

CONSISTENT WITH THE UNIFORM CLASSIFICATION SYSTEM AND UNIFORM STATISTICAL PLAN, THE COMMISSIONER SHALL DISAPPROVE THE SUBCLASSIFICATION.

(C) REPORT OF WORKERS' COMPENSATION EXPERIENCE.

EACH 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.

(D) ADHERENCE TO RULES OF RATING ORGANIZATION.

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

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

(3) AN INSURER MAY NOT AGREE WITH ANOTHER INSURER OR RATING ORGANIZATION TO ADHERE TO RULES THAT ARE NOT REASONABLY RELATED TO THE RECORDING AND REPORTING OF DATA UNDER THE UNIFORM CLASSIFICATION SYSTEM OR UNIFORM STATISTICAL PLAN.

(E) BASIS OF RATING PLAN METHODOLOGY.

THE EXPERIENCE RATING PLAN METHODOLOGY REQUIRED UNDER § 11-330(D)(4) OF THIS SUBTITLE SHALL BE BASED ON:

- (1) REASONABLE ELIGIBILITY STANDARDS;
- (2) ADEQUATE INCENTIVES FOR LOSS PREVENTION; AND
- (3) SUFFICIENT PREMIUM DIFFERENTIALS SO AS TO ENCOURAGE SAFETY.

(F) BASIS FOR PREMIUM ADJUSTMENT.

(1) THE UNIFORM EXPERIENCE RATING PLAN SHALL BE THE EXCLUSIVE MEANS OF PROVIDING PROSPECTIVE PREMIUM ADJUSTMENT BASED ON MEASUREMENT OF THE LOSS-PRODUCING CHARACTERISTICS OF AN INDIVIDUAL INSURED.

(2) AN INSURER MAY FILE A RATING PLAN THAT PROVIDES FOR RETROSPECTIVE PREMIUM ADJUSTMENTS BASED ON AN INSURED'S PAST EXPERIENCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 244G(c) through (h).

Defined terms: "Commissioner" § 1-101
"Insurer" § 1-101