that have been approved by state insurance regulators. These rules cover the following topics:

- Introduction—Application of Manual Rules
- Rule 1—Classification Assignment
- Rule 2—Premium Basis and Payroll Allocation
- Rule 3—Rating Definitions and Application of Premium Elements
- Rule 4—Workers Compensation Insurance Plan Rules

INTRODUCTION—APPLICATION OF MANUAL RULES

1. Rules apply separately to each policy, except as provided in the rules related to premium discount and executive officers.
2. This manual applies only from the policy effective anniversary rating date that occurs on or after the effective date of this manual.
3. The effective date of a change in any rule, classification, rate, or loss cost is 12:01 a.m. on the date approved for use.
4. Changes made during a policy period are effective as of the policy effective date on or after the next anniversary rating date on or after the date of the change, unless otherwise specified.
5. ~~The anniversary rating date is the effective month and day of the policy in effect and each anniversary thereafter unless a different date has been established by the National Council on Compensation Insurance, Inc. (NCCI) or other licensed rating organization. Refer to Rule 3-A-2 for more information.~~
The rules in this manual are based on policy periods not longer than one year.
 - a. A policy issued for a period not longer than one year and 16 days is treated as a one-year policy.
 - b. A policy issued for a period longer than one year and 16 days, that is not a three-year fixed-rate policy, is a long-term policy and treated as follows:
 - The policy period is divided into consecutive 12-month units.
 - The Policy Period Endorsement is used to designate either the first or last unit of less than 12 months as a short-term policy.
 - Rules, classifications, and rates are applied to individual units of 12 months each as if a separate policy had been issued for each unit.
6. The National Council on Compensation Insurance, Inc. (NCCI) has the right to conduct inspections of operations, assign classifications, and determine the propriety of classification assignments and applicability of all **Basic Manual** rules.
7. NCCI has authority to conduct test audits and to require corrections in accordance with the results of the test audit.
8. Appeals involving the application of the rules or classifications of this manual may be resolved through the applicable administrative appeals process. *Refer to the **User's Guide** for more information.*
9. Interpretation of state or federal laws pertaining to coverage issues is not within the jurisdiction of NCCI.
10. Some **Basic Manual** rules may have special assigned risk rules, notes, or exceptions. In states where assigned risk markets do not exist, these rules, notes, and exceptions do not apply.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 2-RULE
BASIC MANUAL—2001 EDITION
RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS
A. EXPLANATION AND APPLICATION

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

2. Anniversary Rating Date (ARD) (RESERVED FOR FUTURE USE)

The anniversary rating date is the effective month and day of the policy in effect and each anniversary thereafter unless a different date has been established by the National Council on Compensation Insurance, Inc. or other licensed rating organization.

Rules, classifications, and rates are applied on an Anniversary Rating Date basis for all risks. When a material change in ownership occurs, the ARD of the previous entity is not used to determine the applicable rules, classifications, and rates of the new entity. For more information on ownership changes, refer to the **Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance**.

To determine the proper application, refer to the tables below:

ARD Table 4

For a single policy risk whose : : :	The insurance carrier must apply : : :
<p>Policies have run consecutively, or,</p> <p>The risk is a new entity : : :</p>	<p>The rules, classifications, and rates effective on the normal ARD for the full term of:</p> <ul style="list-style-type: none"> ▪ The policy beginning on that date, or ▪ Any other policy beginning up to three months after that date <p><i>Refer to the User's Guide for an example.</i></p>
<p>Policy has been cancelled and rewritten, either by the same or another carrier : : :</p>	<p>To the rewritten policy, all rules, classifications, and rates of the rewriting carrier in effect as of the:</p> <ul style="list-style-type: none"> ▪ Normal ARD to the new policy until the next normal ARD has been reached or until the next ARD is established by the rating organization. ▪ Next normal ARD until the expiration date of the rewritten policy or until the next ARD is established by the rating organization. Upon the expiration date of the rewritten policy, a new ARD is established based on the effective date of the rewritten policy. The new ARD becomes the normal ARD for future policies. <p><i>Refer to the User's Guide for an example.</i></p>

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 2-RULE (CONT'D)
BASIC MANUAL—2001 EDITION

RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS

A. EXPLANATION AND APPLICATION

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

ARD Table 2

For a multiple policy risk with varying effective dates . . .	The insurance carrier must apply . . .
That is not a long-term policy or Three-Year Fixed-Rate Policy . . .	<p>The rules, classifications, and rates in effect on the normal ARD until the next normal ARD:</p> <ul style="list-style-type: none"> These rules, classifications, and rates apply to the portion of each policy falling within the 12-month period, regardless of their effective and termination dates. The renewal rules, classifications, and rates must be applied in the same manner. The ARD is determined by the policy with the largest standard premium, unless otherwise established by the rating organization. <p><i>Refer to the User's Guide for an example.</i></p>
That has been cancelled and rewritten, either by the same or another carrier . . .	<p>To the rewritten policy, all rules, classifications and rates of the rewriting carrier that were in effect as of the:</p> <ul style="list-style-type: none"> Normal ARD to the new policy until the next normal ARD has been reached or until the next ARD is established by the rating organization. Next normal ARD until the expiration date of the rewritten policy or until the next ARD is established by the rating organization. Upon the expiration date of the rewritten policy, a new ARD is established based on the effective date of the rewritten policy. The new ARD becomes the normal ARD for future policies.

ARD Table 3

For other situations such as . . .	The insurance carrier must apply . . .
A long-term policy (issued for a period longer than one year and 16 days, other than a Three-Year Fixed-Rate Policy) . . .	<p>All rules, classifications and rates to individual units as if a separate policy had been issued.</p> <ul style="list-style-type: none"> Divide the policy into consecutive units of 12 months each. This division will designate either the first or last unit of less than 12 months as a short-term policy. <p><i>Refer to the User's Guide for an example.</i></p>
A Three-Year Fixed-Rate Policy . . .	The rates in force on the effective date of the policy without change until its termination.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)**EXHIBIT 2-RULE (CONT'D)
BASIC MANUAL—2001 EDITION****RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS****A. EXPLANATION AND APPLICATION**

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

ARD Table 3 (Cont'd)

For other situations such as . . .	The insurance carrier must apply . . .
	Exceptions: A single rate revision resulting in an increase of 10% or more on outstanding policies must be applied to the remaining portion of the policy

ARD Table 4

Applicable Endorsements
<ul style="list-style-type: none"> • Use the Standard Anniversary Rating Date Endorsement (WG 00 04 02) when necessary. The endorsement is used to show the normal anniversary rating date if different from the policy effective date. • Use the Standard Policy Period Endorsement (WG 00 04 05) if the policy period is not a multiple of 12 months. This endorsement is used to designate the first or last unit of less than 12 months as a short-term policy.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 3-RULE
BASIC MANUAL—2001 EDITION****RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS****A. EXPLANATION AND APPLICATION**

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, IA, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, WV)

11. Expense Constant

Expense Constant is a premium charge that is applied to every policy regardless of premium size. The expense constant contributes to the recovery of expenses common to issuing, recording, and auditing a policy. The expense constant charged at the inception of the policy will not change when a state is added or deleted during the policy term.

In competitive rating jurisdictions, the expense constant is filed by or on behalf of the carrier. In administered pricing jurisdictions, the expense constant is shown on the state pages.

Note: The following rules, as they appear in this manual, do not apply unless approval for their use is obtained by or on behalf of the carrier from the appropriate insurance regulatory authority.

a. The expense constant is:

- Not subject to premium discount, experience rating modification, retrospective rating adjustment, or additional charges for the catastrophe provisions detailed in Rule 3-A-24.
- Included in the minimum premium for each classification and must not be added to the minimum premium if the minimum premium becomes the final premium for the policy
- Shown on the Information Page of the policy. For details, *refer to **User's Guide D-2-g(6)***.

*Refer to the **User's Guide** for an example.*

- b. When more than one state is insured on the same policy, the highest expense constant must be charged even if that state is on an "if any" basis. If two or more states have the same highest expense constant, the expense constant is determined by the state with the largest amount of standard premium.
- c. The expense constant must be excluded from the determination of standard premium.
- d. Full expense constants must be charged for short-term policies.

Exceptions:

Expense constants are prorated when short-term policies are issued:

- To replace a binder
 - Solely to establish consistent effective dates with other insurance policies
- e. If the policy is cancelled by the employer insured, except when retiring from business, the short-rate portion of the expense constant must not be less than \$15.

