



Ohio Administrative Code

Rule 4123-17-13 Employer application for workers' compensation coverage.

Effective: July 1, 2023

(A) An employer may institute workers' compensation coverage under this rule by submitting an application for coverage that completely provides all the information necessary for the bureau of workers' compensation to establish coverage for the employer.

(1) The application for coverage shall be submitted on a form designated by the bureau that includes, at a minimum, the following information:

(a) The legal name and business entity type, for example corporation, limited liability company, sole proprietorship, or partnership;

(b) Address of the employer;

(c) The federal tax identification number or social security number of the employer;

(d) Information related to the description of the employer's operations, including:

(i) A description of the work done or industry conducted by the employer,

(ii) The estimated average number of employees in each kind of work, and

(iii) The estimated wages of employees in each kind of work over the next twelve months.

(e) Information related to whether the applicant for coverage has purchased an existing business or has another associated policy;

(f) Name of the owners or corporate officers, and, where applicable for elective coverage, the name and necessary identifying information of the sole proprietor, partners, ministers, or officers of the family farm corporation;



(g) Signature of the person completing the application for coverage; and

(h) A non-refundable application fee equal to the minimum administrative annual charge set forth in rule 4123-17-26 of the Administrative Code.

(2) If the bureau receives an application for coverage that does not contain all of the information specified by paragraph (A)(1) of this rule, the bureau will attempt to contact the employer to obtain the necessary information. If the applicant does not provide the necessary information, the bureau will deny the employer's application for coverage based upon the employer's failure to provide all the information specified by paragraph (A)(1) of this rule.

(3) When an applicant fails to provide the information specified by paragraph (A)(1) of this rule and has employed one or more persons, the employer may be considered a non-complying employer under rule 4123-14-01 of the Administrative Code, and the bureau may recover premium and penalties from the employer under rule 4123-14-02 of the Administrative Code.

(B) Upon receipt of the application, the bureau will assign payroll to the classification codes applicable to the duties performed. The bureau will provide the employer notice of its determination regarding the employer's classification codes and division of the employer's payroll within those classification codes, the rates for those classification codes, and estimated premium due for the remainder of the policy year in which the employer applies for initial coverage.

(C) If the bureau determines, after reviewing the information submitted with the application provided for in paragraph (A) of this rule, that the employer was subject to division (B)(2) of section 4123.01 of the Revised Code but failed to comply with the law in matters of workers' compensation coverage, the bureau will notify the employer in writing of such a finding and request any additional information necessary to make a determination of the period for which the employer was not in compliance with the law. Upon such determination, the bureau will notify the employer of the premium and assessments due for the period of noncompliance.

(D) If the bureau determines, after reviewing the information submitted with the application provided for in paragraph (A) of this rule, that the employer is essentially the same employer,



regardless of entity type for which workers' compensation coverage previously had been provided, the bureau may do either of the following:

(1) Transfer the prior policy to the employer, and if necessary reactivate a previously cancelled policy in order to complete the transfer, pursuant to rule 4123-17-02 of the Administrative Code, and the employer will assume any outstanding obligations under the prior policy; or

(2) Deny or rescind the application, and the employer will maintain the prior or existing policy.

(E) Upon receipt of the application fee, the bureau will issue a notice of workers' compensation coverage pursuant to section 4123.83 of the Revised Code. The notice will indicate that coverage is contingent on payment of estimated premium and assessments due.

(F) Upon receipt of the application fee,, the employer's coverage begins.

(1) Unless the provisions of paragraph (D) of this rule apply, such coverage is effective from the date of receipt of the application for coverage pursuant to paragraph (A) of this rule.

(2) A credit in an amount equal to the application fee will be applied to the employer's account upon receipt of the first estimated premium payment.

(3) If the first estimated premium payment is not made, the employers coverage will lapse back to the effective date of the policy.