

Title 14

INDEPENDENT AGENCIES

Subtitle 09 WORKERS' COMPENSATION COMMISSION

14.09.12 Responsibilities of Insurers

Authority: Insurance Article §19-406; Labor and Employment Article, §§9-309, 9-404, 9-405, 9-409, 9-410, and 9-744; Annotated Code of Maryland

Notice of Proposed Action

[17-224-P]

The Workers' Compensation Commission proposes to amend Regulations **.02** and **.03** under **COMAR 14.09.12 Responsibilities of Insurers**. 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 is meant by “competent individual” and to correct an inadvertent omission of the words “to handle.”

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 Notices of Insurance, Cancellation, Reinstatement, and Election of Coverage.

A. Notice of Insurance. When an insurance policy is issued or renewed, the insurer issuing or renewing it shall file a Notice of Insurance with the Commission designee within [30] 45 days after the effective date of the policy.

B. — E. (text unchanged)

.03 Handling and Adjusting Disputed Claims.

A. An insurer that provides workers' compensation insurance in Maryland shall have in the State competent individuals who:

(1) Handle and adjust each disputed workers' compensation claim for the insurer; [and]

(2) *Have authority to resolve claims without having to routinely contact an out-of-State representative of the insurer; and*

[(2)] (3) (text unchanged)

B. If an insurer files issues to dispute a claim, the filing shall be done in the State by competent individuals who:

(1) Handle and adjust each disputed workers' compensation claim for the insurer; [and]

(2) *Have authority to resolve claims without having to routinely contact an out-of-State representative of the insurer; and*

[(2)] (3) Possess the knowledge and experience *to handle* and adjust each disputed claim.

C. — G. (text unchanged)

R. KARL AUMANN
Chairman