In addition to the exception to Rule 3-A-11-d above, the pro rata portion of expense constants are charged when the policy is cancelled:

- ~~The policy is cancelled:~~
 - By the insurance carrier according to Cancellation Provisions Table 1
 - When the employer insured is retiring from business according to Cancellation Provisions Table 2
 - When an assigned risk policy is cancelled because coverage was placed in the voluntary market according to Cancellation Provisions Table 3
- ~~The amount changes due to a change in the anniversary rating date~~

*Refer to the **User's Guide** for an example.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 3-RULE (CONT'D)
BASIC MANUAL—2001 EDITION**

RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS

A. EXPLANATION AND APPLICATION

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, IA, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, WV)

- f. The pro rated portions of the expense constant in d. and e. above must not be less than \$15.
For expense constant determination on Three-Year Fixed-Rate policies, *refer to Rule 3-B.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 4-RULE
BASIC MANUAL—2001 EDITION
RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS
A. EXPLANATION AND APPLICATION**

16. Minimum Premium

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

b. Determination

- (1) The minimum premium at policy issuance is determined as follows:
 - For a policy with only one classification, apply the minimum premium for that classification.
 - For a policy with two or more classifications, apply the highest minimum premium for any classification on the policy.
 - For a multiple state policy, the applicable minimum premium for the policy would be that of the state with the single highest minimum premium, even if that state is on an “if any” basis. If two or more states have the same highest minimum premium, the minimum premium is determined by the state with the largest amount of standard premium.
- (2) The minimum premium is subject to final adjustment at final audit. It is determined on the basis of those classifications developing premium as follows:
 - If the final earned premium is less than the minimum premium determined on audit, then that minimum premium must be charged.
 - If no classification develops premium, the minimum premium for Code 8810 must be charged.
 - When more than one state is insured on the same policy, the minimum premium for the state with the single highest minimum premium must be charged even if that state is on an “if any” basis. If two or more states have the same highest minimum premium, the minimum premium is determined by the state with the largest amount of standard premium.
- (3) Full minimum premiums are charged for short-term policies, subject to 4. below.
- (4) The minimum premium is prorated when:
 - A short-term policy is issued to replace a binder
 - A short-term policy is issued to establish consistent effective dates with other insurance policies
 - A policy is cancelled by the insurance carrier according to Cancellation Provisions Table 1
 - A policy is cancelled when the insured is retiring from business according to Cancellation Provisions Table 2
 - An assigned risk policy is cancelled because coverage was placed in the voluntary market according to Cancellation Provisions Table 3
 - ~~The amount changes due to a change in the anniversary rating date~~

*Refer to the **User's Guide** for an example.*

- (5) In the event that a policy is cancelled midterm, the minimum premium for increased limits for employers liability and federal coverages must be treated the same as the classification minimum premium.
 - Cancellation may occur by the carrier or by the insured when retiring from business. When this happens, the total premium for the policy must not be less than the pro rata portion of the minimum premium.
 - If cancellation occurs by the insured, and the insured is not retiring from business, the total earned premium for the cancelled policy must not be less than the applicable annual minimum premium.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 4-RULE (CONT'D)
BASIC MANUAL—2001 EDITION
RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS
A. EXPLANATION AND APPLICATION

16. Minimum Premium

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

(6) For a policy that provides only employers liability insurance with increased limits, the minimum premium must be increased by the factor that applies to the rates for that policy.

All references to employers liability insurance without workers compensation insurance in this rule or other rules in this manual do not apply to residual market policies in states where NCCI is the Plan Administrator.

For minimum premium information for Domestic Workers, *refer to Rule 3-C-5-c.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 5-RULE
BASIC MANUAL—2001 EDITION
RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS
A. EXPLANATION AND APPLICATION**

19. Premium Discount

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

a. Determination of Premium Discount

A policy qualifies for premium discount when the standard premium exceeds the eligibility amount authorized by the insurance regulatory authority.

~~Premium Discount is applied in accordance with the anniversary rating date. Refer to Rule 3-A-2 for information on anniversary rating date.~~

Total standard premium is subject to premium discount as follows:

(1) Without Retrospective Rating

• **Single State Policy**

Premium discount is determined by applying the appropriate discount percentages to the total standard premium in excess of the authorized threshold amount.

• **Multiple State Policy**

Premium discount applies on an interstate basis. It is determined by applying the appropriate discount percentages to each state's portion of the total standard premium in excess of the authorized threshold amount.

Each state's portion of the threshold amount and varying gradations of premium discount are calculated by multiplying the total standard premium by the ratio of state standard premium to the total standard premium.

*Refer to the **User's Guide** for an example.*

(2) With Retrospective Rating

The portion of the standard premium subject to a Retrospective Rating Plan is not subject to premium discount.

Total the premium of all entities to determine the amount subject to the Retrospective Rating Plan. The remainder of that standard premium is subject to premium discount and is calculated as follows:

- (a) Determine the discount (x) as if none of the premium is subject to retrospective rating
- (b) Determine the discount (y) for the premium subject to retrospective rating only
- (c) The premium discount is the difference between (x) and (y)

The total premium discount is distributed by state by allocating the state portion of standard premium to the premium discount.

*Refer to the **User's Guide** for an example.*

(3) Other Methods

Any other method of determining premium discount may be used as long as the result does not differ by more than 0.1% of the standard premium from the premium discount produced by the methods outlined in this rule.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 6-RULE
BASIC MANUAL—2001 EDITION
RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS
A. EXPLANATION AND APPLICATION

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

21. States Added After Policy Effective Date

- a. A state may be added after the effective date of the policy. For the additional state operations, apply:
 - (1) Manual rates in effect on the effective anniversary rating date of the policy to which the state has been added
 - (2) Any rate change that applies to outstanding policies for the state being added, and
 - (3) Any applicable experience rating modification for the policy to which the state has been added.
*Refer to the **Experience Rating Plan Manual**.*
- b. Additional states may be added to ~~the~~ an assigned risk policy only in accordance with **Basic Manual** Rule 4-A or the applicable state workers compensation insurance plan ~~for residual market policies in states where NGCI is the Plan Administrator.~~

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 7-RULE
BASIC MANUAL—2001 EDITION
RULE 4—WORKERS COMPENSATION INSURANCE PLAN RULES
B. PROFESSIONAL EMPLOYER ORGANIZATION (PEO) ARRANGEMENTS
4. Multiple Coordinated Policies (MCP)
(Applies Only to Assigned Risk Policies in: AL, AR, DC, IA, ID, IN, KS, MS, NH, SC, SD,
TN, VT, WV)

b. Policy Issuance

- (1) Each client will have its own standard policy covering its leased workers pursuant to the workers compensation laws of the state and in accordance with the WCIP.
 - (a) The client's policy covering its leased workers will be issued in the name and FEIN of the client in accordance with this rule and all other rules governing the issuance of a standard policy for assigned risk business.
 - (b) Direct workers of a client will not be included on the client's policy for its leased workers, unless otherwise required by state law or regulation.
 - (c) If a client leases workers from more than one PEO, there must be a separate MCP policy for the leased workers of each PEO.
- (2) Each PEO must have its own standard policy covering the direct workers of the PEO.
 - (a) A policy issued to cover the direct workers of the PEO under a MCP basis will be issued in the name and FEIN of the PEO in accordance with this rule and all other rules governing the issuance of a standard policy for assigned risk business under the WCIP.
 - (b) If the PEO has no direct workers in the state where its clients' coverage is being obtained, the PEO's policy will be issued with premium based on the use of Code 8810—Clerical Office Employees NOC on an "if any" basis.
 - (c) All policies of any PEO related by common management or ownership must be assigned to one assigned carrier in the state, where practicable.
 - (d) All policies for clients of the same PEO will be assigned to one assigned carrier in the state, where practicable.
 - (e) The assigned carrier will arrange to have the same renewal/nonrenewal dates for all policies in a MCP arrangement, including any new client exposure added midterm to the PEO's MCP.
 - (f) ~~For information regarding the anniversary rating date, refer to NCCI's Basic Manual.~~
- (3) Appropriate endorsements will be used to restrict the coverage to named leased workers and to manage coverage between all clients and the PEO(s).

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 8-RULE
BASIC MANUAL—2001 EDITION
RULE 4—WORKERS COMPENSATION INSURANCE PLAN RULES
B. PROFESSIONAL EMPLOYER ORGANIZATION (PEO) ARRANGEMENTS
4. Multiple Coordinated Policies (MCP)
(Applies Only to Assigned Risk Policies in: AL, AR, DC, IA, ID, IN, KS, MS, NH, SC, SD,
TN, VT, WV)

n. Client Additions to the MCP

- (1) New clients may be added to the MCP at any time during the policy period if the client is in good faith eligible for workers compensation insurance in accordance with Rule 4-A-3. New clients must complete and submit the appropriate applications and Professional Employer Organization (PEO) Client Supplemental Application to the Plan Administrator.
- (2) Multiple clients that are added to the MCP midterm can be combined for deposit premium determination, if the request for coverage is submitted to the Plan Administrator at the same time.
- (3) A client policy, which is added to the MCP, will be required to have the same expiration date as the MCP. ~~For information regarding the anniversary rating date, refer to Rule 3-A-2.~~
- (4) For more information regarding deposit premium, *refer to Rule 4-I.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 9-RULE
BASIC MANUAL—2001 EDITION
RULE 4—WORKERS COMPENSATION INSURANCE PLAN RULES
C. LOSS SENSITIVE RATING PLAN
5. LSRP Definitions

b. Deposits

(Applies Only to Assigned Risk Policies in: AL, AZ, CT, DC, GA, ID, IL, IN, KS, MS, NC, NH, NV, OR, SC, SD, TN, VT, WV)

(3) Deposit/Initial Premium and LSRP Contingency Deposit Submission Requirements

Deposit/initial premium and LSRP contingency deposits are submitted for single and multiple policy employers in accordance with the table below.

Deposit/Initial Premium, LSRP Contingency Deposit, and Policy Issuance Table

Application and Conditions	Application Assignment and Policy Issuance	The employer must submit ...
One application—No other applications or existing policies are in effect that may be combined for LSRP eligibility determination and/or coverage	<ul style="list-style-type: none"> Individual application assigned to carrier Assigned carrier issues one policy 	<ol style="list-style-type: none"> 1. Individual WCIP deposit or initial premium for the WCIP policy, and 2. An additional 20% LSRP contingency deposit based on the LSRP standard premium
Multiple applications—To determine LSRP eligibility, review possible combination with any applications and/or policies in effect for an employer with common majority ownership as defined in NCCI's <i>Experience Rating Plan Manual</i>	<ul style="list-style-type: none"> Multiple applications assigned to same carrier Assigned carrier issues LSRP policies for those that meet the eligibility requirement Policy inception effective dates may vary; however, all policies must have a common expiration date <i>Refer to Rule 4-C-6-a for anniversary rating date application</i> 	<ol style="list-style-type: none"> 1. Individual WCIP deposit or initial premium for each WCIP policy (e.g., two WCIP policies require two WCIP initial or deposit premiums), and 2. An additional 20% LSRP contingency deposit based on the combined LSRP standard premium
Multiple applications—For the rare circumstance when applications and/or policies in effect for an employer with common majority ownership as defined in NCCI's <i>Experience Rating Plan Manual</i> cannot be assigned to an individual carrier	<ul style="list-style-type: none"> Multiple applications assigned to multiple carriers, including affiliated insurers when possible Assigned carriers issue LSRP policies for those that meet the eligibility requirement Policy effective dates may vary <i>Refer to Rule 4-C-6-a for anniversary rating date application</i> 	<ol style="list-style-type: none"> 1. Individual WCIP deposit or initial premium for each WCIP policy (e.g., two WCIP policies require two WCIP initial or deposit premiums), and 2. Additional 20% LSRP contingency deposits based on individual eligible LSRP standard premium(s)
Assigned carriers must issue a guaranteed cost policy(ies) for a state(s) where LSRP is not approved.		

