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August 10, 2021

**Circular 2021-08**

**To: ICRB Members**

**ITEM B-1445—UPDATES TO NCCI'S BASIC MANUAL FOR WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

The ICRB has submitted an Item Filing, B-1445. This was approved by the Indiana Department of Insurance on 7/20/21.

This filing updates NCCI's *Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)* as filed and approved in Item B-1444—NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance, effective November 1, 2021 and applicable to new, renewal, and in-force policies. This filing continues with our goals of improving format and structure, making updates to statute changes, if applicable, and providing clarity. This filing does not make any substantive changes to any rule or classification that would result in premium impact.

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For further details please see the Circular below.

Sincerely,

A handwritten signature in black ink, appearing to read "K H Byrd".

Karen H. Byrd  
President & CEO

## Filing Memorandum

### Item B-1445—Updates to NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance

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#### Purpose

This filing proposes updates to NCCI's *Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)* as filed and approved in Item B-1444—NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance, effective November 1, 2021 and applicable to new, renewal, and in-force policies. This filing continues with our goals of improving format and structure, making updates to statute changes, if applicable, and providing clarity. This filing does not make any substantive changes to any rule or classification that would result in premium impact.

#### Background

NCCI has embarked upon a multiyear initiative that will modernize and transform the way we deliver our key information, starting with our manuals and circulars. Item B-1444 introduced a new edition of NCCI's *Basic Manual*. Item B-1445 provides additional value by including information identified in subsequent reviews and updating content as a result of stakeholder feedback, while keeping the overall goal in mind—do not change the context or intent of the content.

Since the submission of these items, we have received valuable stakeholder feedback and based on this feedback, we are recommending additional improvements. We are also including several routine maintenance updates to reduce the number of filings that are submitted to the regulators for approval. The review identified that content may have been addressed in previous filings and are now being updated to include things such as references to statutes and grammar changes. The updates reflected in the attached *Basic Manual* state exhibits fall into three categories:

#### 1. Item filings or content published after the approval of the new state manuals

Due to the timing of the original publishing of previously approved item filings, it is necessary to update the content provided in Item B-1444.

#### 2. General updates

Based on additional feedback and routine reviews of our content, the following general updates are necessary:

- clarify the intent of classification phraseologies
- update rule references and values, and
- update references to the United States Longshore and Harbor Workers' (USL&HW) Act.

#### 3. State-specific updates

Based on feedback and the timing of submitting the filings in groups, adjustments are necessary to a few states that include a reference to NCCI's *Basic Manual User's Guide*. Additionally, state-specific information must be clarified for several state pricing programs.

The proposed effective date of November 1, 2021 coincides with the effective date of Item B-1444 to ensure a smooth implementation of the newly formatted manual. No premium impact is expected as a result of these updates.

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## Filing Memorandum

### Item B-1445—Updates to NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance

#### Proposal

This item proposes to add value by updating NCCI's *Basic Manual* as detailed in the Exhibit Comments and Implementation Summary.

#### Impact

There will be no premium impact as a result of these updates to the new edition of NCCI's *Basic Manual*. This item does not make any substantive changes to any rule or classification that would result in premium impact.

#### Exhibit Comments and Implementation Summary

In all states except Hawaii, this item is to become effective for

- new and renewal policies with effective dates on and after 12:01 a.m. on November 1, 2021, and
- any in-force policy in effect on and after November 1, 2021.

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

Exhibit	Exhibit Comments
1	<p>Details the updates to Rules for determining total standard premium (Rule ID: BM-PARS-R782D) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"><li>• Updated Additional information to References and bulleted items to be consistent with NCCI standard</li><li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MS, MO, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li></ul> <p>Details the updates to Catastrophe provisions (Rule ID: BM-PARC-C499F) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"><li>• Updated the formula under subblock Premium for Catastrophe (other than Certified Acts of Terrorism)</li><li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MS, NE, NH, OK, SC, SD, TN, UT, VT, WV</li></ul>

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2	<p>Details the updates to the Rule for including premium for non-F-classification operations subject to USL&amp;HW Act (Rule ID: BM-FEDE-RF018) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Added the reference to NCCI's <i>Basic Manual User's Guide</i>, where new references were created for rate states</li> <li>• Applies in: IA, ID, IL, IN</li> </ul>
3	<p>Details the updates to the Rule for calculating adjustments for experience rated risks (Rule ID: BM-NEPP-R30AD) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the denominator and the first bullet</li> <li>• Applies in: NE</li> </ul>
4	<p>Details the updates to the Maximum amount of the schedule rating factor (Rule ID: BM-SCHR-M31E4) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the rule to refer to the state table for the employer characteristics instead of the national table</li> <li>• Applies in: CT, ID, NH</li> </ul> <p>Details the updates to the Schedule Rating Plan eligibility (Rule ID: BM-SCHR-S6B7B) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the rule to the specific eligibility requirement for the state instead of the national table</li> <li>• Applies in: CT, ID, NH</li> </ul> <p>Details the updates to the Credit and debit ranges (Rule ID: BM-SCHR-C30F1) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• The Schedule Rating Plan references were updated to Schedule rating table references</li> <li>• Applies in: AL, AR, CO, CT, DC, IA, ID, IL, KS, KY, MD, MS, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul>

