

Texas Department of Insurance
Notice of Workers' Compensation Filing
National Council on Compensation Insurance *Item 01-TX-2018*

Description:

- The National Council on Compensation Insurance (NCCI) filed *Item 01-TX-2018 - Withdrawal or Termination of Self-Insurance Using a Liability Transfer Transaction and Establishment of National Experience Rating Plan Manual Rule 2-E-2* on December 14, 2018. For Texas, *Item 01-TX-2018* proposes to:
 - Revise exceptions to NCCI manuals to address the treatment of a workers' compensation policy issued along with a liability transfer transaction conducted under:
 - Withdrawal of a certified self-insurer from self-insurance under an adequate program as defined in Labor Code Section 407.045(a-1).
 - Termination of a self-insured group's certificate of approval under Labor Code Section 407A.101(b).
 - Replace the Texas-specific experience rating rule regarding nonaffiliate self-insurer and nonaffiliate carrier data with the national rule but maintain a single Texas exception to the national rule.
- The filing proposes that the changes in *Item 01-TX-2018* apply to new and renewal workers' compensation policies effective on and after March 1, 2019.
- *Item 01-TX-2018* implements HB 1989, 85th Legislature, Regular Session (2017), concerning the requirements for withdrawal by a certified self-insurer from workers' compensation self-insurance.

Affected NCCI Manuals:

- *Basic Manual for Workers Compensation and Employers Liability Insurance*
- *Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance*
- *Statistical Plan for Workers Compensation and Employers Liability Insurance*

Review and Comment:

- You may review a copy of NCCI's *Item 01-TX-2018* filing in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, TX 78701; or at www.tdi.texas.gov/rules/2018/nccimanual.html during the comment period.
- To comment on the filing or to request a hearing, submit your comments or hearing request by email to ChiefClerk@tdi.texas.gov, or by mail to the Office of the Chief Clerk, MC 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, TX 78714-9104. To be considered, a comment must be received by the Office of the Chief Clerk by 5:00 p.m., central time, on March 15, 2019.

Procedure:

NCCI filed *Item 01-TX-2018* (SERFF Tracking No. NCCI-131756726) with the Texas Department of Insurance on December 14, 2018, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.

Issued in Austin, Texas on February 13, 2019.

/s/ Norma Garcia
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Texas Department of Insurance