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 10-RULE
BASIC MANUAL—2001 EDITION
RULE 4—WORKERS COMPENSATION INSURANCE PLAN RULES
C. LOSS SENSITIVE RATING PLAN**

6. General Explanations

(Applies Only to Assigned Risk Policies in: AL, AZ, CT, DC, GA, ID, IL, IN, KS, MS, NC, NH, NV, OR, SC, SD, TN, VT, WV)

a. Policy Effective Date Basis~~Anniversary Rating Date~~

All LSRP rating values are applied on a policy effective date ~~an anniversary rating date (ARD)~~ basis for all single and multiple LSRP policy risks where Introduction—Application of Manual Rules, #4 Rule 3-A-2 applies.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 11-RULE
BASIC MANUAL—2001 EDITION
RULE 4—WORKERS COMPENSATION INSURANCE PLAN RULES
H. PRODUCER FEES

(Applies Only to Assigned Risk Policies in: AK, AL, AR, AZ, CT, DC, GA, IA, ID, IL, IN, KS, MS, NC, NH, NV, OR, SC, SD, TN, VA, VT, WV)

1. General Explanation and Requirements

- a. For purposes of this rule, producer means a licensed insurance agent, broker, or insurance representative, as defined in the state insurance law, regulation, and/or rule, whose privileges under this Workers Compensation Insurance Plan (Plan) have not been suspended or revoked, designated by the employer or applicant applying under this Plan to secure and maintain workers compensation and employers liability insurance on behalf of the employer applying for coverage under this plan and not as an agent of the Plan Administrator or of any assigned carrier for Plan business. Also, for purposes of this rule:
 - (1) Producer fees may be referred to as producer fees, fees, or commissions.
 - (2) Proper producer licenses and producer licensing refer to resident or nonresident producer and/or agency licenses as applicable.
 - (3) Plan Administrator is defined in accordance with Rule 4-A-2-p or applicable state workers compensation insurance plan approved for use in a state.
 - (4) WCIP is defined in accordance with Rule 4-A-2-y or applicable state workers compensation insurance plan approved for use in a state.
 - (5) ~~Anniversary rating date does not apply.~~
- b. Rule 4-A-3-l, or applicable state workers compensation insurance plan approved for use in a state, provides the authority for the fees that must be paid by an assigned carrier to a licensed agency for all new and renewal assigned risk policies for which the agency is the agency of record.
- c. Assigned carriers must have and adhere to internally documented state producer and agency licensing requirements for payment of producer fees.
- d. To be paid a fee, a producer and/or agency must be properly licensed in the state(s) for which new and/or renewal policies are issued. It is the assigned carrier's responsibility to determine whether or not the producer and/or agency is properly licensed in the appropriate jurisdictions for payment of fees. Producer fee checks are made payable to the licensed agency of record rather than to the individual licensed producer, unless they are one and the same.
- e. Only one producer and agency can be recognized by the assigned carrier at any one time for a single policy. The producer of record and agency of record are the producer and agency designated on the application unless the producer and/or agency changes during the policy period in accordance with Rule 4-H-3-a.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 12-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 1—GENERAL EXPLANATIONS

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

B. MANDATORY PLAN

1. The ***Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance*** (the Plan) applies on a mandatory basis for risks that meet the premium eligibility requirements in Rule 2-A. *Refer to the state rules for exceptions to this Plan's national rules.* A policy cannot be cancelled, rewritten or extended for purposes of enabling a risk to qualify for, or avoid application of, this Plan.
2. Any action taken in any form to evade the application of an experience rating modification determined in accordance with this Plan is prohibited.
3. The effective date of a change in any rule or rating value is 12:01 a.m. on the date approved for use. Unless otherwise specified, each change applies only from the rating effective anniversary ~~rating~~ date, which occurs on or after the effective date of the change. *Refer to Rule 2-B for more information about ~~anniversary rating dates~~ and rating effective dates.*
4. The ~~Standard~~ Workers Compensation and Employers Liability Insurance Policy provides the rating organization with the authority to examine and audit all records that relate to the policy. The application of this Plan's rules may be affected by the ~~inclusion~~ attachment of ~~mandatory and/or advisory~~ endorsements found in the ***Forms Manual of Workers Compensation and Employers Liability Insurance***.
5. The rules of this Plan are based on policy periods not longer than one year.
 - a. A policy issued for a period not longer than one year and 16 days is treated as a one-year policy.
 - b. A policy issued for a period longer than one year and 16 days is treated as follows:
 - The policy period is divided into consecutive 12-month units.
 - The Policy Period Endorsement specifies the first or last unit of less than 12 months as a short-term policy.
 - All manual rules and procedures apply to each such unit as if a separate policy had been issued for each unit.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 13-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 2—EXPERIENCE RATING ELEMENTS AND FORMULA
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME,
MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

B. RATING EFFECTIVE DATES (RED)**1. Anniversary Rating Date ~~(ARD)~~**

The anniversary rating date is the effective month and day of the policy in effect and each anniversary thereafter unless a different date has been established by the rating organization. ~~Refer to the **Basic Manual** for more information on anniversary rating date.~~

The RED appears on a risk's experience rating worksheet. It is the earliest date that a specific modification is applied to a policy. To determine experience rating modification application, refer to Rule 4-D.

The rating organization establishes the RED.

Note: Wrap-up policies are not used to determine the RED. Refer to Rule 5-D-1 for information on wrap-up policies.

2. Rating Effective Date ~~(RED)~~

The RED may differ from a risk's policy effective date for reasons including, but not limited to:

- a. ~~The rating effective date appears on a risk's experience rating worksheet. It is the earliest date that a specific modification is applied to a policy. To determine experience rating modification application, refer to Rule 4-D.~~

~~The rating organization establishes the rating effective date. In most cases, a risk's rating effective date is the same as its anniversary rating date.~~

Note: ~~Wrap-up policies are not used to determine rating effective dates. Refer to Rule 5-D-1 for information on wrap-up policies.~~

- b. ~~The rating effective date may differ from a risk's anniversary rating date for reasons including, but not limited to:~~

- Short-term policies
- Cancellations
- Gaps in coverage
- Changes in ownership or combinability status
- Multiple policy effective dates
- Interstate operations
- A policy that is longer than one year and 16 days
- Late receipt of current policy information by the rating organization

To determine a risk's rating effective date RED, the rating organization will apply the Rating Effective Date Determination Table in conjunction with a review of the most recent full-term policies and unit statistical data. For purposes of this rule, a full-term policy is written for 12 months and is not cancelled prior to its expiration date.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 13-RULE (CONT'D)
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 2—EXPERIENCE RATING ELEMENTS AND FORMULA
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME,
MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

Rating Effective Date Determination Table

If the risk is . . .	Then the rating effective date is . . .
<ul style="list-style-type: none">• A single policy intrastate or interstate risk, or• A multiple policy intrastate or interstate risk with all policies having the same effective date	The effective month and day of the most recent full-term policy in effect and each policy thereafter unless the date is changed due to a reason listed above.
A multiple policy intrastate risk with policies having different effective dates	The effective month and day of the most recent full-term policy in effect with the largest amount of estimated standard premium.
A multiple policy interstate risk with policies having different effective dates	The effective month and day of the most recent full-term policy in effect for the state with the largest amount of estimated standard premium.

*Refer to the **User's Guide** for examples.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 14-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 3—OWNERSHIP CHANGES AND COMBINATION OF ENTITIES
C. OWNERSHIP CHANGES

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

2. Impact of Ownership Changes

Ownership changes may result in a change in:

- a. Experience rating modification.
- b. Combinability status with other entities.
- c. Premium eligibility status—an entity may or may not qualify to be experience rated. *Refer to Rule 2-A for more information regarding premium eligibility.*
- d. ~~Anniversary rating date~~ Rating effective date.
- e. ~~Rating effective date~~

*Refer to the **User's Guide** for examples.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 15-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 4—APPLICATION AND REVISION OF EXPERIENCE RATING MODIFICATIONS
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IN, KS, KY, LA, MA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

D. APPLICATION FOR SINGLE AND MULTIPLE POLICY RISKS

The rating effective date (RED) ~~and the anniversary rating date (ARD)~~ determines the application of an experience rating modification. The RED ~~rating effective date~~ is determined according to Rule 2-B –2 of this Plan. The ARD ~~is determined according to the *Basic Manual*.~~ An experience rating modification will apply for:

- No less than three months, except for those impacted by changes in ownership and combinability status according to Rule 3
- No more than 15 months

1. For Single Policy Risks

- a. The experience rating modification ~~effective on the anniversary rating date~~ applies for the full term of the policy if the policy begins on the RED or within three months after the RED.:-
 - (1) ~~The policy beginning on that date, or~~
 - (2) ~~Any other policy beginning up to three months after that date.~~
- b. If a policy ~~beginning~~ begins **more than** three months after the RED ~~anniversary rating date~~, the following procedure applies:
 - (1) The current experience rating modification applies to the new policy until the date the modification expires.
 - (2) A renewal experience rating modification applies to the new policy until the date the policy expires.
 - (3) ~~A new RED may be established. A renewal experience rating modification applies annually thereafter as of the new anniversary rating date. † Usually, this will be the date 12 months after the effective date of the new policy.~~

2. For Multiple Policy Risks

If a risk is covered by two or more policies with varying effective dates, the following procedure applies:

- a. An experience rating modification is issued to be effective for 12 months. This modification applies to the portion of each policy falling within that 12-month period, regardless of the policy's effective and expiration dates.
- b. A renewal experience rating modification applies to each policy as described in 2-a.
- c. The rating organization will review the effective dates of the multiple policies and may authorize the application of an experience rating modification for a period of other than 12 months.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 16-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 4—APPLICATION AND REVISION OF EXPERIENCE RATING MODIFICATIONS
 (Applies in: AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IN, KY, LA, MA, MD, MS, MT, NC, NH, NM,
 NV, OK, RI, SC, SD, UT, VA, VT, WV)

E. CHANGES IN EXPERIENCE RATING MODIFICATIONS

Experience rating modifications may change for reasons detailed in this Plan. These changes can occur at various points in time. The following table provides the rules regarding the application of an experience rating modification when a change occurs.

