

January 28, 2009

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1408

Page 1, line 2, after the second "to" insert "purchase private insurance or"

Page 1, replace lines 7 through 14 with:

- "1. Notwithstanding contrary provisions of law, every employer required to provide workers' compensation coverage under this title shall secure the coverage under this title by:
  - a. Paying premiums and providing coverage through the state fund;
  - b. Providing coverage and qualifying as a self-insured employer under this title; or
  - c. Providing coverage and qualifying as a carrier-insured employer under this title.
2. As used in this chapter:
  - a. "Carrier-insured employer" means an employer that provides workers' compensation coverage through a guaranty contract insurer.
  - b. "Guaranty contract insurer" means an insurer that is authorized under titles 26.1 and 65 to transact workers' compensation insurance in this state. An insurer may not be authorized to transact workers' compensation insurance in this state unless the insurer's policy provides workers' compensation coverage that meets or exceeds the coverage required under title 65.
  - c. "Self-insurer" means an employer or group of employers that has been authorized under this chapter to carry its own liability to its employees covered by this title.

**Carrier-insured employers.**

1. An employer may qualify as a carrier-insured employer by establishing to the insurance commissioner's satisfaction that the employer is insured by a guaranty contract insurer. A carrier-insured employer must have proof of insurance filed with the insurance department.
2. The insurance department may suspend or revoke the authorization of an insurer to issue workers' compensation insurance policies in this state if the insurance department finds the company failed to comply with the insurer's obligations under this title or failed to comply with the orders of the insurance department.
3. The insurance department shall adopt rules addressing:
  - a. Proof of insurance requirements;
  - b. Guaranty contract expiration, cancellation, and termination requirements for carrier-insured employers; and

- c. Insurance department revocation of authorization to be a carrier-insured employer.

**Qualification - Self-insurers.**

Page 1, line 15, replace "director's" with "insurance commissioner's"

Page 1, line 20, replace "director" with "insurance commissioner"

Page 2, line 1, replace "director" with "insurance commissioner"

Page 2, line 3, replace the first "director" with "insurance commissioner" and replace the second "director" with "insurance commissioner"

Page 2, line 7, replace "organization" with "insurance department"

Page 2, line 8, replace "director's" with "insurance commissioner's" and replace "insure" with "ensure"

Page 2, line 12, replace "director" with "insurance commissioner"

Page 2, line 19, replace "director" with "insurance commissioner"

Page 2, line 22, replace "director" with "insurance commissioner"

Page 2, line 30, replace "director" with "insurance commissioner"

Page 3, line 3, replace "reinsure" with "insure"

Page 3, line 4, replace "reinsurer" with "insurer" and replace "reinsurance" with "insurance"

Page 3, line 5, replace "reinsurer" with "insurer"

Page 3, line 6, replace "reinsurance" with "insurance"

Page 3, line 8, replace "organization" with "insurance department"

Page 3, line 10, replace "organization" with "insurance department"

Page 3, line 13, replace "director" with "insurance commissioner"

Page 3, line 20, replace "director" with "insurance commissioner"

Page 4, line 5, replace "director" with "insurance commissioner"

Page 4, line 7, replace "director" with "insurance commissioner"

Page 4, line 9, replace "director" with "insurance commissioner"

Page 4, line 10, replace "director's" with "insurance commissioner's"

Page 4, line 13, replace "director" with "insurance commissioner"

Page 4, line 17, replace "**director**" with "**insurance commissioner**"

Page 4, line 18, replace "director" with "insurance commissioner"

Page 4, line 24, replace "director" with "insurance commissioner"

Page 4, line 28, replace "director" with "insurance commissioner"

Page 4, line 30, replace "director" with "insurance commissioner"

Page 5, line 2, replace "organization" with "insurance department"

Page 5, line 7, replace "organization" with "insurance department"

Page 5, line 13, replace "organization" with "insurance department"

Page 5, line 18, replace "director" with "insurance commissioner"

Page 5, line 21, replace "organization" with "insurance department"

Page 5, line 28, replace "director" with "insurance commissioner"

Page 6, line 6, replace "organization" with "insurance department"

Page 6, line 8, replace "director" with "insurance commissioner"

Page 6, line 11, replace "director" with "insurance commissioner"

Page 6, line 15, replace "director" with "insurance commissioner"

Page 6, line 16, replace "director" with "insurance commissioner"

Page 6, line 21, replace "director's" with "insurance commissioner's"

Page 6, line 22, replace "director" with "insurance commissioner"

Page 6, line 23, replace "director" with "insurance commissioner"

Page 6, line 28, replace "director" with "insurance commissioner"

Page 6, line 31, replace "director" with "insurance commissioner"

Page 7, line 2, replace "director" with "insurance commissioner"

Page 7, line 5, replace "organization" with "insurance department"

Renumber accordingly