

**Texas Department of Insurance**  
**Exempt Filing Notification under Texas Insurance Code**  
**Chapter 5, Subchapter L, Article 5.96**  
**and Notice of Hearing**

The staff of the Texas Department of Insurance filed Petition No. W-0915-04-I on August 25, 2015. The petition requests that the commissioner repeal the rules, factors, values, endorsements, and forms in the *Texas Retrospective Rating Plan Manual (Texas Retro Plan)* for new and renewal workers' compensation policies written on a retrospectively rated basis with effective dates on and after 12:01 a.m., January 1, 2017. The petition also requests that policies written on a retrospective basis with effective dates before January 1, 2017, under the *Texas Retro Plan* must use the *Texas Retro Plan* to make all retrospective adjustments for those policies.

Insurers will continue to have the options of using the National Council on Compensation Insurance *Retrospective Rating Plan Manual* after making a reference filing with TDI, or filing their own retrospective rating plans for use in Texas.

Insurance Code Articles 5.96 and 5.77, and Sections 1805.054, 1805.055, 2052.002, 2053.001, 2053.003, and 36.001 authorize staff to file this petition and the commissioner to take the requested action.

You may review a copy of the petition and exhibit on the TDI website at [www.tdi.texas.gov/rules/2015/exrules.html](http://www.tdi.texas.gov/rules/2015/exrules.html), or in the Office of the Chief Clerk, Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78701. For further information, please contact the Office of the Chief Clerk by email at [ChiefClerk@tdi.texas.gov](mailto:ChiefClerk@tdi.texas.gov) or by phone at 512-676-6585.

The commissioner has scheduled a hearing under Docket No. 2779 at 9:30 a.m., Central time, on October 22, 2015, in Room 100 of the William P. Hobby Jr. State Office Building, 333 Guadalupe Street, Austin, Texas, to take action on the petition. To comment on the petition, please submit two copies of your comments to TDI by 5 p.m., Central time, on October 26 2015. Send one copy to the Office of the Chief Clerk, Mail Code 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104 or [ChiefClerk@tdi.texas.gov](mailto:ChiefClerk@tdi.texas.gov). Send the other copy to Marilyn Hamilton, Mail Code 104-PC, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104 or [Marilyn.Hamilton@tdi.texas.gov](mailto:Marilyn.Hamilton@tdi.texas.gov). You may also present comments at the hearing.

Article 5.96 of the Texas Insurance Code exempts action taken under this article from the requirements of the Administrative Procedure Act (Government Code, Title 10, Chapter 2001).

Issued in Austin, Texas on September 14, 2015



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Texas Department of Insurance