Changes in Experience Rating Modifications Table

If the change results in . . .	And the change occurs . . .	Then the change is applied . . .
A decrease in the experience rating modification for any reason other than a correction in classification according to Rule 4-B-3	<ul style="list-style-type: none"> At any time during the policy period, or After expiration of the policy but within revision period according to Rule 4-B 	<ul style="list-style-type: none"> Retroactively to the inception of the policy, or As of the anniversary rating effective date, if different later than the policy effective date
An increase in the experience rating modification due to: <ul style="list-style-type: none"> Revision of payroll Revision of losses Change in status from preliminary to final modification Change in status of contingent modification Any additional reasons other than exclusions listed below 	<p>Within 90 days after the <u>policy effective date</u>:-</p> <ul style="list-style-type: none"> Policy effective date, or Anniversary rating date if different than the policy effective date <p>More Than 90 days after the <u>policy effective date</u>:-</p> <ul style="list-style-type: none"> Policy effective date, or Anniversary rating date if different than the policy effective date 	<ul style="list-style-type: none"> Retroactively to the inception of the policy, or As of the anniversary rating effective date, if different later than the policy effective date
<p>Exclusions: An increase in the experience rating modification due to:</p> <ul style="list-style-type: none"> Changes in ownership or combinability status Retroactive reclassification of a risk The termination of a client's employee leasing arrangement under a master policy approach Late issuance of an experience rating modification due to an employer who risk that has failed to cooperate with audits or other actions attributable to the employer risk or representatives of the employer risk, including but not limited to modification avoidance Appeals Board or other appropriate administrative process or judicial decision 	<ul style="list-style-type: none"> At any time during the policy period, or After expiration of policy 	<ul style="list-style-type: none"> Retroactively to the inception of the policy, or As of the anniversary rating effective date, if different later than the policy effective date <p>Note: Increases in experience rating modifications due to <u>a</u> change in ownership or combinability status are applied retroactively to the date of change according to Rule 3-E-3.</p>

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 17-RULE
STATISTICAL PLAN—2008 EDITION
PART 3—EXPOSURE INFORMATION

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

B. RATE EFFECTIVE DATE

The rate effective date is required for all exposures. Report the rate effective date that corresponds to the class code and its associated rate, exposure, and premium. If the rate changes during the policy period, in accordance with ***Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)*** rules, report the rate effective date that applies to the reported class code, rate, exposure, and premium.

Refer to NCCI's ***Unit Statistical Reporting Guidebook*** for additional information.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 18-RULE
STATISTICAL PLAN—2008 EDITION
PART 3—EXPOSURE INFORMATION**

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

G. MANUAL RATE

Report the carrier's authorized rate for each classification code.

In the case of split rates due to a flat increase or decrease to the rate on an outstanding policy, the resulting premium adjustment must be reported. ÷

- ~~A flat increase or decrease to the rate on an outstanding policy, the additional premium resulting from a flat increase or decrease to the rate must be reported.~~
- ~~The anniversary rating date differing from the policy effective date, the exposures, authorized rate, and corresponding premium must be split. The period covered must be shown with the effective date of the rate change.~~

Refer to Item B—Rate Effective Date of this part for additional information.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 19-FORM
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
INFORMATION PAGE NOTES (WC 00 00 01 C)
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

INFORMATION PAGE NOTES (WC 00 00 01 B C)

1. The sequence of Items 1 through 4 of the Information Page may not be changed except for Item 3.D. (See Note 14 →). The format of each item may be rearranged and these suggested headings may be used: 1. Insured; 2. Policy Period; 3. Coverage; and 4. Premium.
2. The name and the five-digit NCCI carrier code number of the insuring company ~~is to~~ must be shown prominently on the Information Page in the space above Item 1.

The address and type of insurer (stock, mutual, or other) are to be shown on the Information Page, the policy, or a policy jacket.

3. The policy number must be appropriately labeled and shown in the space reserved above Item 1 on the Information Page. This number ~~must~~ shall be unique to the company, ~~shall~~ must not exceed 18 alphanumeric digits, and ~~shall~~ must remain constant during the policy period. ~~It shall~~ The policy number must be shown on all endorsements as well as all other policy-related correspondence after the policy is issued.

If the policy number displayed on the Information Page contains a policy symbol consisting of alphanumeric digits that are not entered into the carrier's internal statistical records as part of the actual policy number, those symbols ~~shall~~ must be shown as a separate prefix and/or suffix to the policy number and appropriately labeled.

4. On NCCI's copy or the independent bureau's ~~the bureau~~ copy of a renewal policy Information Page, use space reserved above Item 1 to show and appropriately label the prior policy number. This number ~~shall~~ must not exceed 18 alphanumeric digits. If the number displayed on the Information Page contains a policy symbol consisting of alphanumeric digits that are not entered into the carrier's internal statistical records as part of the actual policy number, those symbols ~~shall~~ must be shown as a separate prefix and/or suffix to the policy number and appropriately labeled.

New business may be designated "New." At its option, the company may show this on the insured's copy of the Information Page.

5. On NCCI's copy or the independent bureau's ~~the bureau~~ copy of the Information Page, show the letters "AR" or "WCIP" next to the title "Information Page" if the ~~insured is an~~ policy was secured through the assigned risk market.
6. Show in Item 1 the exact name of the employer insured and indicate whether the employer is an individual, partnership, joint venture, corporation, association, or other legal entity. If separate legal entities are insured in a single policy, consistent with the manual of rules, separately show the complete name of each insured employer and indicate each employer's legal entity status.
7. The Interstate/Intrastate Risk Identification number must be shown and appropriately labeled on the Information Page.
8. Reserve space in Item 1 of NCCI's copy or the independent bureau's ~~the bureau~~ copy to show, if required, the insured's commonly required identification numbers such as: Arkansas Workers Compensation File Number; Hawaii Unemployment Number; New Mexico Unemployment Insurance Number; Oregon Contract Number; and State Employer Number.

The company may also show this on the Information Page at its option.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 19-FORM (CONT'D)**FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
INFORMATION PAGE NOTES (WC 00 00 01 C)**

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

9. List in Item 1 or by schedule all usual workplaces of the insured that are to be covered by the policy. Also include the respective Federal Employer's Identification Number (FEIN), appropriately labeled, for each entity included on the policy.
10. The effective date and hour of the policy, and its expiration date and hour, must be shown in Item 2. The hour may be included as part of the printed form at the company's option.
11. List in Item 3.A. states where workers compensation insurance is provided. If none is provided, "none" or "not covered" may be shown. ~~See, f~~ For an example, refer to the notes to the Federal Mine Safety and Health Act Coverage Endorsement.
12. Show limits of liability separately for bodily injury by accident and by disease in Item 3.B.
13. States may be shown in Item 3.C. by name or by designation, but do not name or designate a state listed in Item 3.A., a monopolistic state fund state, or a state where the insurer will not provide this coverage.

The following entry may also be included: "All states except North Dakota, Ohio, Washington, Wyoming, states designated in Item 3.A. of the Information Page and _____."

If the company learns that the insured is conducting operations in a 3.C. state, and if the company agrees to continue coverage, the company should add that state to Item 3.A. and remove it from Item 3.C. Normal company procedures apply when the state is added to Item 3.A.

14. Item 3.D. may be omitted so long as the list of the policy's schedules and endorsements appears somewhere on the Information Page. Endorsements for which the company has not filed specimen copies with the ~~independent bureau(s) rating bureau or bureaus~~ having jurisdiction must be attached to the Information Page filed with the independent bureau.
15. The content of Item 4 may be rearranged by the company. If the policy is issued for less than one year, the company may state whether the premium information is shown for the policy period or for an annual period.
16. In Item 4, the development of estimated annual premium ~~shall~~ must be displayed separately for each classification by state. This same display of premium development must be shown on any classification schedules attached to the policy. Total Estimated Standard Premium must be shown by state on the Information Page or on a schedule attached to the policy.

The experience rating modification factor ~~shall~~ must be shown in Item 4 for risks subject to the experience rating plan, unless this factor is not available when the policy is issued. The company then may make an appropriate entry in Item 4 to show that the factor is not available. See Refer to the Experience Rating Modification Factor Endorsement for more information.

17. In those states where a schedule rating plan has been filed and approved, report the schedule rating information in Item 4, as required by the filed plan.
18. Premium discount may be shown in Item 4, the Premium Discount Endorsement may be attached, or both.
19. Taxes, assessments, deposit premium, interim adjustments of premium, the rating plan, past experience, cancellation of similar insurance, date and place of policy issuance, date and place of countersignature, and other related information may be shown in Item 4.
20. Three-year fixed-rate policies must be so designated on the Information Page as required by Rule 3-B-1-b of NCCI's **Basic Manual**. In Item 4, the company ~~shall~~ must report the premium information either as Standard Premium or Total Standard Premium as defined in Rule 3-A-20 of NCCI's **Basic Manual**.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 19-FORM (CONT'D)

**FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
INFORMATION PAGE NOTES (WC 00 00 01 C)**

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

21. Other entries may be made on the Information Page as authorized by Notes to Endorsements, including: ~~Anniversary Rating Date~~, Defense Base Act Coverage; Nonappropriated Fund Instrumentalities Act Coverage; Partners, Officers and Others Exclusion; Pending Rate Change; Sole Proprietors, Partners, Officers and Others Coverage; and Voluntary Compensation Maritime Coverage Endorsements.
22. The company may place the execution clause at the end of the Information Page, at the end of the standard policy, or on a policy jacket.

