



Wisconsin Compensation Rating Bureau

CIRCULAR LETTER 3104—JULY 16, 2013

TO: Members of the Bureau

FROM: Donna Knepper

RE: WI Basic Manual Rule VII.G. Waiver of Right to Recover From Others

Pursuant to ch. 626, Wis. Stat., the Office of the Commissioner of Insurance has approved the Governing Board's recommended changes to the current WI Waiver of Right to Recover From Others rule.

The current minimum charge for the waiver of subrogation is \$50. This is a per policy charge. WCRB has been requiring the workers compensation insurance policies to report the entire \$50 charge for WI when multiple states are covered by the endorsement.

Effective July 12, 2013, the aggregate charge for a waiver of subrogation on a multi-state policy must equal at least \$50. The following WI Basic Manual Rule change is approved:

G. Waiver of Right to Recover From Others

An additional premium charge for such waiver will be applied. The carrier may elect one of the following options:

1. Charge \$50 per signed contract per policy year*, not subject to experience rating. **For multi-state policies, the aggregate charge for the waiver must equal at least \$50.**
2. Charge 2% of total premium for a blanket waiver, 5% of the total premium applicable for each person or organization requesting a specific waiver, subject to experience rating. Premium not to be less than \$50. **For multi-state policies, the aggregate charge for the waiver must equal at least \$50.**

The carrier must file the election with the WCRB. The above elections are effective for at least one year and must be applied uniformly to all worker's compensation policies issued by the above named company. Any change to the above election must be filed with the WCRB prior to implementation. If a carrier does not file an election with the WCRB, option 1 must be applied.

* Blanket waivers not available under this option.

Premium for option 1 will be reported under statistical code 9115; option 2 will be reported under statistical code 0930. Option 2 is not available in the Wisconsin Worker's Compensation Insurance Pool.