013. RULES GOVERNING INSURANCE CARRIERS.
302. RULES GOVERNING CONTINUING REQUIREMENTS TO UNDERWRITE INSURANCE OR SELF-INSURE

01. Insurance Carriers. An insurance carrier must apply for and receive the approval of the Industrial Commission to write workers’ compensation insurance pursuant to Section 72-301, Idaho Code. After receiving such approval, an insurance carrier shall comply with the following requirements:

a. Maintain Statutory Security Deposits with the State Treasurer.

1. Each insurance carrier shall maintain with the Idaho State Treasurer a security deposit in the amount of twenty-five thousand dollars ($25,000) if approved by the commission prior to July 15, 1988, or two hundred and fifty thousand dollars ($250,000) if approved subsequently.

b. In addition to the security required in Subsection 01.a., each insurance carrier shall deposit an amount equal to the total unpaid outstanding awards of said insurance carrier. Such deposit shall be in the form permitted by Section 72-301, Idaho Code. Surety bonds shall be in the form set forth in Subsection 012.02.f. of these rules available on the Commission’s website. If a surety bond is deposited, the surety company shall be completely independent of the principal and authorized to transact such business in the state of Idaho. A partial release of security deposited hereunder must be requested in writing and approved by the Commission.

c. Securities which are maintained to satisfy the requirements of this rule may be held in the federal reserve book-entry system, as defined in Section 41-2870(4), Idaho Code, and interests in such securities may be transferred by bookkeeping entry in the federal reserve book-entry system without physical delivery of certificates representing such securities.

02. Appoint Agent for Service of Process. Each insurance carrier shall appoint the Director of the Department of Insurance as its agent to receive service of legal process.

03. Maintain Resident Idaho Office. Each insurance carrier shall maintain a claims administrator employing an Idaho licensed, resident adjuster or adjusters, or the carrier’s own adjusting offices or officers residing in Idaho who have been appointed and have been given full authority to make claims adjusting decisions and to authorize the payment of all compensation due as to claims arising under the Act.

a. Each authorized insurance carrier shall notify the Commission Secretary in writing of any change of the designated resident adjuster(s) for every insured Idaho employer within fifteen (15) days of such change.
bii. Each authorized insurance carrier will ensure that every in-state adjuster can classify and identify all claims adjusted on behalf of said insurance carrier, and that the in-state adjuster will provide such information to the Industrial Commission upon request. **Further each in-state adjustor must have the authority to:**

04.  
(1) Investigate and adjust all claims for compensation;  
(2) Pay all compensation benefits due;  
(3) Accept service of claims, applications for hearings, orders of the Commission, and all process which may be issued under the Workers’ Compensation Law;  
(4) Enter into compensation agreements and lump sum settlements with Claimants;  
(5) Provide at the employer’s expense necessary forms to any employee who wishes to file a claim under the Workers’ Compensation Law.

d. **Supply Forms.** Each insurance carrier shall supply such distribute the required forms as are or may be prescribed by the Commission pursuant to the Workers’ Compensation Law and distribute them—-to all employers it insures. A list of required forms is available from the Employer Compliance Bureau of the Industrial Commission, telephone (208)334-6000, or on the Commission’s website at www.iic.idaho.gov.__

05.  
e. **Comply with Industrial Commission Reporting Requirements.** Each insurance carrier shall, within the time prescribed, file such reports and respond to such information requests as the Industrial Commission may require from time to time concerning matters under the Workers’ Compensation Law.

06.  
f. **Report Proof of Coverage.**

ai. Each insurance carrier shall report all proof of coverage information to a third party—NCCI. NCCI is the designated by the Industrial Commission as its—agent to receive, process, and forward the proof of coverage information required by these rules to the Commission. The name and address of the Commission’s designated agent(s) is available upon request from the Employer Compliance Bureau of the Industrial Commission, telephone (208) 334-6000, or on the Commission’s website at www.iic.idaho.gov.__

b. As an alternative to Subsection 013.06.a., an insurance carrier may be allowed to report proof of coverage information directly to the Industrial Commission in an electronic format prescribed by the Commission by first making a written request to the Commission and obtaining the Commission’s permission. A formal written agreement with the Commission is required prior to the electronic transmission of proof of coverage data to the Commission.
The Industrial Commission hereby adopts the International Association of Industrial Accident Boards and Commissions’ (IAIABC) electronic proof of coverage record layout and transaction standards as the required reporting mechanism for new policies, renewal policies, endorsements, cancellations, and non-renewals of policies. A copy of the record layout, data element requirements, and transaction standards is available upon request from the Employer Compliance Bureau of the Industrial Commission, telephone (208) 334-6000, or on the Commission’s website at www.iic.idaho.gov. Each insurance carrier shall report data for all mandatory elements in the current IAIABC proof of coverage record layout and transaction standards on each policy reported.

The most recent proof of coverage information contained in the Industrial Commission’s database shall be presumed to be correct for the purpose of determining the insurance carrier providing coverage.

Each insurance carrier shall report the issuance of any new workers’ compensation policy, renewal policy, or endorsement to the Industrial Commission or its designated agent within thirty (30) days of the effective date of the transaction. Each insurance carrier shall report the cancellation and/or nonrenewal of any workers’ compensation insurance policy to the Industrial Commission or its designated agent within the time frames prescribed by Section 72-311, Idaho Code. Receipt of cancellation or nonrenewal notices by the Commission’s designated agent shall be deemed to have been received by the Commission.

Each insurance carrier shall report election of coverage or revocation of election of coverage on Form IC52 or Similar Format. This report shall be submitted to the Industrial Commission in writing on eight and one-half by eleven inch (8 1/2” x 11”) paper available on the Commission’s website.

On or before March 3rd of each year, every insurance carrier shall submit a report of all deductible policies that were issued and in effect during the previous calendar year. That report shall be submitted in a form substantially similar to the current “Deductible Policy Report” available upon request from the Fiscal Bureau of the Industrial Commission, telephone (208) 334-6000, or on the Commission’s website at www.iic.idaho.gov. The report shall include the following information: insured name, policy number, effective and expiration dates, deductible amount, the premium charged for the policy before credit for the deductible, and the final premium after credit for the deductible.

Each insurance carrier shall report to the Industrial Commission at the end of each calendar quarter, or more often as required by the Commission, any outstanding award.
The report of outstanding awards shall be filed with the Industrial Commission by the end of the month following the end of each calendar quarter.

The report shall be filed even if there are no outstanding awards. In that event, the carrier shall certify the fact that there are no outstanding awards to be reported.

The report shall be submitted on or in a format that is substantially the same as the current Form IC36A, “Report of Outstanding Awards – Insurance Carriers” available upon request from the Fiscal Bureau of the Industrial Commission, telephone (208) 334-6000, or on the Commission’s website at www.iic.idaho.gov. The report may be produced as a computerized spreadsheet or database printout and shall be submitted to the Commission in writing on paper no larger than eight and one-half inches by eleven inches (8 ½” x 11”) in size.

The report shall be signed and certified to be correct by a corporate officer. If an insurance carrier has designated more than one adjuster for workers’ compensation claims in Idaho, a corporate officer of the insurance carrier shall prepare, certify, and file a consolidated report of outstanding awards.

The report shall list all outstanding awards, commencing with the calendar quarter during which the award is made or benefits are first paid, whichever occurs earlier.

Comply with Law and Rules. Each insurance carrier shall comply with the statutes of the state of Idaho and the rules of the Industrial Commission to ensure that payments of compensation shall be sure and certain and not unnecessarily delayed.