State Workers Compensation Rating Bureau Information Page Notes:

Refer to the *Pennsylvania Basic Manual* for Pennsylvania policy issuance instructions and specific requirements.

Refer to the Information Page Notes in the Forms Section, Part Three, Section 2, of the *New Jersey Workers Compensation and Employers Liability Insurance Manual* for a description of New Jersey requirements.

Refer to the *New York Manual* (Part Four) for complete instructions on policy issuance, including Information Page Notes for preparing New York policies. You may find the updated Information Page Notes for the New York Manual on <http://www.nycirb.org/>.

Refer to the *Wisconsin Basic Manual* for Wisconsin policy issuance instructions and specific requirements.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 20-FORM
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
ANNIVERSARY RATING DATE ENDORSEMENT (WC 00 04 02)
(National Endorsement to Be Withdrawn in: AK, AR, AZ, CO, CT, DC, FL, HI, IA, ID, KS, KY,
MD, MO, MS, MT, NE, NH, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT)

~~ANNIVERSARY RATING DATE ENDORSEMENT (WC 00 04 02)~~

The premium and rates for this policy, and the experience rating modification factor, if any, may change on your anniversary rating date shown in the Schedule.

Schedule

Anniversary Rating Date _____ ~~(Month)~~ _____ ~~(Day)~~

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 21-FORM
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM WORKERS
COMPENSATION PREMIUM CREDIT APPLICATION (FORM NC-5000 B)
(Applies in: CT, HI, MT, NE, NM, OK, OR)**

(Name of Insured)

(Address)

(City, State, Zip Code)

**CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM WORKERS COMPENSATION
PREMIUM CREDIT APPLICATION (FORM NC-5000 A B)**

The Contracting Classification Premium Adjustment Program is applicable to qualifying employers engaged in contracting operations.

A special premium calculation, which may result in a premium credit for you, will be based on average hourly pay rates for each classification of contracting operations. In order that your premium may be correctly established, please return the completed premium credit application, as set out on the reverse side of this letter, to the:

For all applications except Hawaii:

~~National Council on Compensation Insurance, Inc.~~
NCCI
Customer Service Center
901 Peninsula Corporate Circle
Boca Raton, FL 33487-1362

For Hawaii applications only:

~~National Council on Compensation Insurance, Inc.~~
NCCI
Hawaii Service Center
American Savings Bank Building
1001 Bishop Street, Suite 1550
Honolulu, HI 96813

NCCI will advise us of any premium credit applicable.

If NCCI does not receive this application within 180 days after policy inception, your premium calculation will not reflect any possible premium credit.

For each applicable classification (both contracting and non-contracting) covering your company's operations in the state that this credit is being applied for (please note that each state that offers this credit requires a separate application), report the total payroll (excluding overtime premium pay, pay in excess of payroll amount charged to partners and sole proprietors as shown on the state rate pages, as well as the entire pay for any exempt sole proprietor, partner, or officer), and the corresponding total number of hours worked for the third calendar quarter (July, August, September) of the year preceding your policy effective anniversary ~~rating~~ date.

Note #1: If you did not engage in contracting operations during the third calendar quarter, the requested information to be provided should, then, be for the last complete calendar quarter prior to the policy effective anniversary ~~rating~~ date of your workers compensation policy.

Note #2: If you are a new business (no prior operations), submit the requested information for the first complete calendar quarter following the policy effective anniversary ~~rating~~ date of your workers compensation policy when available.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 21-FORM (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM WORKERS
COMPENSATION PREMIUM CREDIT APPLICATION (FORM NC-5000 B)
(Applies in: CT, HI, MT, NE, NM, OK, OR)

Note #3: In the absence of specific records for salaried employees, you should assume that each individual worked ~~forty~~ (40) hours per week.

Note #4:- ~~In absence of specific anniversary rating date being supplied on application, it will be assumed that the policy effective date is the same as the anniversary rating date.~~

Please preserve your ~~anniversary rating date~~ and payroll records that formed the basis for this declaration, because we will be required to verify the reported information in order for any premium credit to be applied.

Thank you for your cooperation.

Sincerely,

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 21-FORM (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM WORKERS
COMPENSATION PREMIUM CREDIT APPLICATION (FORM NC-5000 B)
 (Applies in: CT, HI, MT, NE, NM, OK, OR)

CLASSIFICATION	CODE	TOTAL WAGES PAID	TOTAL HOURS WORKED
Non-contracting Classifications:			

The foregoing is based on actual wages (excluding overtime premium pay, pay in excess of payroll amount charged to partners and sole proprietors as shown on the state rate pages, as well as the entire pay for any exempt sole proprietor, partner, or officer) and hours worked as reflected in our payroll records for the complete calendar quarter.

Complete Calendar Quarter (please circle one):

1st (1/1–3/31)	2nd (4/1–6/30)
3rd (7/1–9/30)	4th (10/1–12/31)

Calendar Year: _____

SIGNATURE: _____ **POSITION:** _____ **DATE:** _____

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

**EXHIBIT 22-FORM
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM APPLICATION FOR
NON-ARD STATES (FORM NC-5001)
(National Form to Be Withdrawn in: NM)**

~~(Name of Insured)~~

~~(Address)~~

~~(City, State, Zip Code)~~

**CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM APPLICATION FOR NON-ARD
STATES ~~(FORM NC-5001)~~**

The Contracting Classification Premium Adjustment Program is applicable to qualifying employers engaged in contracting operations.

A special premium calculation, which may result in a premium credit for you, will be based on average hourly pay rates for each classification of contracting operations. In order for your premium to be correctly established, please return the completed premium credit application, as set out on the reverse side of this letter, to the:

National Council on Compensation Insurance, Inc.
Customer Service Center
901 Peninsula Corporate Circle
Boca Raton, FL 33487-1362

NCI will advise us of any premium credit applicable.

~~If NCI does not receive this application within 180 days after policy inception, your premium calculation will not reflect any possible premium credit.~~

For each applicable classification (both contracting and noncontracting) covering your company's operations in the state that this credit is being applied for (please note that each state that offers this credit requires a separate application), report the total payroll (excluding overtime premium pay, pay in excess of payroll amount charged to partners and sole proprietors as shown on the state rate pages, as well as the entire pay for any exempt sole proprietor, partner, or officer) and the corresponding total number of hours worked for the third calendar quarter (July, August, September) of the year prior to the effective date of your workers compensation policy.

- Note #1: If you did not engage in contracting operations during the third quarter, the requested information to be provided should, then, be for the last complete calendar quarter prior to the effective date of your workers compensation policy.
- Note #2: If you are a new business (no prior operations), submit the requested information for the first complete calendar quarter following the effective date of your workers compensation policy when available.
- Note #3: In the absence of specific records for salaried employees, you should assume that each individual worked forty (40) hours per week.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 22-FORM (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM APPLICATION FOR
NON-ARD STATES (FORM NC-5001)
(National Form to Be Withdrawn in: NM)

Please preserve your payroll records that formed the basis for this declaration, because we will be required to verify the reported information in order for any premium credit to be applied.

Thank you for your cooperation.

Sincerely,

CONTRACTING CLASSIFICATION—PREMIUM CREDIT APPLICATION

Insured: _____

**STATE CREDIT
BEING APPLIED
FOR**
 (Note: One state
per application): _____

POLICY NUMBER: _____

**POLICY EFFECTIVE
DATE:** _____

CARRIER: _____

NOTE: Unless code(s), total wages paid, total hours worked, and calendar quarter reported are indicated and application is signed, it cannot be processed. Contact your agent or carrier if assistance is desired.

CLASSIFICATION	CODE	TOTAL WAGES PAID	TOTAL HOURS WORKED
Example: Electrical Wiring	5190	\$8,000	520

EXHIBIT 22-FORM (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
CONTRACTING CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM APPLICATION FOR
NON-ARD STATES (FORM NC-5001)
(National Form to Be Withdrawn in: NM)

CLASSIFICATION	CODE	TOTAL WAGES PAID	TOTAL HOURS WORKED
Noncontracting Classifications:			

The foregoing is based on actual wages (excluding overtime premium pay in excess of payroll amount charged to partners and sole proprietors as shown on the state rate pages, as well as the entire pay for any exempt sole proprietor, partner, or officer) **and hours worked as reflected in our payroll records for the complete calendar quarter.**

Complete Calendar Quarter (please circle one):

1st (1/1–3/31)	2nd (4/1–6/30)
3rd (7/1–9/30)	4th (10/1–12/31)

Calendar Year:

SIGNATURE: _____ **POSITION:** _____ **DATE:** _____

Exhibit 2

Effective ~~January 1, 2008~~ May 1, 2017

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RULE I – GENERAL

A. WORKERS COMPENSATION

Workers compensation, as used in this manual with respect to Massachusetts, shall mean all obligations imposed upon the insurer by the provisions of The Workers Compensation Act (M.G.L. Chapter 152, as amended), including compensation, statutory medical aid, and loss from liability for damages on account of personal injuries sustained by any employee or employees of the insured under the provisions of Section 25 of said law.

B. STANDARD POLICY

Standard Policy means the Standard Provisions Workers Compensation and Employers Liability Insurance Policy and the Information Page filed by The Workers' Compensation Rating and Inspection Bureau of Massachusetts (MA Bureau), approved by the Commissioner of Insurance, and contained in The Forms Manual of Workers Compensation and Employers Liability Insurance (Policy and Endorsement Forms Manual) issued by the National Council on Compensation Insurance, Inc. (NCCI).

