

Texas Department of Insurance
Request for Additional Comments

Item B-1448—Revisions to Basic Manual Rules Related to Payroll Inclusions and Payroll Exclusions

Filed on March 31, 2023

SERFF Tracking No. NCCI-133617166

Request:

The Texas Department of Insurance (TDI) seeks comments on whether to change the maximum daily expense allowance in the payroll exclusion rule for nonverified expenses incurred on overnight business.

Background:

The National Council on Compensation Insurance (NCCI) filed *Item B-1448* on March 31, 2023. TDI posted notice of the filing on May 3, 2023, and received one comment from Texas Mutual Insurance Company.

In its comment, Texas Mutual recommends an additional change to the proposed Rule ID BM-PAYE-AACOF. That rule excludes from payroll a maximum expense allowance of up to the IRS allowable amount per day for nonverified expenses incurred on overnight business when certain conditions are met. Texas Mutual recommends changing the rule from the IRS allowable amount to \$75.

TDI is interested in comments on this recommended change. Please include in your comments:

- how often overnight business expense reimbursements without verifiable receipts occur, and
- whether this change would be beneficial to the carrier and policyholder.

Affected NCCI Manuals:

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

Review and Comment:

- You may review a copy of the filing and the comment at www.tdi.texas.gov/rules/2023/nccimanual.html.

Notice of Filing
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- Submit your comments to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, PO Box 12030, Austin, TX 78711-2030 by 5 p.m. Central time, on August 11, 2023.