

Texas Department of Insurance
Notice of Workers' Compensation Filing
National Council on Compensation Insurance *Item E-1407*

Description:

- The National Council on Compensation Insurance (NCCI) filed *Item E-1407—Exclusion of COVID-19 Claims from Experience Rating and Merit Rating* on May 15, 2020. For Texas, *Item E-1407* revises rules related to excluding claims attributable to the COVID-19 pandemic from experience rating calculations and reporting claims attributable to the COVID-19 pandemic as an extraordinary loss event.
- NCCI proposes that *Item E-1407* be effective for experience rating modifications with rating effective dates of August 16, 2020, and later. Per Commissioner's Order No. 3142, the Commissioner may issue an order approving the filing, approving the filing with changes, or rejecting the filing.

Affected NCCI Manuals in Texas:

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

Review and Comment:

- You may review a copy of *Item E-1407* 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/2020/nccimanual.html during the comment period. If you would like to review the materials in person, please email ChiefClerk@tdi.texas.gov to arrange a time.

- To comment on the filing or to request a hearing, submit your comments or hearing request to ChiefClerk@tdi.texas.gov, or to the Office of the Chief Clerk, MC 112-2A, Texas Department of Insurance, P.O. Box 149104, Austin, TX 78714-9104 by 5:00 p.m., central time, on August 10, 2020. Submit comments separately from any hearing request. Refer to ECase No. 24798.

Procedure:

NCCI filed *Item E-1407* (SERFF Tracking No. NCCI-132378669) with TDI on May 15, 2020, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.

Issued in Austin, Texas, on July 8, 2020.

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Allison Eberhart
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Allison Eberhart, Deputy General Counsel
Texas Department of Insurance