C. ENDORSEMENT FORMS

1. Definition

Endorsement forms mean standard and advisory endorsements contained in the Policy and Endorsement Forms Manual.

2. Standard Endorsements

A standard endorsement must be used in the form prescribed in that manual.

3. Advisory Endorsements

An advisory endorsement is subject to use as determined by the insurance carrier and the Commissioner of Insurance.

D. POLICY AND ENDORSEMENT FORMS MANUAL

Refer to the Policy and Endorsement Forms Manual for complete description of coverages and instructions on use of policy and endorsement forms.

E. APPLICATION OF MANUAL RULES

Rules apply separately to each policy, except as provided for by Rule VII - Premium Discount.

F. EFFECTIVE DATE

1. Manual

This manual applies only from the ~~policy effective date anniversary rating date~~ which occurs on or after the effective date of this manual.

2. Changes

The effective date of a change in any rule, classification or rate is 12:01 A.M. on the date specified on the manual page. Any change will be issued on a reprinted page and will be designated **with highlighted, italicized text** and a reprint date and sequence number. Unless specified otherwise, each change applies only from the ~~policy effective date anniversary rating date~~ which occurs on or after the effective date of the change.

~~G. ANNIVERSARY RATING DATE~~

~~1. Definition~~

~~The anniversary rating date is the effective month and day of the policy in effect and each annual anniversary thereafter unless a different date has been established by the MA Bureau or other licensed rating organization.~~

~~2. Rewritten Policies~~

~~If a policy is canceled and rewritten by the same or another carrier, all rules, classifications and rates of the rewriting carrier which were in effect as of the anniversary rating date shall apply to the rewritten policy until the next anniversary rating date, as established by the rating organization, has been reached. When necessary, use the Standard Anniversary Rating Date Endorsement (WC-00-04-02).~~

~~3. For Single Policy Risks~~

~~a. The rates effective on the normal anniversary rating date shall apply for the full term of:~~

~~(1) the policy commencing on that date, or~~

~~(2) any other policy commencing up to three months after that date.~~

~~For example, the rates effective 7-1-97 will apply to the policy effective 7-1-97 or to any policy with an effective date up to 10-1-97.~~

~~b. If a policy commences more than three months after the normal anniversary rating date, the following procedure shall apply:~~

~~(1) The rates in effect as of the normal anniversary rating date shall apply to the new policy until the next normal anniversary rating date.~~

~~(2) The rates in effect as of the next normal anniversary rating date shall apply to the new policy until the date the policy expires.~~

~~(3) The rates in effect as of the new anniversary rating date shall apply annually thereafter as of the new normal anniversary rating date. This will be the date twelve months after the effective date of the new policy.~~

~~Example of 3.b. above:~~

~~Assume—~~

~~Rates effective.....7-1-97/98~~

~~New policy commences.....1-1-98/99~~

~~The 7-1-97 rates apply until 7-1-98.~~

~~The rates in effect as of 7-1-98 apply from 7-1-98 until 1-1-99.~~

~~The new normal anniversary rating date is 1-1-99.~~

~~4. For Multiple Policy Risks~~

~~If a risk is covered by two or more policies with varying effective dates, the following procedure shall apply:~~

~~a. The rates in effect on the normal anniversary rating date shall apply until the next normal anniversary rating date. These rates shall apply to the portion of each policy falling within that twelve-month period, regardless of their effective and termination dates.~~

~~b. The renewal rates shall apply to each policy as described in 4.a. above.~~

~~**NOTE:** The anniversary rating date is determined by the policy with the largest premium, unless otherwise established by the MA Bureau or other licensed rating organization.~~

Example of 4. above:

~~Assume—~~

~~Rates effective 7-1-97/98~~

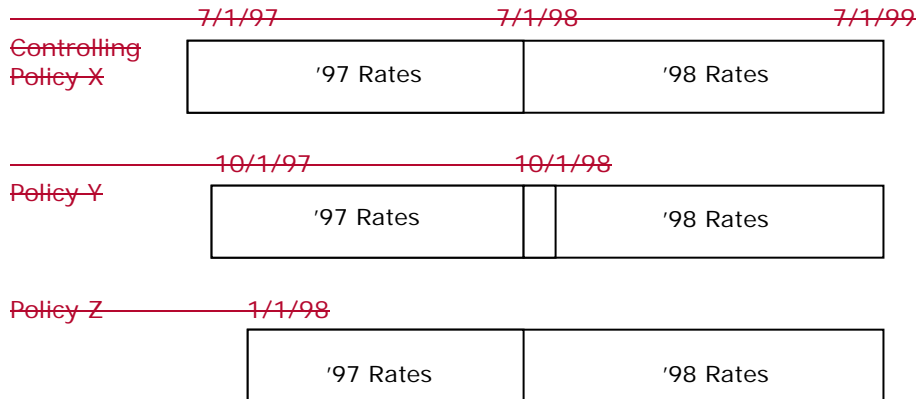
~~Controlling Policy X effective..... 7-1-97/98~~

~~Policy Y effective..... 10-1-97/98~~

~~Policy Z effective 1-1-98/7-1-98~~

~~The 7-1-97 rates apply to Policy X for its full term;
to Policy Y from 10-1-97 to 7-1-98;
to Policy Z from 1-1-98 to its expiration 7-1-98.~~

~~New rates effective 7-1-98 will apply to the Policy X renewal for its full term;
to Policy Y from 7-1-98 to 10-1-98, and to its renewal from 10-1-98 to 7-1-99;
and to the Policy Z renewal from 7-1-98 to its expiration.~~



~~5. Long-Term Policies~~

~~For application of anniversary rating dates on policies issued for a term in excess of one year, refer to Rule III-G.~~

2. Policy for One Year

- a. The manual rules are based on a policy period of one year.
- b. A policy issued for a period not longer than one year and 16 days is treated as a one year policy.

3. Policy Longer Than One Year

A policy issued for a period longer than one year and 16 days is treated as follows:

- a. The policy period is divided into consecutive 12-month units.
- b. If the policy period is not a multiple of 12 months, use the Policy Period Endorsement (WC 00 04 05) to specify the first or last unit of less than 12 months as a short-term policy.
- c. All manual rules and procedures apply to each such unit as if a separate policy had been issued for each unit.

D. STATE LAWS DESIGNATED IN THE POLICY – ITEM 3.A.

1. Listing of States

Insurance for operations conducted in Massachusetts, or any other state, is provided by listing Massachusetts, or the other state, in Item 3.A. of the Information Page.

2. Longshore Act

The U.S. Longshore and Harbor Workers' Compensation Act shall not be entered in Item 3.A. of the Information Page. *Refer to Rule XII.*

3. Additional States

A state may be added after the effective date of the policy. For the additional state operations, apply:

- a. Manual rates in effect on the effective date of the policy ~~anniversary rating date of the policy~~ to which the state has been added,
- b. Any rate change which applies to outstanding policies for the state being added, and
- c. Any applicable experience rating modification for the policy to which the state has been added. *Refer to the Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance (Experience Rating Plan Manual) issued by the NCCI, Inc.*

Exhibit 3

**MASSACHUSETTS WORKERS' COMPENSATION
STATISTICAL PLAN**

Effective: May 1, 2017

Distributed:

Part I – Unit Statistical Reporting

**Section V
EXPOSURE RECORD DATA
Page 1**

SECTION V - EXPOSURE RECORD DATA

This section is organized into the following components:

- General Information
- Exposure Record Data Element Index
- Exposure Record Data Elements

A. General Information

- The exposure record data elements are used to report the class, coverage, exposure, manual rate, and premiums.
- For most first unit statistical reports, the experience modification effective date ~~and rate effective date~~ will not change during the policy term. When multiple modification effective dates ~~or rate effective dates~~ apply during a policy term, this may cause split periods. When this occurs, the full policy term's exposure and manual premiums must be split for each period reflecting a change in the experience modification effective date ~~and/or rate effective date~~.
- For split policy periods, the prorated exposure and prorated premiums for the first split (split period code "0") correspond to the first period, and the prorated exposure and prorated premiums for the second split (split period code "1") correspond to the second period. Any additional split periods are treated in the same manner.

B. Exposure Record Data Element Index

NO.	DATA ELEMENT	PAGE
1	Classification Code	2
3	Experience Modification Effective Date	2
2	Experience Modification Factor	2
5	Exposure Amount	2
10	Exposure Act/Exposure Coverage Code	5 4
7	Manual Rate	4 3
6	Premium Amount	3
4	Rate Effective Date	2
8	Split Period Code	3
9	Update Type Code	4

**MASSACHUSETTS WORKERS' COMPENSATION
STATISTICAL PLAN**

Effective: May 1, 2017

Distributed:

Part I – Unit Statistical Reporting

**Section V
EXPOSURE RECORD DATA
Page 2**

C. Exposure Record Data Elements

1. Classification Code (Class Code)

Report the code(s) corresponding to the classification(s) assigned to the insured according to the [Massachusetts Workers Compensation and Employers Liability Insurance Manual](#) or the statistical class codes defined in [Appendix II – Statistical Class Codes](#). If no exposure develops on a policy, use statistical class code 1111.

For any classification code, there cannot be more than one exposure record per unit with the same ~~experience modification effective date and exposure coverage code manual rate, experience modification, rate effective date, exposure coverage code and experience modification effective date.~~

2. Experience Modification Factor (Experience Mod)

For exposure(s) that are subject to application of an experience modification, report the experience modification factor used to develop the premium.

For exposure(s) not subject to experience ~~modification rating~~, report "0000".

3. Experience Modification Effective Date (Mod Effective Date)

For exposure(s) subject to experience rating, report the date on which the experience mod is applicable.