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5	<p>Details the updates to the Short rate cancellation table (Rule ID: BM-CANS-S0F71) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated a comma (,) to a period (.) in some values in the column "Factor to apply to earned premium for period policy in effect"</li> <li>• Applies in: AL, AR, ID, KY, MD, ME, MS, NE, NH, SC, SD, UT, WV</li> </ul>
6	<p>Details the updates to the Table of classifications by hazard group (Rule ID: BM-HAZT-T640A) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the Table of classifications by hazard group to display the correct information—Codes 2286 and 2670 were incorrectly shown in the Applies in column</li> <li>• Applies in: AL, AR, ID, KY, LA, MD, ME, MS, NE, NH, SC, SD, UT, WV</li> </ul> <p>Details the updates to the Table of classifications by hazard group (Rule ID: BM-HAZT-T640A) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the Table of classifications by hazard group to display the correct information—Codes 2683 and 3240 were discontinued</li> <li>• Applies in: AL, AR, ID, KY, LA, MD, ME, MS, NE, NH, SC, SD, UT, WV</li> </ul> <p>Details the updates to the Table of classifications by hazard group (Rule ID: BM-HAZT-T640A) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the Table of classifications by hazard group to display the correct information for Code 9062</li> <li>• Applies: CO, IA, IL, IN, KS, KY, LA, MO, MS, NE, NM, SD, WV</li> </ul> <p>Details the updates to the Table of classifications by hazard group (Rule ID: BM-HAZT-T640A) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the Table of classifications by hazard group to display the correct information for Code 5535</li> <li>• Applies in: CT, LA</li> </ul>

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Exhibit	Exhibit Comments
7	<p>Details the update to the phraseology for Code 8826—Adult Congregate Living Facilities—All Other Employees (Phrase ID: BM-8826-ABR4C) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the phraseology to include Salespersons &amp; Drivers per Item B-1436</li> <li>• Applies in: AL, AR, ID, KY, LA, MD, ME, MS, NE, NH, SC, SD, UT, WV</li> </ul>
8	<p>Details the update to the phraseology for Code 2578—Bag—Renovating (Phrase ID: BM-2578-BAB55) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is not applicable in NE</li> <li>• Applies in: NE</li> </ul>
9	<p>Details the update to the phraseology for Code 4283—Building or Roofing Paper or Felt Preparation—No Installation (Phrase ID: BM-4283-BUFFA) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the phraseology note to clarify the classification of asphalt or tar distillation plants or refining plants that include the saturating of felt or paper as part of their operations</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul>

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10	<p>Details the update to the phraseology for Code 9062—Casino Gambling—All Employees &amp; Salespersons, Drivers (Phrase ID: BM-9062-ABR4C) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is applicable in SD—Code 9062 was inadvertently not included in Item B-1444</li> <li>• Applies in: SD</li> </ul> <p>Details the update to the phraseology for Code 8862—Casino Gambling—Clerical Office Employees (Phrase ID: BM-8862-ABR4C) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is applicable in SD—Code 8862 was inadvertently not included in Item B-1444</li> <li>• Applies in: SD</li> </ul> <p>Details the update to the phraseology for Code 9044—Casino Gambling—Hotel—All Employees &amp; Salespersons, Drivers (Phrase ID: BM-9044-ABR4C) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is applicable in SD—Code 9044 was inadvertently not included in Item B-1444</li> <li>• Applies in: SD</li> </ul>
11	<p>Details the update to the phraseology for Code 0106—Clearing of Right-of-Way—Electric, Power, Telephone, Burglar, or Fire Alarm Lines—Tree Pruning, Trimming, or Spraying—Existing Right-of-Way—All Operations &amp; Drivers (Phrase ID: BM-0106-CLE4A) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is not applicable in NE</li> <li>• Applies in: NE</li> </ul>
12	<p>Details the update to the phraseology for Code 8826—Continuing Care Retirement Communities—All Other Employees (Phrase ID: BM-8826-CON75) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the phraseology to include Salespersons &amp; Drivers per Item B-1436</li> <li>• Applies in: AL, AR, ID, KY, LA, MD, ME, MS, NE, NH, SC, SD, UT, WV</li> </ul>

