

**State:** Indiana **Filing Company:** Indiana Compensation Rating Bureau  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0002 Employers Liability WC  
**Product Name:** P-1419  
**Project Name/Number:** Revisions to the Premium Due Date Endorsement (WC 00 04 19)/P-1419

## Filing at a Glance

Company: Indiana Compensation Rating Bureau  
Product Name: P-1419  
State: Indiana  
TOI: 16.0 Workers Compensation  
Sub-TOI: 16.0002 Employers Liability WC  
Filing Type: Form  
Date Submitted: 12/20/2021  
SERFF Tr Num: INCR-133090232  
SERFF Status: **Closed-Filed**  
State Tr Num: EFT OK /  
State Status:  
Co Tr Num: P-1419  
Co Status:  
Effective Date: 08/01/2022  
Requested (New):  
Effective Date: 08/01/2022  
Requested (Renewal):  
Author(s): Robin Eleson  
Reviewer(s): Thomas Faust (primary), Kim Green  
Disposition Date: 12/27/2021  
Disposition Status: Filed  
Effective Date (New):  
Effective Date (Renewal):

**State:** Indiana **Filing Company:** Indiana Compensation Rating Bureau  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0002 Employers Liability WC  
**Product Name:** P-1419  
**Project Name/Number:** Revisions to the Premium Due Date Endorsement (WC 00 04 19)/P-1419

## General Information

Project Name: Revisions to the Premium Due Date Endorsement (WC 00 04 19)	Status of Filing in Domicile: Pending
Project Number: P-1419	Domicile Status Comments:
Reference Organization:	Reference Number:
Reference Title:	Advisory Org. Circular: NCCI Circular CIF-2021-46
Filing Status Changed: 12/27/2021	Company Status Changed:
State Status Changed:	Deemer Date:
Created By: Robin Eleson	Submitted By: Robin Eleson
Corresponding Filing Tracking Number:	

### Filing Description:

This item revises the Premium Due Date Endorsement (WC 00 04 19) in NCCI's Forms Manual of Workers Compensation and Employers Liability Insurance (Forms Manual). NCCI recently completed a review of Part Five of NCCI's workers compensation and employers liability insurance policy (policy) and is proposing clarification for two sections of Part Five—Section A. (Our Manuals) and Section D. (Premium Payments).

## Company and Contact

### Filing Contact Information

Robin Eleson, Analyst	kbyrd@icrb.net
5920 Castleway West Dr	317-842-2800 [Phone]
Ste 121	
Indianapolis, IN 4607146250	

### Filing Company Information

Indiana Compensation Rating Bureau	CoCode:	State of Domicile: Indiana
5920 Castleway W Dr	Group Code:	Company Type: Rating Organization
Indianapolis, IN 46250	Group Name: ICRB	State ID Number:
(317) 842-2800 ext. 301[Phone]	FEIN Number: 35-0837318	

**State:** Indiana **Filing Company:** Indiana Compensation Rating Bureau  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0002 Employers Liability WC  
**Product Name:** P-1419  
**Project Name/Number:** Revisions to the Premium Due Date Endorsement (WC 00 04 19)/P-1419

## Filing Fees

### Transaction Fees

Transaction Fees	Company	Amount	Date Processed	Transaction #
NAIC Transaction Fee	Indiana Compensation Rating Bureau	\$13.75	12/20/2021 12:12 PM	219262131

**NAIC Fees Total** **\$13.75**

### State Fees

Fee Required? Yes  
 Fee Amount: \$35.00  
 Retaliatory? No  
 Fee Explanation:  
 Per Company: Yes

Company	Amount	Date Processed	Transaction #
Indiana Compensation Rating Bureau	\$35.00	12/20/2021 12:12 PM	219262130

**EFT Total** **\$35.00**

### Filing Fees Total

Fee Type	Amount
Transaction Fee Total	\$13.75
State EFT Total	\$35.00
State Check Total	\$0.00

