

State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
Division of Insurance
233 Richmond Street
Providence, RI 02903

INSURANCE REGULATION 54

WORKERS' COMPENSATION ANNUAL REPORT

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Section 1 **Authority**

This regulation is promulgated pursuant to R.I. Gen. Laws §§ 27-7.1- 7.2 and 42-14-1 *et seq.*

Section 2 **Purpose**

The purpose of this Regulation is to require every insurer writing Workers' Compensation insurance to file an annual report with the Director providing the information enumerated in Section 4 of this Regulation.

Section 3 **Definitions**

For the purpose of this Regulation:

- A. "Director" means the Director of Business Regulation or his or her designee.
- B. "Insurer" means all persons, firms, corporations or associations authorized to offer workers' compensation insurance in this State on a direct basis, including individual and group self insured plans.
- C. "Annual Report" means claim information about losses governed by the Rhode Island Workers' Compensation Act, including both voluntary and residual market business, with separate data reported for each.

- D. A "Lump Sum Settlement" is a payment made to terminate an obligation for future payments. Structured settlements shall be included as lump sum settlements.
- E. "Claim" shall mean all demands for payment by or on behalf of one person arising from one occurrence.

Section 4 Filing of Workers' Compensation Annual Report

Every insurer shall file the annual report with the Director, by May 15 of each year for the previous twelve (12) month period ending December 31st. The annual report shall contain the following information:

- A) Payments to attorneys retained by claimants;
- B) Payments made to or on behalf of attorneys retained by the insurer. Insurers utilizing the services of staff attorneys shall include the actual costs and expenses of such services which are attributable to Rhode Island Workers' Compensation claims (internal cost allocation systems may be used to determine the amount reportable provided they fairly represent the actual cost to the insurer);
- C) Total payments made to physicians, surgeons and other medical experts and facilities for services not related to the treatment or care management of claimants. The costs of expert medical testimony and medical evaluations performed on behalf of the insurer or at the direction of the Workers' Compensation Court shall be reported in this category;
- D) The number of claims and the amount of indemnity benefits paid periodically;
- E) The number of claims and the amount of indemnity benefits paid in lump sum settlements;
- F) All medical payments on claims governed by the Rhode Island Workers' Compensation Act; and
- G) Loss prevention services and expenses;
- H) The director may also order the insurers to perform closed claim studies regarding losses and expenses related to vocational rehabilitation, physical therapy, chiropractic services, safety programs or such other matters as he deems appropriate.

The Report shall include, for items (A) through (C) above, all calendar year payment information collected from all claims resulting from occurrences on and after

January 1, 1993; and, for items (D) through (F), all calendar year payments, separated into those resulting from occurrences prior to 1993 and those resulting from occurrences on and after January 1, 1993.

Section 5 ***Effective Date***

This regulation shall become effective January 1, 1993.

EFFECTIVE DATE:	January 1, 1993
AMENDED:	None
REFILED:	December 19, 2001