

4123-17-63 Eligibility for group experience rating-size criteria.

(A) To be eligible for group experience rating, the group taken as a whole must include at least one hundred employers, each employer being identified as a separate risk for state fund identification purposes, or the group taken as a whole must be of sufficient size that the premiums of the members, as determined by the administrator, are expected to exceed one hundred fifty thousand dollars during the coverage period, except as provided by paragraph (C) of this rule. The administrator may determine the aggregate premium of the members based upon the historical premium experience of the members, projected payroll, and anticipated premium rates. The evaluation period for determining aggregate premium shall be the rating year beginning two years prior to the coverage period.

(B) For a group of less than one hundred members, the premium requirement shall be deemed to have been satisfied if the aggregate premium to the state insurance fund for the members of the group for the rating year beginning two years prior to the coverage period exceeded one hundred fifty thousand dollars, except as provided by paragraph (C) of this rule. Failure to reach one hundred fifty thousand dollars in premium during the coverage period shall not negate the group coverage.

(C) The bureau shall calculate the premium based upon the actual experience modified premium of the member employers during the evaluation period, including any modification due to group rating. The administrator may waive the requirement that premiums exceed one hundred fifty thousand dollars during the coverage period for a continuing group of substantially similar membership if the sole reason that the premium fails to exceed one hundred and fifty thousand dollars is due to the premium modification discounts earned by the group as a direct result of safety operations of the group rating program, and not due to other factors, such as a departure of members from the group or a reduction in payroll for members of the group.

Effective: 10/11/94

Prior Effective Dates: 10/2/90; 9/14/92