~~The [Massachusetts Workers Compensation and Employers Liability Insurance Manual](#) rules relating to anniversary rating dates may require that a policy's exposure(s) be divided into split periods. If this occurs, it is necessary to indicate the date on which the experience rating is applicable for each split period.~~

The [Experience Rating Plan Manual](#) *rules relating to Rating Effective Date may require that a policy's exposure(s) be divided into split periods if the Rating Effective Date differs from the Policy Effective Date. The manual also* contains rules that restrict the retroactive application of an experience mod which consequently result in a policy's exposure(s) being divided into split periods. If this occurs, it is necessary to indicate the date on which the experience mod is applicable for each split period.

Additionally midterm changes in coverage can create the need for split periods. An example of this would be a midterm change to employer's liability limits. For a split period being reported due to a midterm change in coverage, report the date on which such change in coverage is effective.

Note: For the first split period, a date prior to the policy effective date may be reported if the ~~anniversary~~ rating *effective* date is prior to the policy effective date.

4. Rate Effective Date

Report the effective date of the WCRIBMA rate revision that is applicable to the exposure record. This date can be prior to the policy effective date.

**MASSACHUSETTS WORKERS' COMPENSATION
STATISTICAL PLAN**

Effective: May 1, 2017

Distributed:

Part I – Unit Statistical Reporting

Section V
EXPOSURE RECORD DATA
Page 4

7. Manual Rate (WCRIBMA's filed and approved rate)

For each classification report the WCRIBMA's filed and approved rate. Do not report the carrier's specific rate that may reflect deviations.

8. Split Period Code

Report the code used to indicate changes in ~~manual rates or~~ rating factors, *rating effective dates or coverage changes that require split periods* during *the* policy period. For policies with no change in ~~manual rates or~~ rating factors, enter "0". For policies with changes in ~~manual rates or~~ rating factors, *rating effective dates or coverage changes that require split periods* refer to the following table:

Split Period	Split Period Code
1 st	0
2 nd	1
3 rd	2
4 th	3
5 th	4
6 th	5
7 th	6
8 th	7

9. Update Type Code

Report the code that identifies the type of update.

Code	Description
P	Previously Reported Record
R	Revised Record

- Both update type codes require the full reporting of all fields.
- For additional information refer to [Section II – First Unit Statistical Report and Re-Valuations, Subsection B.2](#), [Section II – First Unit Statistical Report and Re-Valuations, Subsection C.3](#), [Section III – Corrections, Subsection D](#).

Exhibit 4

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 12-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 1—GENERAL EXPLANATIONS

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

B. MANDATORY PLAN

1. The *Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance* (the Plan) applies on a mandatory basis for risks that meet the premium eligibility requirements in Rule 2-A. *Refer to the state rules for exceptions to this Plan's national rules.* A policy cannot be cancelled, rewritten or extended for purposes of enabling a risk to qualify for, or avoid application of, this Plan.
2. Any action taken in any form to evade the application of an experience rating modification determined in accordance with this Plan is prohibited.
3. The effective date of a change in any rule or rating value is 12:01 a.m. on the date approved for use. Unless otherwise specified, each change applies only from the ~~rating effective anniversary~~ *rating* date, which occurs on or after the effective date of the change. *Refer to Rule 2-B for more information about ~~anniversary rating dates and~~ rating effective dates.*
4. The ~~Standard~~ Workers Compensation and Employers Liability Insurance Policy provides the rating organization with the authority to examine and audit all records that relate to the policy. The application of this Plan's rules may be affected by the ~~inclusion~~ *attachment* of ~~mandatory and/or advisory~~ endorsements found in the *Forms Manual of Workers Compensation and Employers Liability Insurance*.
5. The rules of this Plan are based on policy periods not longer than one year.
 - a. A policy issued for a period not longer than one year and 16 days is treated as a one-year policy.
 - b. A policy issued for a period longer than one year and 16 days is treated as follows:
 - The policy period is divided into consecutive 12-month units.
 - The Policy Period Endorsement specifies the first or last unit of less than 12 months as a short-term policy.
 - All manual rules and procedures apply to each such unit as if a separate policy had been issued for each unit.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 13-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 2—EXPERIENCE RATING ELEMENTS AND FORMULA
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME,
MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

B. RATING EFFECTIVE DATES (RED)**1. Anniversary Rating Date ~~(ARD)~~**

~~The anniversary rating date is the effective month and day of the policy in effect and each anniversary thereafter unless a different date has been established by the rating organization. Refer to the **Basic Manual** for more information on anniversary rating date.~~

The RED appears on a risk's experience rating worksheet. It is the earliest date that a specific modification is applied to a policy. To determine experience rating modification application, refer to Rule 4-D.

The rating organization establishes the RED.

Note: Wrap-up policies are not used to determine the RED. Refer to Rule 5-D-1 for information on wrap-up policies.

2. Rating Effective Date ~~(RED)~~

The RED may differ from a risk's policy effective date for reasons including, but not limited to:

- a. ~~The rating effective date appears on a risk's experience rating worksheet. It is the earliest date that a specific modification is applied to a policy. To determine experience rating modification application, refer to Rule 4-D.~~

~~The rating organization establishes the rating effective date. In most cases, a risk's rating effective date is the same as its anniversary rating date.~~

~~**Note:** Wrap-up policies are not used to determine rating effective dates. Refer to Rule 5-D-1 for information on wrap-up policies.~~

- b. ~~The rating effective date may differ from a risk's anniversary rating date for reasons including, but not limited to:~~

- Short-term policies
- Cancellations
- Gaps in coverage
- Changes in ownership or combinability status
- Multiple policy effective dates
- Interstate operations
- A policy that is longer than one year and 16 days
- Late receipt of current policy information by the rating organization

To determine a risk's ~~rating effective date~~ RED, the rating organization will apply the Rating Effective Date Determination Table in conjunction with a review of the most recent full-term policies and unit statistical data. For purposes of this rule, a full-term policy is written for 12 months and is not cancelled prior to its expiration date.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 13-RULE (CONT'D)
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 2—EXPERIENCE RATING ELEMENTS AND FORMULA
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME,
MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

Rating Effective Date Determination Table

If the risk is . . .	Then the rating effective date is . . .
<ul style="list-style-type: none">• A single policy intrastate or interstate risk, or• A multiple policy intrastate or interstate risk with all policies having the same effective date	The effective month and day of the most recent full-term policy in effect and each policy thereafter unless the date is changed due to a reason listed above.
A multiple policy intrastate risk with policies having different effective dates	The effective month and day of the most recent full-term policy in effect with the largest amount of estimated standard premium.
A multiple policy interstate risk with policies having different effective dates	The effective month and day of the most recent full-term policy in effect for the state with the largest amount of estimated standard premium.

Refer to the *User's Guide* for examples.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 14-RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 3—OWNERSHIP CHANGES AND COMBINATION OF ENTITIES
C. OWNERSHIP CHANGES

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

2. Impact of Ownership Changes

Ownership changes may result in a change in:

- a. Experience rating modification.
- b. Combinability status with other entities.
- c. Premium eligibility status—an entity may or may not qualify to be experience rated. *Refer to Rule 2-A for more information regarding premium eligibility.*
- d. ~~Anniversary rating date~~ Rating effective date.
- e. ~~Rating effective date~~

*Refer to the **User's Guide** for examples.*

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 15-RULE

EXPERIENCE RATING PLAN MANUAL—2003 EDITION

RULE 4—APPLICATION AND REVISION OF EXPERIENCE RATING MODIFICATIONS

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IN, KS, KY, LA, MA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

D. APPLICATION FOR SINGLE AND MULTIPLE POLICY RISKS

The rating effective date (RED) ~~and the anniversary rating date (ARD)~~ determines the application of an experience rating modification. The RED rating effective date is determined according to Rule 2-B-2 of this Plan. ~~The ARD is determined according to the *Basic Manual*.~~ An experience rating modification will apply for:

- No less than three months, except for those impacted by changes in ownership and combinability status according to Rule 3
- No more than 15 months

1. For Single Policy Risks

- a. The experience rating modification ~~effective on the anniversary rating date~~ applies for the full term of the policy if the policy begins on the RED or within three months after the RED.
 - (1) ~~The policy beginning on that date, or~~
 - (2) ~~Any other policy beginning up to three months after that date.~~
- b. If a policy ~~beginning~~ begins ~~more than~~ three months after the RED anniversary rating date, the following procedure applies:
 - (1) The current experience rating modification applies to the new policy until the date the modification expires.
 - (2) A renewal experience rating modification applies to the new policy until the date the policy expires.
 - (3) ~~A new RED may be established. A renewal experience rating modification applies annually thereafter as of the new anniversary rating date.~~ Usually, this will be the date 12 months after the effective date of the new policy.

2. For Multiple Policy Risks

If a risk is covered by two or more policies with varying effective dates, the following procedure applies:

- a. An experience rating modification is issued to be effective for 12 months. This modification applies to the portion of each policy falling within that 12-month period, regardless of the policy's effective and expiration dates.
- b. A renewal experience rating modification applies to each policy as described in 2-a.
- c. The rating organization will review the effective dates of the multiple policies and may authorize the application of an experience rating modification for a period of other than 12 months.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 16—RULE
EXPERIENCE RATING PLAN MANUAL—2003 EDITION
RULE 4—APPLICATION AND REVISION OF EXPERIENCE RATING MODIFICATIONS
 (Applies in: AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IN, KY, LA, MA, MD, MS, MT, NC, NH, NM,
 NV, OK, RI, SC, SD, UT, VA, VT, WV)

E. CHANGES IN EXPERIENCE RATING MODIFICATIONS

Experience rating modifications may change for reasons detailed in this Plan. These changes can occur at various points in time. The following table provides the rules regarding the application of an experience rating modification when a change occurs.

