



Ohio Administrative Code Rule 4123-17-71 Claim impact reduction program.

Effective: July 1, 2024

(A) Definitions.

As used in this rule:

- (1) "Claim impact reduction program" or "CIRP" means the bureau of workers' compensation's voluntary rate program which offers a private employer or a public employer taxing district employer the opportunity to mitigate the impact of a significant claim that will enter the employer's experience for the first time.
- (2) "Program eligibility period" means the four policy years in which an employer has a significant claim in its experience period.
- (3) "Significant claim" means a claim whose total value or maximum claim value, whichever is lower, will be greater than the employer's total limited losses ("TLL") as defined in rule 4123-17-03 of the Administrative Code. Effective July 1, 2020, for private employers whose expected losses fall below the minimum expected loss provided in appendix A to rule 4123-17-05.1 of the Administrative Code, a TLL of three hundred dollars shall be used; for public employer taxing districts whose expected losses fall below the minimum expected loss provided in appendix A to rule 4123-17-33.1 of the Administrative Code, a TLL of five hundred fifty dollars shall be used.
- (4) "Minor claim" means a medical-only or lost-time claim whose total value or maximum claim value, whichever is lower, will be less than the employers TLL as defined in rule 4123-17-03 of the Administrative Code, subject to the TLL provisions of a significant claim that became effective July 1, 2020.

(B) Application and withdrawal processes.

- (1) An employer's participation in the CIRP is voluntary. The employer shall apply to participate in



the CIRP for their initial year of program eligibility by the application deadline set forth in appendix A and appendix B to rule 4123-17-74 of the Administrative Code. For subsequent years of eligibility, if an employer meets the requirements of paragraph (C) of this rule as of the application deadline set forth in appendix A and appendix B to rule 4123-17-74 of the Administrative Code, and the employer has not withdrawn from the CIRP pursuant to paragraph (B)(2) of this rule, the bureau will renew the employer in the CIRP without requiring the employer to file a renewal application. The bureau shall have the final authority to approve an eligible employer for initial and continued participation in the CIRP.

(2) An employer may withdraw from the CIRP under this rule at any time. The employer must notify the bureau in writing that the employer no longer desires to participate in the CIRP. An employer that withdraws from the CIRP after receiving a discount will return to its own individual experience rating for that policy year.

(3) If the employer withdraws from the CIRP and has any remaining years in the program eligibility period, the employer may reapply for the CIRP under the provisions of paragraph (A) of this rule and designate the same claim as the significant claim.

(C) Eligibility requirements.

At the time of an employer's initial application for the CIRP, the employer must be enrolled in the group experience rating program. At the time of initial application and each renewal application deadline as set forth in appendix A and appendix B to rule 4123-17-74 of the Administrative Code, the employer must:

(1) Be current with respect to all payments due the bureau, as defined in paragraph (A)(1)(b) of rule 4123-17-14 of the Administrative Code;

(2) Be current on the payment schedule of any part-pay agreement into which it has entered for payment of premiums or assessment obligations;

(3) Not have cumulative lapses in workers' compensation coverage in excess of forty days within the prior twelve months;



(4) Be enrolled in the group experience rating program; and

(5) Have reported actual payroll for the preceding policy year and have paid any premium due upon reconciliation of estimated premium and actual premium for that policy year.

(D) General program requirements.

(1) In signing the application form, the chief executive officer or designated management representative of the employer is certifying to the bureau that the employer will comply with all program requirements.

(2) An employer may have a maximum of three minor claims at any time in addition to the one significant claim.

(a) As a minor claim exits the employer's experience period, the employer may include a new minor claim.

(b) The total combined costs of these minor claims must be below the employer's TLL.

(3) An employer may participate in the CIRP on no more than one significant claim within the program eligibility period from the date of the employer's initial participation in the program.

(4) Once a claim has been designated as the significant claim in initial enrollment for a program eligibility period, an employer is not permitted to change the claim designated as the significant claim.

(5) Settled and subrogated claims will be included in the employer's total claim count.

(6) In the first year of the program eligibility period, the employer shall participate in an industry-specific half-day safety program prescribed by the division of safety and hygiene. In subsequent years of the program eligibility period in which the employer elects to participate in the CIRP, the employer shall complete an online training class prescribed by the division of safety and hygiene.



(7) Once admitted into the CIRP, the employer must report actual payroll for the preceding policy year and pay any premium due upon reconciliation of estimated premium and actual premium for that policy year no later than the date set forth in rule 4123-17-14 of the Administrative Code. An employer will be deemed to have met this requirement if the bureau receives the payroll report and the employer pays any premium owed associated with that payroll report before the expiration of any grace period established by the administrator of workers' compensation pursuant to paragraph (B) of rule 4123-17-16 of the Administrative Code.

(E) Program benefits.

The bureau will credit an employer that meets all the criteria with a discount from the employer's base rate as follows:

- (1) In the first year of the program eligibility period, twenty per cent;
- (2) In the second year of the program eligibility period, fifteen per cent;
- (3) In the third year of the program eligibility period, ten per cent; and
- (4) In the fourth year of the program eligibility period, five per cent.

(F) Removal from program.

(1) If the employer fails to meet the requirements of paragraph (C) or paragraph (D) of this rule, the bureau will remove an employer from participation in the CIRP at the beginning of the next policy year and, upon removal, will return the employer to its individual EM.

(2) An employer removed from the OCP for failure to comply with paragraph (D)(7) of this rule will be re-rated for the full policy year at the employer's base rate or experience-modified rate as determined by the employer's expected losses for the policy year.

(G) An employer may appeal the bureau's application rejection or the bureau's participation removal



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #317298

in the CIRP to the bureau's adjudicating committee pursuant to section 4123.291 of the Revised Code and rule 4123-14-06 of the Administrative Code.