**Filing Fee Total** **\$48.75**

SERFF Tracking #:

INCR-133090232

State Tracking #:

EFT OK /

Company Tracking #:

P-1419

State:

Indiana

Filing Company:

Indiana Compensation Rating Bureau

TOI/Sub-TOI:

16.0 Workers Compensation/16.0002 Employers Liability WC

Product Name:

P-1419

Project Name/Number:

Revisions to the Premium Due Date Endorsement (WC 00 04 19)/P-1419

## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Filed	Thomas Faust	12/27/2021	12/27/2021

State: Indiana Filing Company: Indiana Compensation Rating Bureau  
TOI/Sub-TOI: 16.0 Workers Compensation/16.0002 Employers Liability WC  
Product Name: P-1419  
Project Name/Number: Revisions to the Premium Due Date Endorsement (WC 00 04 19)/P-1419

## Disposition

Disposition Date: 12/27/2021

Effective Date (New):

Effective Date (Renewal):

Status: Filed

Comment:

Rate data does NOT apply to filing.

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	80 Filing Description/Cover Letter/NAIC Transmittal		Yes
Supporting Document	Third Party Filers		Yes
Supporting Document	P-1419 Filing Memorandum		Yes

**SERFF Tracking #:**

INCR-133090232

**State Tracking #:**

EFT OK /

**Company Tracking #:**

P-1419

**State:**

Indiana

**Filing Company:**

Indiana Compensation Rating Bureau

**TOI/Sub-TOI:**

16.0 Workers Compensation/16.0002 Employers Liability WC

**Product Name:**

P-1419

**Project Name/Number:**

Revisions to the Premium Due Date Endorsement (WC 00 04 19)/P-1419

## Supporting Document Schedules

<b>Satisfied - Item:</b>	80 Filing Description/Cover Letter/NAIC Transmittal
<b>Comments:</b>	Item P-1419 - Revisions to the Premium Due Date Endorsement (WC 00 04 19)
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Satisfied - Item:</b>	Third Party Filers
<b>Comments:</b>	Per IC 27-7-2-3 through IC 27-7-2-7, the Bureau has statutory authority to file rates, rules, plans & forms on behalf of all workers compensation insurance companies in Indiana.
<b>Attachment(s):</b>	
<b>Item Status:</b>	
<b>Status Date:</b>	

<b>Satisfied - Item:</b>	P-1419 Filing Memorandum
<b>Comments:</b>	
<b>Attachment(s):</b>	P-1419 - Revisions to the Premium Due Date Endorsement (WC 00 04 19).pdf
<b>Item Status:</b>	
<b>Status Date:</b>	

## FILING MEMORANDUM

### ITEM P-1419—REVISIONS TO THE PREMIUM DUE DATE ENDORSEMENT (WC 00 04 19)

#### PURPOSE

This item revises the Premium Due Date Endorsement (WC 00 04 19) in NCCI's *Forms Manual of Workers Compensation and Employers Liability Insurance (Forms Manual)*.

NCCI recently completed a review of Part Five of NCCI's workers compensation and employers liability insurance policy (policy) and is proposing clarification for two sections of Part Five—Section A. (Our Manuals) and Section D. (Premium Payments).

#### BACKGROUND

Part Five—Premium of the policy identifies how and when premium is determined, when it is payable, and how cancellation of the policy affects premium.

##### **Part Five-Section A. (Our Manuals)**

An amendment to Part Five—Premium, Section A. (Our Manuals) of the policy is being proposed to define “our manuals” for clarification purposes and to expressly incorporate by reference “our manuals” into NCCI’s policy. Part Five, Section A. of the policy states that “all premium for this policy will be determined by our manuals of rules, rates, rating plans and classifications.” A definition of “our manuals” will specify that only filed and approved manuals of rules, rates/loss costs (as applicable), rating plans, forms, endorsements, and classifications can be relied on for the purpose of premium determination.

