



Pennsylvania Compensation Rating Bureau

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September 27, 2011

BUREAU CIRCULAR NO. 1591

To All Members of the PCRB:

Re: **NEW FEDERAL MINE SAFETY AND HEALTH ACT COVERAGE SERVICE**

EFFECTIVE NOVEMBER 30, 2011

The Pennsylvania Compensation Rating Bureau (PCRB) has entered into an agreement with the National Council on Compensation Insurance, Inc. (NCCI) that enables the PCRB to meet, on behalf of its members, the new electronic reporting requirements concerning proof of coverage under the Federal Mine Safety and Health Act imposed on the insurance industry by the United States Department of Labor (US DOL), Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation (DCMWC).

Background

Currently, insurance companies that write workers' compensation coverage providing the Federal Mine Safety and Health Act coverage are required to file hard copy form CM-921 directly to the DCMWC in addition to reporting their policy to the PCRB.

The DCMWC has notified the industry of its intention to phase out hard copy reporting effective November 30, 2011 and to replace it with electronic filings. The DCMWC has authorized NCCI to act as the data collection organization on behalf of the industry. Attached is the US DOL Notification – Report of Issuance of Policy – Federal Mine Safety and Health Act Proof of Coverage dated September 23, 2011.

Federal Coal Mine Data Reporting

Effective November 30, 2011, insurance companies that write workers' compensation coverage providing the Federal Mine Safety and Health Act coverage should no longer file the hard copy form CM-921 directly to the DCMWC.

The PCRB intends to electronically report the required proof of coverage information that we can obtain from the current policy submissions to our office to NCCI. In turn, as the authorized data collection organization for the US DOL-DCMWC, NCCI will deliver this information to the US DOL.

Federal Coverage Reporting Requirements

On your behalf, the PCRB intends to include policy transactions that are submitted to the PCRB:

- when Federal Mine Safety and Health Act coverage is provided under WC 00 01 02 A – Federal Coal Mine Safety and Health Act Coverage Endorsement

AND EITHER

- when one or more of PCRB's federal occupational disease class codes (0162, 0164) is listed on the policy,

OR

- when one or more of the Federal Coal Mine Safety and Health Act Coverage exposure codes is included in the policy transmission. Those codes are Code 3 – Coverage under the Federal Coal Mine Safety and Health Act and Code 4 – Coverage under the Federal Coal Mine Safety and Health Act and the State Act.

Questions about Federal coverage reporting requirements should be directed to Bonnie Piacentino, Vice President, Data Management, at Extension 4456 or bpiacentino@pcrb.com.

Timothy L. Wisecarver
President

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Remember to visit our web site at www.pcrb.com for more information about this and other topics.



September 23, 2011

TO: ALL AUTHORIZED ENTITIES WRITING WORKERS COMPENSATION POLICIES IN ANY US STATE

SUBJECT: REPORT OF ISSUANCE OF POLICY—FEDERAL MINE SAFETY AND HEALTH ACT PROOF OF COVERAGE

Carriers are required to report the issuance of policies that provide Federal Mine Safety and Health Act coverage in accordance with 20 CFR § 726.208 as well as notices of cancellation of policies in accordance with same. The manner of submission for proof of coverage issued in all states required the mailing on a USDOL standard form CM-921 in hard copy directly to the National Office. It is our intention to phase out hard copy reporting and to replace it with electronic filings to the national office of the Division of Coal Mine Workers' Compensation by November 30, 2011.

The Division of Coal Mine Workers' Compensation has authorized the National Council on Compensation Insurance, Inc. (NCCI), to act as the Data Collection Organization (DCO) on behalf of the industry. As DCO, NCCI is authorized on behalf of the industry to collect, translate, archive and electronically transmit reports of issuance and cancellation of policies and endorsements in the US DOL approved format for all states. In order to implement this transition to electronic reporting, NCCI will work with the Independent Bureaus and other state jurisdictions to secure the necessary data. NCCI will begin testing with the US DOL immediately concluding by November 30, 2011 at which time all carriers, and insuring entities should be transitioned to electronic reporting. The US DOL will require an initial historical data file. NCCI will coordinate this process with the Independent Bureaus, carriers and other state jurisdictions responsible for supplying this historical data.

We emphasize that NCCI is to act on behalf of the reporting entities to submit issuance and cancellations of policies and endorsements by electronic means. They are not under contract to the Division of Coal Mine Workers' Compensation. Please direct any technical questions to NCCI, Linda Presutti, at 561-893-2048.

If you have questions relating to this notice, please contact me at 202-693-0947 or through benedict.david@dol.gov. Thank you for your cooperation.

A handwritten signature in blue ink, appearing to read "David E. Benedict".

David E. Benedict, CPCU AIE
Division of Coal Mine Workers' Compensation