

**COAL MINE COMPENSATION RATING BUREAU
OF PENNSYLVANIA**

COMMERCE BUILDING – SUITE 403
300 NORTH SECOND STREET
HARRISBURG, PENNSYLVANIA 17101

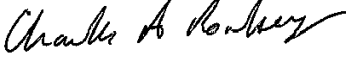
CHARLES A. ROMBERGER
EXECUTIVE DIRECTOR

TELEPHONE/FAX
717-238-5020

September 27, 2011

COMPENSATION CIRCULAR CM-442

To: All Coal Mine Compensation Insurance Carriers

From: Charles A. Romberger, Executive Director 

RE: New Federal Mine Safety and Health Act Coverage Service
Effective November 30, 2011

The Coal Mine Compensation Rating Bureau of Pennsylvania (“Bureau”) has entered into agreements with the Pennsylvania Compensation Rating Bureau (“PCRB”) and the National Council on Compensation Insurance, Inc. (“NCCI”) that enable the Bureau to meet, on behalf of its members, the new electronic reporting requirements, concerning proof of coverage under the Federal Mine Safety and Health Act, imposed on the insurance industry by the United States Department of Labor (“US DOL”), Office of Workers’ Compensation Programs, Division of Coal Mine Workers’ Compensation (“DCMWC”).

Background

Currently, insurance companies that write workers’ compensation coverage providing the Federal Mine Safety and Health Act coverage are required to file hard copy form CM-921 directly to the DCMWC in addition to reporting their policy to the Bureau.

Effective November 30, 2011, the DCMWC has notified the industry of its intention to phase out hard copy reporting and to replace it with electronic filings. The DCMWC has authorized NCCI to act as the Data Collection Organization on behalf of the industry. Attached is the US DOL Notification – Report of Issuance of Policy – Federal Mine Safety and Health Act Proof of Coverage dated September 23, 2011.

Federal Coal Mine Data Reporting

Effective November 30, 2011, insurance companies that write workers’ compensation coverage providing the Federal Mine Safety and Health Act coverage should no longer file the hard copy form CM-921 directly to the DCMWC.

Our Bureau intends to collect, enter and report the necessary information from policy submissions to our office to NCCI. In turn, as the authorized Data Collection Organization for the US DOL-DCMWC, NCCI will deliver this information to the US DOL on your behalf.

Federal Coverage Reporting Requirements

On your behalf, our Bureau intends to report to NCCI policy transactions that you submit to our Bureau:

- when Federal Mine Safety and Health Act coverage is provided under WC 00 01 02 A – Federal Coal Mine Safety and Health Act Coverage Endorsement and
- when one or more of our Bureau’s federal occupational disease class codes (0160, 0158, 0153, 0156, 0154, 0157, 0181, 0182, 0183, 0184, 0164, 0159) is listed on the policy.

If you have any questions about these changes, please contact the Bureau by calling 717-238-5020 or by emailing cromberger.cmcrb@verizon.net.

CAR:car



September 23, 2011

TO: ALL AUTHORIZED ENTITIES WRITING WORKERS COMPENSATION POLICIES IN ANY US STATE

SUBJECT: REPORT OF ISSUANCE OF POLICY—FEDERAL MINE SAFETY AND HEALTH ACT PROOF OF COVERAGE

Carriers are required to report the issuance of policies that provide Federal Mine Safety and Health Act coverage in accordance with 20 CFR § 726.208 as well as notices of cancellation of policies in accordance with same. The manner of submission for proof of coverage issued in all states required the mailing on a USDOL standard form CM-921 in hard copy directly to the National Office. It is our intention to phase out hard copy reporting and to replace it with electronic filings to the national office of the Division of Coal Mine Workers' Compensation by November 30, 2011.

The Division of Coal Mine Workers' Compensation has authorized the National Council on Compensation Insurance, Inc. (NCCI), to act as the Data Collection Organization (DCO) on behalf of the industry. As DCO, NCCI is authorized on behalf of the industry to collect, translate, archive and electronically transmit reports of issuance and cancellation of policies and endorsements in the US DOL approved format for all states. In order to implement this transition to electronic reporting, NCCI will work with the Independent Bureaus and other state jurisdictions to secure the necessary data. NCCI will begin testing with the US DOL immediately concluding by November 30, 2011 at which time all carriers, and insuring entities should be transitioned to electronic reporting. The US DOL will require an initial historical data file. NCCI will coordinate this process with the Independent Bureaus, carriers and other state jurisdictions responsible for supplying this historical data.

We emphasize that NCCI is to act on behalf of the reporting entities to submit issuance and cancellations of policies and endorsements by electronic means. They are not under contract to the Division of Coal Mine Workers' Compensation. Please direct any technical questions to NCCI, Linda Presutti, at 561-893-2048.

If you have questions relating to this notice, please contact me at 202-693-0947 or through benedict.david@dol.gov. Thank you for your cooperation.

A handwritten signature in blue ink, appearing to read "D. Benedict".

David E. Benedict, CPCU AIE
Division of Coal Mine Workers' Compensation