##### **Part Five-Section D. (Premium Payments)**

The Premium Due Date Endorsement currently amends Part Five—Premium, Section D. (Premium Payments) of the policy to comply with the National Association of Insurance Commissioners (NAIC) Statutory Accounting Principles (SAP) Number 6—Uncollected Premium Balances, Bills Receivable for Premiums, and Amounts Due From Agents and Brokers; this endorsement must be attached to every policy.

SAP Number 6 states that:

The due date for audit premiums and retrospective premiums is governed by policy or contract provisions. If the due date for receivables relating to these policies is not addressed by policy provisions or contract provisions, any uncollected premium (either accrued or billed) is nonadmitted.

The Premium Due Date Endorsement currently states that the due date for audit and retrospective premiums is the date of the billing and the explanatory note states that the date of billing means the date the billing is received by the insured. The due date should be the due date as specified in the billing for the policy, rather than the receipt date.

#### PROPOSAL

This item proposes to revise the Premium Due Date Endorsement to:

1. Revise the title to “Part Five—Premium Amendatory Endorsement”

The enclosed materials are copyrighted materials of the National Council on Compensation Insurance, Inc. (“NCCI”). The use of these materials may be governed by a separate contractual agreement between NCCI and its licensees such as an affiliation agreement between you and NCCI. Unless permitted by NCCI, you may not copy, create derivative works (by way of example, create or supplement your own works, databases, software, publications, manuals, or other materials), display, perform, or use the materials, in whole or in part, in any media. Such actions taken by you, or by your direction, may be in violation of federal copyright and other commercial laws. NCCI does not permit or acquiesce such use of its materials. In the event such use is contemplated or desired, please contact NCCI's Legal Department for permission.

**FILING MEMORANDUM**

**ITEM P-1419—REVISIONS TO THE PREMIUM DUE DATE ENDORSEMENT (WC 00 04 19)**

2. Add an amendment to Part Five, Section A. (Our Manuals) to define and incorporate “our manuals” into the policy and add forms and endorsements to the listing of manuals
3. Revise the amendment to Part Five, Section D. (Premium Payments) to clarify the due date for audit and retrospective premiums

**IMPACT**

There will be no premium impact as a result of the changes proposed in this item.

**EXHIBIT COMMENTS AND IMPLEMENTATION SUMMARY**

Exhibit	Exhibit Comments	Implementation Summary
1	<ul style="list-style-type: none"> <li>• Details the revisions to the Premium Due Date Endorsement (WC 00 04 19) in NCCI’s <b>Forms Manual</b></li> <li>• Applies in all states except AZ, FL, OR, and TX</li> </ul>	<p>In all states except Hawaii, this item is to become effective for:</p> <ul style="list-style-type: none"> <li>• New and renewal policies with effective dates on and after 12:01 a.m. on <b>August 1, 2022</b>, and</li> <li>• Any in-force policy in effect on and after <b>August 1, 2022</b>.</li> </ul> <p>In Hawaii, the effective date will be determined upon regulatory approval of the individual carriers’ election to adopt this change</p>
2	<ul style="list-style-type: none"> <li>• Details the establishment of the Part Five—Premium Amendatory Endorsement (WC 00 04 19 A) in NCCI’s <b>Forms Manual</b></li> <li>• The language in Exhibits 1 and 2 is identical</li> <li>• Applies in AZ and OR</li> </ul>	
3	<ul style="list-style-type: none"> <li>• Details the revisions to the Premium Due Date Endorsement (WC 00 04 19) in NCCI’s <b>Forms Manual</b></li> <li>• The only difference between Exhibits 1 and 3 are the revisions shown for the Explanatory Note(s)</li> <li>• Applies in FL</li> </ul>	
4	<ul style="list-style-type: none"> <li>• Details the withdrawal of the Oregon Premium Due Date Endorsement (WC 36 04 06) in NCCI’s <b>Forms Manual</b></li> <li>• This Oregon-specific endorsement is no longer necessary because the premium-related language on the proposed countrywide endorsement is similar to the language on the Oregon Premium Due Date Endorsement</li> <li>• Applies in OR</li> </ul>	

