

HOUSE BILL NO. HB0212

Workers compensation-claim apportionment.

Sponsored by: Representative(s) Larsen

A BILL

for

1 AN ACT relating to workers compensation; authorizing the
2 division to determine the chargeability of claims costs to
3 an employer's experience rating; and providing for an
4 effective date.

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

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8 **Section 1.** W.S. 27-14-201(d) is amended to read:

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10 **27-14-201. Rates and classifications; rate surcharge.**

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12 (d) In addition, the plan of rating shall use an
13 experience rating system based on three (3) years claim
14 experience, or as much thereof as is available, for
15 employers enrolled under it. This system shall reward
16 employers with a better than average claim experience,

1 penalize employers with a worse than average claim
2 experience and may provide for premium volume discount so
3 long as the account remains actuarially sound. Discounts
4 from or penalties added to base employment classification
5 rates because of claim experience shall not exceed sixty-
6 five percent (65%). The experience rating of the employer
7 against whom a claim is made shall be charged only that
8 proportion of total benefits payable equal to the
9 percentage that employment with that employer contributes
10 to the cause of the injury. An employer may apply to the
11 division for a determination of experience rating
12 chargeability for an injury to one (1) of the employer's
13 employees. The division's determination of chargeability
14 shall be reviewable as provided in W.S. 27-14-601(k)(iii)
15 and (iv). If the division determines that an employee's
16 injury was caused by a third party, the claim costs shall
17 not be charged to the employer's experience rating.

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19 **Section 2.** This act is effective July 1, 2015.

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21 (END)