

SENATE FILE NO. SF0167

Worker's compensation-rate discount, modification & credit.

Sponsored by: Senator(s) Bebout and Representative(s)
Miller and Walters

A BILL

for

1 AN ACT relating to worker's compensation; modifying the
2 rate discount for compliance with a drug and alcohol
3 testing program as specified; providing for an experience
4 modification rate for out of state employers moving
5 operations to Wyoming as specified; providing a premium
6 credit for employers as specified; providing for
7 rulemaking; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 27-14-201(o) (intro) and 27-14-207 by
12 creating a new subsection (h) and by amending and
13 renumbering (h) as (j) are amended to read:

14

15 **27-14-201. Rates and classifications; rate surcharge.**

1

2 (o) The division shall in accordance with its rules
3 and regulations, grant a discount to rates established
4 under this section in an amount not to exceed ten percent
5 (10%) of the base rate for the employment classification of
6 any employer if the employer complies with a safety program
7 approved by the division and a discount in an amount not to
8 exceed ~~five percent (5%)~~ ten percent (10%) of the base rate
9 for the employment classification if the employer complies
10 with a drug and alcohol testing program approved by the
11 division and a discount in an amount not to exceed ten
12 percent (10%) of the base rate for the employment
13 classification if the employer complies with a health and
14 safety consultation program developed by the department of
15 workforce services in consultation with the occupational
16 health and safety commission. In no instance shall the sum
17 total of discounts under this subsection exceed ~~twenty-five~~
18 ~~percent (25%)~~ thirty percent (30%) of the base rate for the
19 employment classification for the employer. The discount
20 for the health and safety consultation program shall only
21 remain in effect for three (3) years after the employer is
22 certified to be in compliance with the health and safety
23 consultation program recommendations. In determining safety

1 program approval, drug and alcohol program approval, health
2 and safety consultation program approval and the total
3 discount granted under this subsection, the division shall
4 consider:

5

6 **27-14-207. Employer registration required; person**
7 **acquiring trade of another employer; transfer of experience**
8 **and assignment of rates; out of state employers.**

9

10 (h) Where an employer has not had prior operations in
11 Wyoming and has not had prior worker's compensation
12 insurance coverage in Wyoming, and moves operations from
13 another state into Wyoming, and begins operations that are
14 the same or similar to operations outside of Wyoming, the
15 division shall assign the employer experience modification
16 rate as calculated per the current experience modification
17 rating formula in place at the time. The division shall
18 assign such experience modification to the partial year
19 ending June 30 after the start of coverage in Wyoming and
20 to the first full policy year subsequent to the start of
21 coverage in Wyoming.

22

1 ~~(h)~~(j) The division by rule and regulation shall
2 establish procedures to identify the transfer or
3 acquisition of a business, or the movement of an out of
4 state operation to Wyoming, for purposes of this section
5 and W.S. 27-14-806. The division may require by regulation
6 an out of state employer to submit any information
7 necessary for the purpose of determining an experience
8 modification rate under subsection (h) of this section.

9
10 **Section 2.** Pursuant to W.S. 27-14-201(q) the
11 department shall establish a premium credit for any
12 employer who has made all required worker's compensation
13 payments for the period beginning January 1, 2016 and
14 ending December 31, 2016. To qualify for the credit, an
15 employer shall be in good standing with the division for
16 all required worker's compensation payments by June 15,
17 2017. Premium credits granted under this paragraph shall
18 become effective on August 1, 2017 and may be used for
19 premium reporting periods from July 1, 2017 through
20 December 31, 2017. Any unused credit will expire January
21 31, 2018.

22

23 **Section 3.**

1

2 (a) Section 1 of this act is effective July 1, 2017.

3

4 (b) Section 2 of this act is effective immediately
5 upon completion of all acts necessary for a bill to become
6 law as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9

(END)