

LINE OF BUSINESS:	Workers Compensation	LINE(S) OF INSURANCE:	CODES:
CODE:	16	Alternative Workers' Compensation	16.0001
		Employers Liability	16.0002
		Excess Workers' Compensation	16.0003
		Standard Workers Compensation	16.0004
IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN			

REVIEW REQUIREMENTS	REFERENCES	DESCRIPTION OF REVIEW STANDARDS / REQUIREMENTS
GENERAL REQUIREMENTS FOR ALL FILINGS		
ADOPTING ANOTHER INSURER'S FILING / "ME TOO" FILINGS		Must include the other insurer's Maine approved SERFF file tracking number(s) or a complete copy of the stamped Maine approved filing
EFFECTIVE DATE		Policies effective at 12:01 AM Standard Time
ELECTRONIC FILINGS	Insurance Bulletin 360 Title 24-A § 2382-C . Filing of Rates and other rating information; filing of forms Title 24-A § 2412 Filings, approval of forms	Maine requires that all rate and form filings be filed electronically through the NAIC's System for Electronic Rate and Form Filings (SERFF). See also Bureau of Insurance Bulletin 360 Electronic Submissions of Rate and Form Filings. Enter New Business and Renewal effective dates under the General Information tab in SERFF.
FILING SUBMISSION	Title 24-A § 2412 Filings, approval of forms Title 24-A § 2382-C . Filing of Rates and other rating information; filing of forms	Form filing requirements. Rate filing requirements.
LINE OF AUTHORITY	Workers' Compensation	Must have requisite certificate of authority to transact business before submitting rate/rule/form filing
PRIOR APPROVAL FILE & USE	Title 24-A §2382-C . Filing of Rates and other rating information; filing of forms Title 24-A - §2412 . Filing, approval of forms	
SIDE BY SIDE COMPARISON		Please provide a marked-up copy of the existing rate/rule page(s) or forms being revised highlighting all changes by underlining additions and striking through deletions.
THIRD PARTY FILERS AUTHORITY	Title 24-A - §2412 . Filing, approval of forms Title 24-A - §2304-A . Rate filings	Must include authorization to communicate directly with third party filers.

WORKERS' COMPENSATION EXCESS INSURANCE	Title 39-A §403(10 &11) Rule Chapter 250 -- Eligibility Requirements to Self-Insure Title 24-A - §4433 . Exclusion from Guaranty Fund	Qualifications for Re-insurance. Eligibility Requirements to Self-Insure Contracts of workers' compensation excess insurance issued to workers' compensation self-insurers approved under former Title 39, section 23 or under Title 39-A, section 403 by any insurer after the effective date of this paragraph, or in the case of a contract that automatically renews, not later than one year after the effective date of this paragraph.
FORMS - POLICY PROVISIONS		
ACCESS TO COURTS	Title 24-A - §2433 . Jurisdiction of courts, limitation of actions	Maine Courts have jurisdiction.
ACTION AGAINST COMPANY	Title 24-A - §2433 . Jurisdiction of courts, limitation of actions	Insured must be given 2 years from date of loss to bring suit against insurer. Foreign insurers.
AMBIGUOUS & MISLEADING	Title 24-A - §2413 . Grounds for disapproval	
APPLICATIONS	Title 24-A - §2411 . Representations in applications Title 24-A - §2412 . Filing, approval of forms Title 24-A - § 2186 Insurance Fraud Prevention	All statements are considered representations not warranties Must file applications only if to be made part of the policy. The Maine Fraud Warning must appear permanently affixed on all applications (i.e. new business, renewal, supplemental, etc...)
ARBITRATION	Title 39-A - §314 . Arbitration	Any workers' compensation claims reaching the hearing stage may go to arbitration if the parties agree in writing. Arbitration shall be in the county in which the injury occurred or elsewhere if the parties agree.
CANCELLATION	Title 24-A - §2908 . Cancellation and nonrenewal Title 39-A - §403(1) . Insurance by assenting employer; requirements as to self-insurers	Notice of cancellation must be in writing and given to the insured and to the Maine Workers' Compensation Board at least 30 days in advance. The effective date and the reason for cancellation must be stated on the notice.
FICTITIOUS GROUPS	Title 24-A - §2172 . Fictitious groups prohibited	Prohibited
FRAUD WARNING	Title 24-A - §2186 . Insurance fraud prevention	Statutory (or substantially similar) wording must be included on all applications (i.e. new business, renewal, supplemental, etc...) and claim forms
MANUSCRIPT ENDORSEMENTS	Title 24-A - §2412 . Filing, approval of forms	Manuscript forms must be filed. Each manuscripted change is subject to review and can be filed as a consent to form filing pursuant to 24-A § 2308(2) .
NON-COOPERATION WITH PREMIUM AUDIT ENDORSEMENT		The Bureau will consider up to 2 times (200%) the estimated rating basis.
PAYMENT OF TIME LOSS PERIOD	Title 39-A - §205 . Benefit payment	The first payment of compensation for incapacity under Title 39-A, Section 212 or 213 is due and payable within 14 days after the employer has notice or knowledge of the injury or death, on which date all compensation then accrued must be paid. Subsequent incapacity payments must be made weekly and in a timely fashion. Reports shall be furnished to the Maine Workers' Compensation Board as required.

