

COMPENSATION INSURER SHALL ADHERE TO THE POLICY FORMS FILED BY THE RATING ORGANIZATION.

(D) (1) EVERY WORKERS' COMPENSATION INSURER SHALL ADHERE TO A UNIFORM CLASSIFICATION SYSTEM AND UNIFORM EXPERIENCE RATING PLAN FILED WITH THE COMMISSIONER BY A RATING ORGANIZATION DESIGNATED BY THE COMMISSIONER AND SUBJECT TO HIS DISAPPROVAL.

(2) (I) AN INSURER MAY DEVELOP SUBCLASSIFICATIONS OF THE UNIFORM CLASSIFICATION SYSTEM UPON WHICH A RATE MAY BE MADE.

(II) ANY SUBCLASSIFICATION DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE FILED WITH THE COMMISSIONER 30 DAYS PRIOR TO ITS USE.

(III) IF THE INSURER FAILS TO DEMONSTRATE THAT THE DATA PRODUCED UNDER A SUBCLASSIFICATION CAN BE REPORTED IN A MANNER CONSISTENT WITH THE UNIFORM STATISTICAL PLAN AND CLASSIFICATION SYSTEM, THE COMMISSIONER SHALL DISAPPROVE THE SUBCLASSIFICATION.

(E) EVERY WORKERS' COMPENSATION INSURER SHALL RECORD AND REPORT ITS WORKERS' COMPENSATION EXPERIENCE TO A RATING ORGANIZATION AS SET FORTH IN THE UNIFORM STATISTICAL PLAN APPROVED BY THE COMMISSIONER.

(F) (1) SUBJECT TO THE APPROVAL OF THE COMMISSIONER, A RATING ORGANIZATION SHALL DEVELOP AND FILE RULES REASONABLY RELATED TO THE RECORDING AND REPORTING OF DATA PURSUANT TO THE UNIFORM STATISTICAL PLAN, UNIFORM EXPERIENCE RATING PLAN, AND THE UNIFORM CLASSIFICATION SYSTEM.

(2) EVERY WORKERS' COMPENSATION INSURER SHALL ADHERE TO THE APPROVED RULES AND EXPERIENCE RATING PLAN IN WRITING AND REPORTING ITS BUSINESS.

(3) AN INSURER MAY NOT AGREE WITH ANY OTHER INSURER OR WITH A RATING ORGANIZATION TO ADHERE TO RULES WHICH ARE NOT REASONABLY RELATED TO THE RECORDING AND REPORTING OF DATA PURSUANT TO THE UNIFORM CLASSIFICATION SYSTEM OR THE UNIFORM STATISTICAL PLAN.

(G) THE EXPERIENCE RATING PLAN METHODOLOGY REQUIRED UNDER ARTICLE 48A, § 244Y(C)(4) OF THE CODE SHALL HAVE AS A BASIS:

(1) CONTAIN REASONABLE ELIGIBILITY STANDARDS;

(2) PROVIDE ADEQUATE INCENTIVES FOR LOSS PREVENTION;

AND

(3) PROVIDE FOR SUFFICIENT PREMIUM DIFFERENTIALS SO AS TO ENCOURAGE SAFETY.