The enclosed materials are copyrighted materials of the National Council on Compensation Insurance, Inc. (“NCCI”). The use of these materials may be governed by a separate contractual agreement between NCCI and its licensees such as an affiliation agreement between you and NCCI. Unless permitted by NCCI, you may not copy, create derivative works (by way of example, create or supplement your own works, databases, software, publications, manuals, or other materials), display, perform, or use the materials, in whole or in part, in any media. Such actions taken by you, or by your direction, may be in violation of federal copyright and other commercial laws. NCCI does not permit or acquiesce such use of its materials. In the event such use is contemplated or desired, please contact NCCI’s Legal Department for permission.



FILING MEMORANDUM

ITEM P-1419—REVISIONS TO THE PREMIUM DUE DATE ENDORSEMENT (WC 00 04 19)

---

Exhibit	Exhibit Comments	Implementation Summary
5	<ul style="list-style-type: none"><li>• Details the revisions to the Texas Amendatory Endorsement (WC 42 03 01 J) in NCCI's <b>Forms Manual</b></li><li>• The revisions to this Texas-specific endorsement are similar to the revisions proposed on the countrywide endorsement (Exhibit 1)</li><li>• Applies in TX</li></ul>	

The enclosed materials are copyrighted materials of the National Council on Compensation Insurance, Inc. ("NCCI"). The use of these materials may be governed by a separate contractual agreement between NCCI and its licensees such as an affiliation agreement between you and NCCI. Unless permitted by NCCI, you may not copy, create derivative works (by way of example, create or supplement your own works, databases, software, publications, manuals, or other materials), display, perform, or use the materials, in whole or in part, in any media. Such actions taken by you, or by your direction, may be in violation of federal copyright and other commercial laws. NCCI does not permit or acquiesce such use of its materials. In the event such use is contemplated or desired, please contact NCCI's Legal Department for permission.

**ITEM P-1419—REVISIONS TO THE PREMIUM DUE DATE ENDORSEMENT (WC 00 04 19)**

---

**EXHIBIT 1**  
**FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**  
**PREMIUM DUE DATE ENDORSEMENT (WC 00 04 19)**  
(Applies in: AK, AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, KS, KY, LA, MD, ME, MO, MS, MT, NE,  
NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, WV)

**Part Five—Premium Amendatory ~~Premium Due Date~~ Endorsement (WC 00 04 19 A)**

This endorsement ~~is used to~~ amends Part Five—Premium of the policy as follows:

Part Five—Premium, Section A. (Our Manuals) is replaced by the following provision:

**A. Our Manuals**

All premium for this policy will be determined by our manuals of rules, rates and loss costs (as applicable), rating plans, forms, endorsements, and classifications, and such manuals are expressly incorporated by reference into, and apply to, this policy and any renewals (our manuals). As used in this policy and any renewals, our manuals means manuals that have been:

1. Developed in any format and filed by the state-designated workers compensation rating or advisory organization on our behalf with the appropriate state insurance regulatory authority; or
2. Developed in any format and filed by the respective state rating bureau on our behalf with the appropriate state insurance regulatory authority; or
3. Developed in any format and filed by us with the appropriate state insurance regulatory authority; and
4. For each or any of the three scenarios above, the manuals also must be approved for use by the appropriate state insurance regulatory authority, or as otherwise authorized by law as applicable.

We may change our manuals and apply the changes to this policy and any renewals if such manual changes are approved for use by the appropriate state insurance regulatory authority, or as otherwise authorized by law as applicable.

Part Five—Premium, Section D. (Premium Payments) of ~~Part Five of the policy~~ is replaced by this the following provision:

**PART FIVE**  
**PREMIUM**

**D. Premium Payments** is amended to read:

You will pay all premium when due. You will pay the premium even if part or all of a workers compensation law is not valid. The due date for audit and retrospective premiums is the due date specified in of the billing for the policy.