POST JUDGMENT INTEREST	Bulletin 353 : Bureau of Insurance Title 14 § 1602-C . Interest after judgment	Maine statutory law provides for the payment of post-judgment interest and case law has held that an insurer must pay post-judgment interest as a supplemental payment without regard to the policy terms (i.e. policy limit, sub-limits, exclusions, deductibles, retentions, etc...).
PRIOR APPROVAL FILE & USE	Title 24-A - §2412 . Filing, approval of forms	Statute contains a deemer provision
PRIVACY NOTICE	Title 24-A - §2206 . Notice of insurance information practices	See Title 24-A, Ch.24 generally for insurance information and privacy protection.
SIGNATURES	Title 24-A - §2416 . Execution of policies	
SUBROGATION	Title 24-A - §2910-A . Subrogation; medical payments coverage Title 24-A, §3002 : Standard fire policy required; exceptions	Policy may not provide for subrogation or priority over an insured for medical payments
VOIDANCE	Title 24-A - §2411 . Representations in applications	Maine does not allow insurers to void coverage for concealment, misrepresentation or fraud except in compliance with Maine case law. See American Home Assurance Co. v. Ingeneri, 479 A.2d 897 (Me. 1984).
WARRANTIES	Title 24-A - §2411 . Representations in applications	Statements on applications are deemed to be representations, not warranties
RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY		
"A" RATED RISKS	Title 24-A § 2382-C . Filing of Rates and other rating information; filing of forms	"a" rates and ranges must be filed along with any rates designated as "refer to company" or similar phrasing.
ADVISORY LOSS COST DELAYS, MODIFICATION, NON-ADOPTION	Title 24-A §2303 Making of rates Title 24-A § 2382-C . Filing of Rates and other rating information; filing of forms Title 24-A - §2304-B . Reference filings Title 24-A §2321-D . Advisory organizations; permitted activity Title 24-A - §2321-E . Filing of prospective loss costs and supplemental information Insurance - Bulletin 176	If an insurer that has filed to have its loss cost adjustments remain on file with the Bureau intends to delay, modify, or not adopt particular advisory organization's Reference Filing, the insurer must make a filing with the Bureau. The insurer's filed loss cost adjustments will remain in effect until the insurer withdraws them or files and receives approval of a revised Reference Filing Adoption Form.
APPORTIONMENT OF PREMIUM	Rule Chapter 550 Apportionment of Premium	If the policy also covers risks other than Maine exposure, its premium shall be calculated as follows: all Maine exposure must be accurately measured and subject to a separately itemized charge calculated on the basis of the Maine rate. The remainder of the premium must be calculated in a manner that is reasonably designed to reflect the employer's exposure under the worker's compensation laws of other states.
CALCULATION OF UNEARNED/RETURN PREMIUM	Title 24-A §2382-C . Filing of Rates and other rating information; filing of forms	Must be filed as part of rating plan
CATASTROPHE HAZARDS	Title 24-A - §2303 . Making of rates	Rate provisions must be supported by experience or relevant catastrophe models

