

No. **2020-6407**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 07/24/2020

Subject Considered:

**National Council on Compensation Insurance Filing
*Item B-1440 Revisions to the Basic Manual, Including Reformatting, the Preface,
and Appendix G***

The subject of this order is the adoption of amendments to the National Council on Compensation Insurance (NCCI) *Basic Manual for Workers Compensation and Employers Liability Insurance* (Basic Manual), as proposed in *Item B-1440* (TDI ECase No. 23420; SERFF Tracking No. NCCI-132185552).

Background

The amendments in *Item B-1440* implement formatting and structural changes to the Basic Manual as part of NCCI's ongoing maintenance of its manuals and because of the release of NCCI's online Class Look-Up tool.

After considering the filing, TDI adopts the following findings of fact and conclusions of law.

Findings of Fact

1. NCCI filed *Item B-1440* with TDI on December 23, 2019, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.
2. *Item B-1440* amends the Basic Manual to implement formatting and structural changes as part of NCCI's ongoing maintenance of its manual and because of the release of NCCI's online Class Look-Up tool. The changes include updating an email address, revising wording for consistency and plain language, removing tables and

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- sections that are no longer applicable, and reformatting to improve online search results.
3. NCCI performs routine maintenance of the manuals, rules, and classification system to help remain responsive to the needs of various industry stakeholders.
 4. NCCI proposed that the changes in *Item B-1440* apply to new and renewal policies that are effective on or after 12:01 a.m. on April 1, 2020.
 5. NCCI amended its filing on January 17, 2020, to correct some exhibits.
 6. *Item B-1440* has been available for public inspection in SERFF and at TDI since the filing date.
 7. The filing, including exhibits, is incorporated by reference into this order.
 8. On April 30, 2020, TDI published notice of the filing on the TDI website at www.tdi.texas.gov/rules/2020/nccimannual.html and distributed notice of the filing to electronic news subscribers.
 9. TDI did not receive any written comments on the filing by the June 1, 2020, deadline.
 10. Because the proposed effective date of *Item B-1440* has passed, TDI has changed the date to apply to new and renewal workers' compensation policies that are effective on or after 12:01 a.m. on August 1, 2020.

Conclusions of Law

1. TDI has jurisdiction over this matter under Insurance Code Article 5.96 and Insurance Code §§2051.002, 2051.201, 2052.002, 2053.002, 2053.011, 2053.051, and 2053.052.
2. TDI gave notice in compliance with Commissioner's Order No. 3142.
3. The amendments to the NCCI Basic Manual are consistent with Insurance Code Article 5.96 and Chapters 2051, 2052, and 2053.
4. Applying the changes in *Item B-1440* to new and renewal policies that are effective on or after 12:01 a.m. on August 1, 2020, is reasonable.

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Order

It is ordered that NCCI's filing, *Item B-1440*, is approved. The changes in *Item B-1440* apply to new and renewal policies that are effective on or after 12:01 a.m. on August 1, 2020.

Kent C. Sullivan
Commissioner of Insurance

DocuSigned by:
By: Doug Slape
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Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

Recommended by:

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Mark Worman, Deputy Commissioner

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