



January 12, 2017

VIA SERFF

THE HONORABLE TRINIDAD NAVARRO
INSURANCE COMMISSIONER
DEPARTMENT OF INSURANCE
STATE OF DELAWARE
841 SILVER LAKE BOULEVARD
DOVER DE 19904-2465

Attention: Mitch Crane, Deputy Insurance Commissioner

**RE: DCRB Filing No. 1608 – Proposed Retroactive to January 1, 2015.
Proposed Revisions to Section 4 of the Manual**

Dear Commissioner Navarro:

On behalf of the members of the Delaware Compensation Rating Bureau, Inc. (DCRB), we hereby submit the proposed filing for revisions to the DCRB Workers' Compensation Manual of Rules, Classifications and Rating Values for Workers' Compensation and Employers Liability Insurance (Basic Manual). Previous PCRFB Filing No. 1403 proposed revisions to the Basic Manual to reflect countrywide changes in line with National Council on Compensation Insurance, Inc. (NCCI) Item B-1426. NCCI Item B-1426 included a proposal to discontinue the aircraft passenger seat surcharge, represented by DCRB Code 9108, Passenger Seat Surcharge. The Department approved DCRB Filing No. 1403 for new and renewal policies effective 12:01 a.m., January 1, 2015 and later. Concurrent with the Department's approval of DCRB Filing No. 1403, Sections 1, 2, 3, 5 and 6 of the Basic Manual were revised to delete reference to Code 9108 and the Passenger Seat Surcharge.

It has come to staff's attention that DCRB Filing No. 1403 overlooked the fact that Section 4 of DCRB's Manual also included two references to Code 9108. The December 1, 2016 edition of the Basic Manual continues that reference to Code 9108. This filing proposes to correct this oversight by deleting the Section 4 references to Code 9108. DCRB proposes that these revisions be made effective retroactively to January 1, 2015 so that all editions of the Basic Manual are made consistent with current classification procedure. DCRB finds this revision to be noncontroversial and no employer's premium will be impacted by the revision. As such, DCRB respectfully requests your prompt review and approval of this filing. DCRB is pleased to answer any questions you or your staff may have.

Sincerely,

A handwritten signature in black ink that reads "William V. Taylor". The signature is written in a cursive, flowing style.

William V. Taylor
President

DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE

Proposed Effective January 1, 2017

INFORMATION PAGE through **Section 3 – Endorsements** remains unchanged.

SECTION 4

**RULES AND PROCEDURE GOVERNING
THE APPLICATION OF THE RETROSPECTIVE
RATING PLANS - DELAWARE**

**PART ONE
DESCRIPTION OF THE PLAN**

II. DEFINITIONS

A through D remain unchanged

E. STANDARD PREMIUM

For the purpose of this Plan.....premium shall exclude:

No change to Numbers 1, 2 or 3.

~~4. Premium developed by the passenger seat surcharge under Code 9108 Private Aircraft – passenger capacity.~~

~~5.4.~~ Premium developed for the occupational disease rates for risks subject to the Federal Coal Mine Health and Safety Act.

~~6.5.~~ Premium developed by the charge for Terrorism.

~~7.6.~~ Premium developed by the charge Catastrophe (other than Certified acts of Terrorism) provision located in the Basic Manual.

F. INCURRED LOSSES

Incurred losses used in the rating formula.....non-rateable supplemental load shall be excluded.

~~The rating formula shall not include losses involving passenger employees resulting from the crash of an aircraft under classification code 9108.~~

For complete details on instructions which shall be followed regarding incurred losses, refer to the Unit Statistical Plan Manual.

G through J remain unchanged

SECTION 4 - III. Eligibility For The Plan through **SECTION 6 – Merit Rating Plan** remain unchanged

DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE

Proposed Effective January 1, 2017

INFORMATION PAGE through **Section 3 – Endorsements** remains unchanged.

SECTION 4

**RULES AND PROCEDURE GOVERNING
THE APPLICATION OF THE RETROSPECTIVE
RATING PLANS - DELAWARE**

**PART ONE
DESCRIPTION OF THE PLAN**

II. DEFINITIONS

A through D remain unchanged

E. STANDARD PREMIUM

For the purpose of this Plan.....premium shall exclude:

No change to Numbers 1, 2 or 3.

4. Premium developed for the occupational disease rates for risks subject to the Federal Coal Mine Health and Safety Act.

5. Premium developed by the charge for Terrorism.

6. Premium developed by the charge Catastrophe (other than Certified acts of Terrorism) provision located in the Basic Manual.

F. INCURRED LOSSES

Incurred losses used in the rating formula.....non-rateable supplemental load shall be excluded.

For complete details on instructions which shall be followed regarding incurred losses, refer to the Unit Statistical Plan Manual.

G through J remain unchanged

SECTION 4 - III. Eligibility For The Plan through **SECTION 6 – Merit Rating Plan** remain unchanged