

West Virginia Offices of the Insurance Commissioner
Workers' Compensation
Retrospective Rating Plan Guidelines

The West Virginia Offices of the Insurance Commissioner will consider for approval all reasonable retrospective rating plans. The guidelines below apply specifically to the workers' compensation line and are provided to assist insurers when developing retrospective rating plans for West Virginia's privatized workers' compensation market.

These guidelines are not all-inclusive; filings will be reviewed on an individual basis. This document is intended to provide carriers with guidance when preparing and submitting filings.

- All retrospective rating plans will be subject to a minimum and maximum premium.
- Retrospective plans must be offered to employers on a voluntary basis.
- All plans must contain a specific coverage period.
- The initial premium level for retrospective plans must be \$100,000.
- The entity sponsoring a retrospective rating plan must have a written workplace safety and accident prevention plan.
- The employer cannot have any unpaid audit findings or other unpaid billings when applying for a retrospective rating plan.
- The employer must satisfy financial standards demonstrating strength and stability prior to establishing a retrospective rating plan, documentation must be provided.
- The employer must demonstrate the ability to sustain losses that are at the maximum claim limit for the retrospective rating plan and still maintain its financial viability.
- All retrospective rating plans must ensure that it does not conflict with the NCCI plan (when filed) or is filed as a deviation to such.
- All retrospective rating plans must state what percentage of premium is retained by the carrier to cover expenses for costs and factors other than claims.

Questions pertaining to these guidelines should be directed to the Rates and Forms Division's Property and Casualty Section at (304) 558-2094 or via email at OICRatesForms@wv.gov.