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13	<p>Details the update to the phraseology for Code 6216 • Construction—Oil or Gas—Lease Work NOC—By Specialist Contractor &amp; Drivers (Phrase ID: BM-6216-OFF53) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This code is applicable in UT—Code 6216 was inadvertently not included in Item B-1444</li> <li>• Applies in: UT</li> </ul>
14	<p>Details the update to the phraseology for Code 9088—Rocket or Missile Testing or Launching &amp; Drivers (Phrase ID: BM-9088-RIFCA) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is not applicable in GA</li> <li>• Applies in: GA</li> </ul>
15	<p>Details the update to the phraseology for Code 3685—Taximeter or Speedometer Mfg. (Phrase ID: BM-3574-TACED) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated the phraseology to reflect Code 3574 as the correct code</li> <li>• Applies in: CT, DC, HI, IA, IL, KS, MT, NM, OK</li> </ul>
16	<p>Details the update to the phraseology for Code 7232—Trucking—Mail, Parcel, or Package Delivery—Under Contract With the US Postal Service—All Employees &amp; Drivers (Phrase ID: BM-7232-TREC9) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is not applicable in HI</li> <li>• Applies in: HI</li> </ul>

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17	<p>Details the update to the phraseology for Code 6801F—Boatbuilding—Wood NOC &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6801-BOAD9) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6824F—Boatbuilding or Repair &amp; Drivers—Coverage Under US Act (Phrase ID: BM-6824-BOAFA) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated US Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MS, MO, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6873F—Diving—Marine—Coverage Under U.S. Act (Phrase ID: BM-6873-DIR0B) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: LA</li> </ul> <p>Details the update to the phraseology for Code 7350F—Freight Handling NOC—Coverage Under U.S. Act (Phrase ID: BM-7350-FLO86) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 7350F—Freight Handling—Packing, Handling, or Shipping Explosives or Ammunition—Under Contract—Coverage Under U.S. Act (Phrase ID: BM-7350-FLODC) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul>

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17	<p>Details the update to the phraseology for Code 6826F—Marina &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6826-MACCA) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6872F—Marine Railway Operation &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6872-MAC93) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6874F—Painting—Ship Hulls—Coverage Under U.S. Act (Phrase ID: BM-6874-PAC51) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6873F—Salvage Operations—Marine—Coverage Under U.S. Act (Phrase ID: BM-6873-SAC60) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: LA</li> </ul> <p>Details the update to the phraseology for Code 6825—Shipbuilding—Iron or Steel &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6825-SHIA7) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: MO</li> </ul>

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Exhibit	Exhibit Comments
17	<p>Details the update to the phraseology for Code 6843F—Shipbuilding—Iron or Steel NOC &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6843-SHIF3) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6872F—Ship Cleaning—All Operations &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6872-SHI82) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6872F—Ship Repair or Conversion—All Operations &amp; Drivers—Coverage Under U.S. Act (Phrase ID: BM-6872-SHI34) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6874F—Ship Scaling—Coverage Under U.S. Act (Phrase ID: BM-6874-SHIB9) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 8709F—Steamship Line or Agency—Port Employees—Talliers, Checking Clerks, and Employees Engaged in Mending or Repacking of Damaged Containers—Coverage Under U.S. Act (Phrase ID: BM-8709-SPEFD) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul>

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Filing Memorandum

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Exhibit	Exhibit Comments
17	<p>Details the update to the phraseology for Code 8709F—Stevedoring—Talliers and Checking Clerks Engaged in Connection With Stevedore Work—Coverage Under U.S. Act (Phrase ID: BM-8709-SPE3F) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 8709F—Weighers, Samplers, or Inspectors of Merchandise on Vessels or Docks or at Railway Stations or Warehouses—Coverage Under U.S. Act (Phrase ID: BM-8709-WEE72) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, SC, SD, TN, UT, VT, WV</li> </ul> <p>Details the update to the phraseology for Code 6873F—Wrecking—Marine—Coverage Under U.S. Act (Phrase ID: BM-6873-WOO33) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• Updated U.S. Act to USL&amp;HW Act for consistency in the manual</li> <li>• Applies in: LA</li> </ul>
18	<p>Details the update to the phraseology for Code 3826—Engine Mfg.—Aircraft (Phrase ID: BM-3826-EAR14) in NCCI's <i>Basic Manual</i>.</p> <ul style="list-style-type: none"> <li>• This phraseology is not applicable in WV</li> <li>• Applies in: WV</li> </ul>
<b>Informational Exhibit</b>	
Informational Exhibit 1	Comparison Side by Side for State Manual—Displays the previously filed new <i>Basic Manual</i> content for the state and the proposed updates.

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