

(D) INFORMATION FILED BY RATING ORGANIZATIONS.

SUBJECT TO APPROVAL OR DISAPPROVAL UNDER SUBSECTION (C) OF THIS SECTION, EACH WORKERS' COMPENSATION RATING ORGANIZATION SHALL FILE WITH THE COMMISSIONER:

- (1) WORKERS' COMPENSATION RATES AND RATING PLANS THAT ARE LIMITED TO PROVISION FOR CLAIM PAYMENT;
- (2) EACH WORKERS' COMPENSATION POLICY FORM TO BE USED BY ITS MEMBERS OR SUBSCRIBERS;
- (3) THE UNIFORM CLASSIFICATION;
- (4) THE UNIFORM EXPERIENCE RATING PLAN AND RULES; AND
- (5) ANY OTHER INFORMATION THAT THE COMMISSIONER REQUESTS AND IS OTHERWISE ENTITLED TO RECEIVE UNDER THIS SUBTITLE.

(E) RATE SCHEDULE FILED BY INSURER.

NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, IF EACH RATE IN A SCHEDULE OF WORKERS' COMPENSATION RATES FOR SPECIFIC CLASSIFICATIONS OF RISKS FILED BY AN INSURER IS NOT LOWER THAN THE PROVISION FOR CLAIM PAYMENT CONTAINED IN THE SCHEDULE OF WORKERS' COMPENSATION RATES FOR THOSE CLASSIFICATIONS FILED BY A RATING ORGANIZATION UNDER SUBSECTION (D) OF THIS SECTION AND APPROVED BY THE COMMISSIONER, THE SCHEDULE OF RATES FILED BY THE INSURER MAY BECOME EFFECTIVE AS SOON AS IT IS FILED.

(F) INVESTIGATION BY COMMISSIONER.

NOTWITHSTANDING SUBSECTION (E) OF THIS SECTION, THE COMMISSIONER SHALL INVESTIGATE AND EVALUATE ALL WORKERS' COMPENSATION FILINGS TO DETERMINE WHETHER THEY MEET THE REQUIREMENTS OF THIS SUBTITLE.

(G) WHEN REASONABLE DEGREE OF COMPETITION DOES NOT EXIST.

NOTWITHSTANDING § 11-307 OF THIS SUBTITLE, THE COMMISSIONER MAY REQUIRE AN INSURER OR RATING ORGANIZATION TO COMPLY WITH THE REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION IF THE COMMISSIONER HAS GOOD CAUSE TO BELIEVE THAT A REASONABLE DEGREE OF COMPETITION DOES NOT EXIST WITHIN A WORKERS' COMPENSATION INSURANCE MARKET.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 244Y and 244A(g).

In subsection (e) of this section, the statement that a schedule of rates "may become effective as soon as it is filed" is substituted for the former statement that a schedule of rates "shall become effective for the purposes of § 244E of this subtitle" to clarify that an insurer may choose an effective date after the date of the filing.