CHARGES, FEES, & PAYMENT PLANS	Title 24-A § 2382-C . Filing of Rates and other rating information; filing of forms Title 24-A, §2403 : "Premium" defined Insurance Bulletin 383 Title 24-A - §2174(2) . Illegal dealing in premiums; excess charges for insurance	Must be filed as part of rating plan
CLASSIFICATION SYSTEM	Title 24-A - §2382-B . Uniform Administration of Classifications	
COMPETITION	Title 24-A, §2304-A : Rate filings	May support filing by citing specific competitors SERFF file tracking number or providing a complete copy of the stamped Maine approved filing.
CONSENT-TO-RATE	Title 24-A - §2308 . Excess rates	A rate in excess of that provided by a filing may be used on any specific risk, providing that the following requirements are satisfied: The insurer files a written application with the superintendent signed by the insured or applicant stating the reasons for the request. The superintendent assents to the use of an excess rate for the specific risk.
DEDUCTIBLES	Title 24-A - §2385 . Optional deductibles Title 24-A - §2385-A . Medical expense deductibles Insurance - Bulletin 198	Indemnity deductibles must be available for indemnity benefits in amounts of \$1,000 and \$5,000 per claim and in other reasonable amounts as may be approved by the superintendent. Claims must first be paid by the insurer and then reimbursed by the employer up to the limit of the deductible.
DISAPPROVAL OF RATES, GROUNDS FOR	Title 24-A - §2382-E . Disapproval of rates	Rates in the voluntary market shall be disapproved if they are inadequate or unfairly discriminatory. Rates in the residual market shall be disapproved if they are excessive, inadequate or unfairly discriminatory.
EXPENSE MODIFICATION PLAN	Insurance- Bulletin 233	
EXPENSES & EXPERIENCE	Title 24-A - §2303 . Making of rates	Rate and loss costs multiplier calculation should reflect expenses of insurer
EXPERIENCE RATING	Title 24-A - §2382-B Title 24-A - §2382-D	
FEES & SERVICE CHARGES	Title 24-A § 2382-C . Filing of Rates and other rating information; filing of forms Title 24-A - § 2403 . "Premium" defined Insurance – Bulletin 383	Must be filed as part of rating plan. Fees and service charges include those associated with collection expense such as installment, nonsufficient funds, reinstatement, late and convenience fees, and other fees associated with policy issuance and delivery. Fees include those imposed by third-party vendors, such as automated clearing houses.
FILE & USE	Title 24-A §2382-C . Filing of Rates and other rating information; filing of forms	Must be filed as part of rating plan

INDIVIDUAL RISK RATING	Title 24-A - §2303 . Making of rates Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms Title 24-A §2412 -A. Large commercial contracts Title 24-A - §2308 . Excess rates	Permitted if risk meets specified criteria.
IRPM/ SCHEDULE RATING	Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms	Must be filed as part of rating plan. The maximum aggregate debit/credit permitted is 25%
LOSS COST MULTIPLIERS	Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	Insurer may satisfy rate filing requirements by adopting advisory organization filings and filing loss costs multiplier
MERIT RATING	Title 24-A - §2382 Uniform experience rating plan; merit rating plan	
MINIMUM PREMIUM RULES	Title 24-A §2382 -C. Filing of Rates and other rating information; filing of forms	Must be filed as part of rating plan.
MODELS	Title 24-A - §2304-A . Rate filings Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms	All models (i.e., insurance scoring, GLMs, other rating variables, tiering...) must be filed as part of the rating plan.
MULTI-TIER	Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms	Must be filed as part of rating plan.
PREMIUM AUDIT	Rule Chapter 470 - Premium Audit	
PRE-PAYMENT OF PREMIUM	Title 39-A - §402 . Prepayment of premium	An insurance company that issues workers' compensation insurance policies may not require prepayment of premium more than ¼ year in advance.
PROFIT LOADING	Title 24-A - §2303 . Making of rates	Rate and loss costs multiplier calculation may reflect profit loading and must include consideration for investment income
RATE/LOSS COST (WC)	Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms	All aspects of pricing must be filed and supported and/or may adopt advisory organization reference filings and file loss costs multiplier
REBATE	Title 24-A - §2162 . Unfair discrimination, rebates prohibited -- property, casualty, surety insurance Title 24-A §2163 . Receipt of rebate, illegal inducement prohibited Title 24-A § 2163 -A. Permitted activities Insurance Bulletin 233 Insurance Bulletin 426	

RETROSPECTIVE RATING	Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms Title 24-A - §2382 . Uniform experience rating plan; merit rating plan	Must be filed as part of rating plan.
SCHEDULE RATING (AKA UNDERWRITING JUDGEMENT)	Title 24-A - §2382 . Rate standards	Must be filed as part of rating plan and a maximum aggregate credit/debit permitted is 25%
SUPPORTING DATA	Title 24-A - §2302-A . Definitions Title 24-A - §2303 . Making of rates Title 24-A - §2382 . Uniform experience rating plan; merit rating plan Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	All aspects of pricing must be filed and supported and/or may adopt advisory organization reference filings and file loss costs multiplier
TRENDING	Title 24-A - §2303 . Making of rates Title 24-A §2382 -C. Filing of Rates and other rating information; filing of forms Title 24-A - §2304-B . Reference filings Insurance - Bulletin 176	All aspects of pricing must be filed and supported by experience and/or may adopt advisory organization reference filing and file loss costs multiplier
UNDERWRITING GUIDELINES	Title 24-A - §2304-A . Rate filings Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms Insurance Bulletin 415	Must be filed as part of rating plan.
WRAP-UP RATING	Title 24-A § 2382 -C. Filing of Rates and other rating information; filing of forms	