

HOUSE BILL NO. HB0154

Workers' compensation-voluntary premium deductible.

Sponsored by: Representative(s) Robinson, Boswell, Cohee
and Hinckley and Senator(s) Case, Coe,
Massie and Peck

A BILL

for

1 AN ACT relating to workers' compensation; creating a
2 voluntary premium deductible program for employers as
3 specified; conforming provisions; and providing for an
4 effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 27-14-201 by creating a new
9 subsection (t) and 27-14-207(b) and (c) are amended to
10 read:

11

12 **27-14-201. Rates and classifications; rate surcharge.**

13

14 (t) The division may, in accordance with its rules
15 and regulations, create and implement a premium deductible

1 program. The following provisions shall apply to the
2 premium deductible program:

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4 (i) Participating employers shall sign a
5 contract with the division, clearly identifying the terms
6 of the program;

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8 (ii) Participating employers shall be assigned a
9 reduced industry base rate for premium calculation
10 purposes. The industry base rate reduction shall be
11 determined in a manner that reflects the dollar amount of
12 the deductible and is consistent with an actuarially sound
13 workers' compensation account;

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15 (iii) Participating employers shall be
16 financially stable, in good standing with the division, and
17 participate in the safety program provided under subsection
18 (o) of this section;

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20 (iv) Participating employers shall report all
21 work injuries within the timeframes specified in W.S.
22 27-14-502;

23

1 (v) Participating employers failing to meet the
2 requirements of the premium deductible program shall have
3 their premium base rate reinstated at the full industry
4 base rate, retroactive to the reporting period in which the
5 employer first became noncompliant. Employers whose premium
6 base rate is reinstated at the full industry base rate
7 under this paragraph shall not be re-eligible for the
8 premium deductible program for a minimum of eight (8)
9 calendar quarters;

10
11 (vi) Participation in the premium deductible
12 program cannot be transferred to a successor employer nor
13 can it be incorporated as part of a merger among employing
14 units.

15
16 **27-14-207. Employer registration required; employer**
17 **acquiring trade of another employer.**

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19 (b) Except as provided in subsection (c) of this
20 section, an employer acquiring the trade, organization,
21 business or substantially all of the assets of an employer
22 subject to this act shall assume the previous employer's
23 account, experience rating and premium rate as assigned by
24 the division, provided the previous employer is not

1 participating in the premium deductible program under W.S.
2 27-14-201(t). If the previous employer is participating in
3 the premium deductible program, the acquiring employer
4 shall assume the previous employer's account, experience
5 rating and premium rate as determined without premium
6 deductible program eligibility. The acquiring employer
7 shall make contributions at the premium rate which is in
8 effect at the time of the acquisition based on the existing
9 account's classification, experience rating and any
10 surcharge which may apply, as determined without premium
11 deductible program eligibility.

12

13 (c) An employer acquiring the trade, organization,
14 business or substantially all of the assets of any employer
15 subject to this act whose owners or shareholders have not
16 held an ownership interest in the employer being acquired
17 within one (1) year previous to the date of acquisition
18 shall assume the previous employer's account number,
19 experience rating and premium rate as assigned by the
20 division. ~~An acquiring employer paying the obligation of~~
21 ~~an acquired employer as of April 1, 1999, who would have~~
22 ~~otherwise met the conditions of this subsection, shall not~~
23 ~~be liable for any unpaid obligations or liabilities of the~~
24 ~~acquired employer remaining after April 1, 1999~~ provided

1 the previous employer is not participating in the premium
2 deductible program under W.S. 27-14-201(t). If the
3 previous employer is participating in the premium
4 deductible program, the acquiring employer shall assume the
5 previous employer's account, experience rating and premium
6 rate as determined without premium deductible program
7 eligibility.

8

9 **Section 2.** This act is effective July 1, 2003.

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(END)