

Title 14
INDEPENDENT AGENCIES
Subtitle 09 WORKERS' COMPENSATION COMMISSION
14.09.13 Individual Employer Self-Insurer

Authority: Labor and Employment Article, §§9-309, 9-402, 9-403, 9-405, and 9-406,
Annotated Code of Maryland

Notice of Proposed Action

[17-223-P]

The Workers' Compensation Commission proposes to amend Regulations **.02** and **.04** under **COMAR 14.09.13 Individual Employer Self-Insurer**. This action was considered at a public meeting held on June 22, 2017, notice of which was given by publication in 44:11 Md. R. 573 (May 26, 2017), pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to clarify what information is to be provided to the Commission when a self-insured voluntarily withdraws from the self-insurance program.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Amy Lackington, Administrator, Workers' Compensation Commission, 10 E. Baltimore Street, Baltimore, MD 21202, or call 410-864-5300 (TTY 800-735-2258), or email to alackington@wcc.state.md.us, or fax to 410-864-5301. Comments will be accepted through January 22, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Workers' Compensation Commission during a public meeting to be held on February 8, 2018, at 10 E. Baltimore Street, Baltimore, MD 21202.

.02 Application.

A. — B. (text unchanged)

C. Approval.

(1) In determining whether an applicant is eligible for self-insurance and in establishing the amount of surety required, the Commission shall consider all relevant factors including the following:

(a) — (c) (text unchanged)

(d) Workers' compensation loss history of the applicant; [and]

(e) The number of years in business, with a minimum of 3 consecutive years before application[.]; *and*

(f) *Number of employees.*

(2) (text unchanged)

.04 Voluntary Withdrawal from the Self-Insurance Program.

A. A self-insurer who voluntarily withdraws its privileges or the privileges of a self-insured subsidiary shall:

(1) [Do so in writing to the Commission. The] *Provide* written notice [shall be made] to the Commission by personal delivery or by certified mail, return receipt requested[.], *including a:*

(a) *Recent actuarial report;*

(b) *Claims payment history for up to 5 years; and*

(c) *Current loss run; and*

(2) (text unchanged)

B. (text unchanged)

R. KARL AUMANN
Chairman