

BULLETIN

January 20, 2010

Contact: Ms. Annmarie Visciano
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R.C. 2225

To: The Members of the Board

RE: New York Workers Compensation & Employers Liability Manual
Submission of Carrier Notices
Issue Date- January 1, 2010

The Underwriting Committee of the New York Compensation Insurance Rating Board has authorized, and the New York State Insurance Department has approved an amendment to the New York Workers Compensation & Employers Liability Manual regarding the submission of policy transactions.

Since the NYCIRB no longer accepts hard copy policy transactions, the New York Workers Compensation and Employers Liability Manual required an updated statement regarding carrier requirements for transmitting policies in a way which reflects this change. On page P-5 of the Manual, the 'Note' has been clarified and now indicates that these notices are to be filed with the Rating Board rather than sent to the Rating Board. The language has also been amended to reflect the fact that non-renewals must also be filed with the Rating Board.

Attached is the amended NY WC & EL Manual page P-5, which has an Issue Date of January 1, 2010.

These amendments are also included in an updated version of the New York Workers Compensation & Employers Liability Manual which is available via our website at: www.nycirb.org.

Very truly yours,

Monte Almer

President

WVT:tg
Encl.

Note: If an employer has obtained insurance with another carrier and the effective date of coverage is prior to the expiration of the time stated in the cancellation notice, the cancellation shall be effective as of the effective date of the other coverage.

2. Reinstatements

When a policy has been terminated by cancellation or has expired, the policy shall not be reinstated or renewed by certificate. Coverage may be afforded only upon issuance of a new policy. If, however, a notice of cancellation has been mailed to the insured, as provided by statute, the policy may be reinstated at any time before the effective date of the cancellation as shown in the notice. If a policy is to be reinstated before the effective date of cancellation, electronic notification of such reinstatement must be sent to the Chair of the Workers' Compensation Board.

3. Notice of Intention Not to Renew

As provided by statute, no insurer shall refuse to renew a policy unless notification has been sent to the employer, by registered or certified mail, and has also been filed electronically with the Chair of the Workers' Compensation Board at least thirty (30) days prior to the expiration of the policy.

★ **Note:** Insurers must also file with the Rating Board copies of notices of cancellation, reinstatement and non-renewal which have been filed with the Chair of the Workers' Compensation Board.

L. NEW YORK ENDORSEMENTS

1. Forms—Where Found

Part Four of this manual—Policy Forms and Authorized Endorsements—contains copies of the standard Workers Compensation and Employers Liability Insurance Policy, Volunteer Firefighters' Benefit Law Policy, Volunteer Ambulance Workers' Benefit Law Policy, Information Page, and all endorsement forms approved for use in New York (both countrywide and New York special endorsements).

Also included are certain standardized forms accepted in New York for use to provide or amend insurance under the United States Longshore and Harbor Workers' Compensation Act, Admiralty Laws or the Federal Employers' Liability Act. All forms which are approved for use in New York may be obtained by contacting the National Council on Compensation Insurance, Director of Publications Services, 901 Peninsula Corporate Circle, Boca Raton, FL 33487.

The title of each form available for use in New York is shown in the Alphabetical List of Endorsements in Part Four.

2. Forms—Standard

The forms shown in Part Four are standard forms approved for use in New York.

The company may use its own attachment clause and method of execution, i.e. use of Carrier Form Numbers. Endorsements which use custom form numbers are not required for filing with NYCIRB. However, any deviation, modification, or customization of any standard form, whether national or NY specific, requires specific filing and approval from the NYCIRB.