

**Texas Department of Insurance**  
**Notice of Workers' Compensation Filing**  
**National Council on Compensation Insurance *Item B-1436***

**Description:**

- The National Council on Compensation Insurance (NCCI) filed *Items B-1436(FD)* and *B-1436(RD)* – *Revisions to Basic Manual Classifications and Appendix E - Classifications by Hazard Group*. *Items B-1436(FD)* and *B-1436(RD)* are national filings.

**ITEM B-1436(FD)**

- For Texas, *Item B-1436(FD)* proposes to:
  - Reformat the following special classifications for improved online search results:
    - Building Raising or Moving (Codes 5022, 5057, 5213, 5403);
    - Farm (Codes 0005, 0008, 0011, 0016, 0035, 0037, 0079, 0083, 0113);
    - Wrecking or Demolition—Not Marine (Codes 5022, 5057, 5213, 5403, 6003); and
  - Eliminate the state special Farm note because it is properly included in the Texas exception to NCCI's *Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)* Rule 1-D-3-e—Farm Operations.

**Requested Effective Date for *Item B-1436(FD)*:**

- The filing proposes that the changes in *Item B-1436(FD)* apply to new and renewal workers' compensation policies effective on and after October 1, 2018.

**ITEM B-1436(RD)**

- For Texas, *Item B-1436(RD)* proposes to clarify the classification treatment for:
  - Retirement living centers and nursing homes by assigning healthcare employees of all types of operations to one classification and assigning all other employees to another classification;
  - Limousine and taxicab companies to indicate that garage employees be separately rated to Code 8385;

- Digital photography operations by updating phraseologies to address photo developing and printing including digital media and establishing a new Code 8015 for document scanning and quick printing operations;
- Manufacture, service, or repair, and the piloting of an unmanned aircraft system or drone aircraft by establishing new Code 8720 for employers piloting drone aircraft of less than 55 pounds for other businesses; and
- Automobile body repair and automobile repair shops by revising some phraseology notes under Codes 8391 and 8387.

**Requested Effective Date for *Item B-1436(RD)*:**

- The filing proposes that the changes in *Item B-1436(RD)* apply to new and renewal workers' compensation policies effective on and after July 1, 2019.

**Affected NCCI Manuals:**

- *Basic Manual for Workers Compensation and Employers Liability Insurance.*

**Review and Comment:**

- TDI prepared this notice. You may review a copy of NCCI's filings in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78701; or at [www.tdi.texas.gov/rules/2018/nccimanual.html](http://www.tdi.texas.gov/rules/2018/nccimanual.html) during the comment period.
- To comment on the filings or to request a hearing, submit two copies of your comments or hearing request by 5 p.m., Central time, on June 25, 2018. Refer to TDI ECase No. 14981.
  - Send one copy to [ChiefClerk@tdi.texas.gov](mailto:ChiefClerk@tdi.texas.gov) or to the Office of the Chief Clerk, Mail Code 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104.
  - Send the other copy to [CommercialPC@tdi.texas.gov](mailto:CommercialPC@tdi.texas.gov), or to Marianne Baker, Director, Property and Casualty Lines Office, Mail Code 104-PC, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104.

**Procedure:**

- NCCI filed *Items B-1436(FD) and B-1436(RD)* (TDI ECase No. 14981; SERFF Tracking Nos. NCCI-131257443; and NCCI-131260899) with the Texas Department of Insurance on November 14, 2017, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014. On January 11, 2018, NCCI amended the filing by submitting revised Exhibit Fact Sheet 3 to correct the inaccurate reference to Exhibit 3C instead of Exhibit 8 in Texas proposal, no. 4 on page 33.

Issued in Austin, Texas on May 23, 2018.

/s/ Norma Garcia  
Norma Garcia, General Counsel  
Texas Department of Insurance