

- f. If no changes are necessary, *refer to Rule 4-F-5-h.*
- g. Upon receipt of a modified report, the Plan Administrator reviews the submitted changes to ensure agreement. The Plan Administrator has the discretion to eliminate policies from the report that were inaccurately reported or whose changes cannot be confirmed.
- h. The enrolled carrier must review and provide final approval of the policies on the report. The approval and corresponding official request to receive a TOC must be sent electronically to the Plan Administrator for final processing.

**6. Total Carrier TOC Application to Plan Participation Base**

- a. A total carrier TOC will be given only to enrolled carriers that provide electronic acceptance by the authorized TOC contact as provided in accordance with the established enrollment procedures.
- b. The developed total carrier TOC is applied to the carrier's Plan participation base.
- c. There is no maximum limit on the total carrier TOC amount, but a carrier's Plan participation base will not be reduced below zero as a result of the TOC.
- d. Total carrier TOCs are applied to each individual carrier's Plan participation base, and are not rolled up to an aggregate TOC for the carrier's group.
- e. If a carrier disagrees with the final total carrier TOC, it may dispute the TOC in accordance with **Basic Manual** Rule 4-A-10-c or applicable state workers compensation insurance plan.

**G. AVAILABLE COVERAGES** *Effective 01 Jan 2012*  
(Exceptions: NM)

**1. General Information**

- a. In accordance with Rule 4-A-2-x(3) or applicable state workers compensation insurance plan, additional coverage(s) may be secured, at the employer's request, on a WCIP standard workers compensation and employers liability insurance policy.
- b. Additional coverage(s) availability is subject to the assigned carrier's ability and agreement to provide the requested coverage.
- c. If federal coverage is requested and the assigned carrier is able and agrees to provide the requested federal coverage, it can only be provided as an adjunct to state act workers compensation coverage.

**2. Limits of Employers Liability Insurance**

**a. Standard Limits of Liability**

- (1) Employers liability insurance can only be secured in the residual market in conjunction with workers compensation insurance. Employers liability insurance without workers compensation insurance is not available.
- (2) Standard limits of liability apply to employers liability insurance, as detailed in Rule 3-A-14.

**b. Increased Limits of Liability**

- (1) Increased limits of liability are available under Part Two—Employers Liability of the policy. In the residual market, the standard limits may be increased up to the maximum limits provided in the following table:

**Increased Limits of Liability Availability Table**

Coverage	Maximum Increased Limits Available
Employers Liability Insurance	<ul style="list-style-type: none"> <li>• \$1,000,000—Bodily Injury by Accident, Each Accident</li> <li>• \$1,000,000—Bodily Injury by Disease, Policy Limit</li> <li>• \$1,000,000—Bodily Injury by Disease, Each Employee</li> </ul>

- (2) Increased limits, their corresponding factors, and minimum premiums are applied in accordance with Rule 3-A-14-b, Appendix C, and applicable state rules and algorithms.

**c. Limits of Liability for Specific Coverages**

If endorsed onto the policy, Voluntary Compensation and Employers Liability Coverage and USL&HW Act and its extensions are included in the limits of Employers Liability Insurance requested under Part Two—Employers Liability.

**3. Limited Other States Insurance**

Limited Other States Insurance coverage is provided under the WCIP through the Residual Market Limited Other States Insurance Endorsement. This endorsement is attached to all residual market policies.

**4. Waiver of Our Right to Recover From Others (Subrogation)**

(Exceptions: AK, KS, NC, NH, OR)

- a. The Waiver of Our Right to Recover From Others Endorsement is available if required of the employer by contract. The employer must provide the portion of the contract with such requirement to the assigned carrier.
- b. Blanket waivers are **not** available in the residual market.
- c. Additional premium charged for a waiver of subrogation is applied in accordance with Rule 3-A-22.

**5. Alternate Employer Endorsement**

(Exceptions: AK)

- a. The Alternate Employer Endorsement is available if required of the employer by contract and only when the state of operations of the alternate employer is listed in Item 3.A. of the policy.
- b. The Alternate Employer Endorsement is **not** available for Professional Employer Organization (PEO) and/or temporary arrangement policies.

**6. Federal Coverages**

**a. USL&HW Act and Extensions**

**(1) USL&HW Act**

Coverage for the United States Longshore and Harbor Workers' Compensation (USL&HW) Act is available by endorsement in the residual market written only as an adjunct to state workers compensation act coverage.

**(2) USL&HW Act Extensions**

Coverage for USL&HW Act's extensions are available in the residual market only when the Longshore and Harbor Workers' Compensation Act Endorsement is attached, as well as the other appropriate endorsements, and is available when written only as an adjunct to state workers compensation act coverage.

**(3) Endorsements**

The available endorsements are:

- Longshore and Harbor Workers' Compensation Act Coverage Endorsement
- Defense Base Act Coverage Endorsement
- Nonappropriated Fund Instrumentalities Act Coverage Endorsement
- Outer Continental Shelf Lands Act Coverage Endorsement

For more information about federal coverages, refer to Rules 3-A-4 and 3-A-14, NCCI's **Basic Manual User's Guide**, and the **Assigned Risk Supplement**.

**b. Coverage for Maritime (Admiralty), Program I or Program II**

(Exceptions: AK)

**(1) General Information**

Coverage for Maritime (Admiralty), Program I or Program II, is available by endorsement only at the standard limit of liability in accordance with Rule 3-A-14-b(4), written only as an adjunct to state workers compensation act coverage. Increased limits are not available for this coverage in the residual market.

**(2) Additional Maritime (Admiralty) Options**

Coverage for the following may be included at an additional charge, subject to certain requirements.