Changes in Experience Rating Modifications Table

If the change results in . . .	And the change occurs . . .	Then the change is applied . . .
A decrease in the experience rating modification for any reason other than a correction in classification according to Rule 4-B-3	<ul style="list-style-type: none"> At any time during the policy period, or After expiration of the policy but within revision period according to Rule 4-B 	<ul style="list-style-type: none"> Retroactively to the inception of the policy, or As of the anniversary <u>effective</u> rating date, if different <u>later</u> than the policy effective date
An increase in the experience rating modification due to: <ul style="list-style-type: none"> Revision of payroll Revision of losses Change in status from preliminary to final modification Change in status of contingent modification Any additional reasons other than exclusions listed below 	Within 90 days after the <u>policy effective date</u> : <ul style="list-style-type: none"> Policy effective date, or Anniversary rating date if different than the policy effective date 	<ul style="list-style-type: none"> Retroactively to the inception of the policy, or As of the anniversary <u>effective</u> rating date, if different <u>later</u> than the policy effective date
	More Than 90 days after the <u>policy effective date</u> : <ul style="list-style-type: none"> Policy effective date, or Anniversary rating date if different than the policy effective date 	Pro rata from the date the insurer <u>carrier</u> endorses the policy.
Exclusions: An increase in the experience rating modification due to: <ul style="list-style-type: none"> Changes in ownership or combinability status Retroactive reclassification of a risk The termination of a client's employee leasing arrangement under a master policy approach Late issuance of an experience rating modification due to an employer who risk that has failed to cooperate with audits or other actions attributable to the employer risk or representatives of the employer risk, including but not limited to modification avoidance Appeals Board or other appropriate administrative process or judicial decision 	<ul style="list-style-type: none"> At any time during the policy period, or After expiration of policy 	<ul style="list-style-type: none"> Retroactively to the inception of the policy, or As of the anniversary <u>effective</u> rating date, if different <u>later</u> than the policy effective date <p>Note: Increases in experience rating modifications due to <u>a</u> change in ownership or combinability status are applied retroactively to the date of change according to Rule 3-E-3.</p>

Exhibit 5

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 19-FORM
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
INFORMATION PAGE NOTES (WC 00 00 01 C)
 (Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

INFORMATION PAGE NOTES (WC 00 00 01 B C)

1. The sequence of Items 1 through 4 of the Information Page may not be changed except for Item 3.D. (See Note 14 →). The format of each item may be rearranged and these suggested headings may be used: 1. Insured; 2. Policy Period; 3. Coverage; and 4. Premium.
2. The name and the five-digit NCCI carrier code number of the insuring company ~~is to~~ must be shown prominently on the Information Page in the space above Item 1.

The address and type of insurer (stock, mutual, or other) are to be shown on the Information Page, the policy, or a policy jacket.

3. The policy number must be appropriately labeled and shown in the space reserved above Item 1 on the Information Page. This number must ~~shall~~ be unique to the company, ~~shall~~ must not exceed 18 alphanumeric digits, and ~~shall~~ must remain constant during the policy period. ~~It shall~~ The policy number must be shown on all endorsements as well as all other policy-related correspondence after the policy is issued.

If the policy number displayed on the Information Page contains a policy symbol consisting of alphanumeric digits that are not entered into the carrier's internal statistical records as part of the actual policy number, those symbols ~~shall~~ must be shown as a separate prefix and/or suffix to the policy number and appropriately labeled.

4. On NCCI's copy or the independent bureau's ~~the bureau~~ copy of a renewal policy Information Page, use space reserved above Item 1 to show and appropriately label the prior policy number. This number ~~shall~~ must not exceed 18 alphanumeric digits. If the number displayed on the Information Page contains a policy symbol consisting of alphanumeric digits that are not entered into the carrier's internal statistical records as part of the actual policy number, those symbols ~~shall~~ must be shown as a separate prefix and/or suffix to the policy number and appropriately labeled.

New business may be designated "New." At its option, the company may show this on the insured's copy of the Information Page.

5. On NCCI's copy or the independent bureau's ~~the bureau~~ copy of the Information Page, show the letters "AR" or "WCIP" next to the title "Information Page" if the ~~insured is an~~ policy was secured through the assigned risk market.
6. Show in Item 1 the exact name of the employer insured and indicate whether the employer is an individual, partnership, joint venture, corporation, association, or other legal entity. If separate legal entities are insured in a single policy, consistent with the manual of rules, separately show the complete name of each insured employer and indicate each employer's legal entity status.
7. The Interstate/Intrastate Risk Identification number must be shown and appropriately labeled on the Information Page.
8. Reserve space in Item 1 of NCCI's copy or the independent bureau's ~~the bureau~~ copy to show, if required, the insured's commonly required identification numbers such as: Arkansas Workers Compensation File Number; Hawaii Unemployment Number; New Mexico Unemployment Insurance Number; Oregon Contract Number; and State Employer Number.

The company may also show this on the Information Page at its option.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 19-FORM (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
INFORMATION PAGE NOTES (WC 00 00 01 C)
 (Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

9. List in Item 1 or by schedule all usual workplaces of the insured that are to be covered by the policy. Also include the respective Federal Employer's Identification Number (FEIN), appropriately labeled, for each entity included on the policy.
10. The effective date and hour of the policy, and its expiration date and hour, must be shown in Item 2. The hour may be included as part of the printed form at the company's option.
11. List in Item 3.A. states where workers compensation insurance is provided. If none is provided, "none" or "not covered" may be shown. ~~See, for an example, refer to the notes to the Federal Mine Safety and Health Act Coverage Endorsement.~~
12. Show limits of liability separately for bodily injury by accident and by disease in Item 3.B.
13. States may be shown in Item 3.C. by name or by designation, but do not name or designate a state listed in Item 3.A., a monopolistic state fund state, or a state where the insurer will not provide this coverage.

The following entry may also be included: "All states except North Dakota, Ohio, Washington, Wyoming, states designated in Item 3.A. of the Information Page and _____."

If the company learns that the insured is conducting operations in a 3.C. state, and if the company agrees to continue coverage, the company should add that state to Item 3.A. and remove it from Item 3.C. Normal company procedures apply when the state is added to Item 3.A.

14. Item 3.D. may be omitted so long as the list of the policy's schedules and endorsements appears somewhere on the Information Page. Endorsements for which the company has not filed specimen copies with the independent bureau(s) ~~rating bureau or bureaus~~ having jurisdiction must be attached to the Information Page filed with the independent bureau.
15. The content of Item 4 may be rearranged by the company. If the policy is issued for less than one year, the company may state whether the premium information is shown for the policy period or for an annual period.
16. In Item 4, the development of estimated annual premium ~~shall must~~ be displayed separately for each classification by state. This same display of premium development must be shown on any classification schedules attached to the policy. Total Estimated Standard Premium must be shown by state on the Information Page or on a schedule attached to the policy.

The experience rating modification factor ~~shall must~~ be shown in Item 4 for risks subject to the experience rating plan, unless this factor is not available when the policy is issued. The company then may make an appropriate entry in Item 4 to show that the factor is not available. *See Refer to the Experience Rating Modification Factor Endorsement for more information.*

17. In those states where a schedule rating plan has been filed and approved, report the schedule rating information in Item 4, as required by the filed plan.
18. Premium discount may be shown in Item 4, the Premium Discount Endorsement may be attached, or both.
19. Taxes, assessments, deposit premium, interim adjustments of premium, the rating plan, past experience, cancellation of similar insurance, date and place of policy issuance, date and place of countersignature, and other related information may be shown in Item 4.
20. Three-year fixed-rate policies must be so designated on the Information Page as required by Rule 3-B-1-b of NCCI's *Basic Manual*. In Item 4, the company ~~shall must~~ report the premium information either as Standard Premium or Total Standard Premium as defined in Rule 3-A-20 of NCCI's *Basic Manual*.

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 19-FORM (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
INFORMATION PAGE NOTES (WC 00 00 01 C)
(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS,
MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WV)

21. Other entries may be made on the Information Page as authorized by Notes to Endorsements, including: ~~Anniversary Rating Date~~, Defense Base Act Coverage; Nonappropriated Fund Instrumentalities Act Coverage; Partners, Officers and Others Exclusion; Pending Rate Change; Sole Proprietors, Partners, Officers and Others Coverage; and Voluntary Compensation Maritime Coverage Endorsements.
22. The company may place the execution clause at the end of the Information Page, at the end of the standard policy, or on a policy jacket.

State Workers Compensation Rating Bureau Information Page Notes:

Refer to the *Pennsylvania Basic Manual* for Pennsylvania policy issuance instructions and specific requirements.

Refer to the Information Page Notes in the Forms Section, Part Three, Section 2, of the *New Jersey Workers Compensation and Employers Liability Insurance Manual* for a description of New Jersey requirements.

Refer to the *New York Manual* (Part Four) for complete instructions on policy issuance, including Information Page Notes for preparing New York policies. You may find the updated Information Page Notes for the New York Manual on <http://www.nycirb.org/>.

Refer to the *Wisconsin Basic Manual* for Wisconsin policy issuance instructions and specific requirements.

Refer to the *Massachusetts Workers' Compensation and Employers Liability Insurance Manual* for Massachusetts policy issuance instructions and specific requirements.

Exhibit 6

ITEM B-1430—ELIMINATION OF ANNIVERSARY RATING DATE (ARD)

EXHIBIT 20-FORM
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
ANNIVERSARY RATING DATE ENDORSEMENT (WC 00 04 02)
(National Endorsement to Be Withdrawn in: AK, AR, AZ, CO, CT, DC, FL, HI, IA, ID, KS, KY,
MD, MO, MS, MT, NE, NH, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT)

~~ANNIVERSARY RATING DATE ENDORSEMENT (WC 00 04 02)~~

~~The premium and rates for this policy, and the experience rating modification factor, if any, may change on your anniversary rating date shown in the Schedule.~~

Schedule

Anniversary Rating Date _____ ~~(Month)~~ _____ ~~(Day)~~