



April 1, 2014

Circular 2014-05

To: ICRB Members

**INSafe Assessment
Indiana Department of Labor**

The [Indiana Department of Labor](#) (“DOL”) issued its letter on April 1, 2014 for the [INSafe](#) “Calculation and Certification of Assessment” (please see attached form). This ICRB circular is issued to help communicate the assessment. The last assessments were levied in 2003 and 2009.

The DOL letter indicates that the special fund for safety and health consultation is less than \$600,000, thus triggering the statutory tax levy. The tax applies to both workers compensation carriers and self-insured employers. The tax equals 0.75% of benefits paid, excluding medical payments, in the preceding calendar year. Or worded another way, the assessment is based on indemnity losses for 2013 year.

The ICRB or NCCI would not yet have indemnity loss data reported to us. Accordingly, the Indiana DOL requests each carrier to self-report and certify its assessment. Per statute, the tax is considered an “element of loss” and therefore the expense will be contemplated in the ICRB annual advisory rate filing.

The DOL’s notice requests that carriers may pay by credit card online, or mail their checks and affidavits by May 1, 2014 to:

Indiana Department of Labor
ATTN: 2014 INSafe Assessment
402 West Washington Street, Room W195
Indianapolis, Indiana 46204

Sincerely,

Ronald W. Cooper, CWCP
President

Attachments:

- ✓ [Indiana Department of Labor](#) letter issued April 1, 2014
- ✓ “Calculation and Certification of Assessment” form
- ✓ Indiana Code § [22-8-1.1-45](#) through 48



Indiana

Department of Labor

Advancing the safety, health and prosperity of Hoosiers in the workplace

MICHAEL R. PENCE, GOVERNOR
Rick J. Ruble, Commissioner

402 West Washington Street, Room W195
Indianapolis, Indiana 46204-2751

Phone: (317) 232-2655
Fax: (317) 233-3790

April 1, 2014

Company
Add 1
Add2
CSZ

Dear <<COMPANY NAME>> Representative:

INSafe, the Indiana Department of Labor's free occupational safety and health training and consultation service, is funded by a dedicated fund and federal cooperative agreement dollars. In accordance with the Indiana Occupational Safety and Health Act of 1971 (Indiana Code 22-8-1.1, sections 45-48), **each** insurance carrier providing Worker's Compensation coverage for Indiana employers and **each** self-insured employer is required to pay an assessment to INSafe when the balance in the dedicated fund is less than \$600,000 by April 1 of each year.

Your company is being assessed for worker's compensation benefits paid during calendar year 2013 at a rate of three-fourths of one percent (0.75%). Your company is responsible for calculating the assessment amount. The Indiana Department of Labor will verify the total provided with the Indiana Compensation Rating Bureau and Workers Compensation Board. If there are discrepancies between the calculated and company certified amounts, your company will receive a refund or will be required to pay the difference.

The enclosed Calculation and Certification of Assessment form serves as a binding affidavit that the information your company provides the Indiana Department of Labor is true and accurate. A completed Calculation and Certification of Assessment form must be submitted even if no payment is due.

For your convenience, you may pay your assessment either by check or online via credit card. Payments must be remitted by **May 1, 2014**. Checks should be made payable to:

Indiana Department of Labor
ATTN: 2014 INSafe Assessment
402 West Washington Street, Room W195
Indianapolis, Indiana 46204

To pay with a credit card, please visit payingov.com/dol/ and select "INSafe Insurance Assessment," from the menu. Your account number for online payment is <<BUSIDNUMB>>. If you are paying online, you are still required to complete and submit the Calculation and Certification of Assessment form by postal mail.

For questions about the assessment, please email insafe@dol.in.gov or call (317) 234-4792. For more information about INSafe, visit www.in.gov/dol/insafe.

Sincerely,

Michelle Ellison

Michelle L. Ellison
Assistant Commissioner

IC 22-8-1.1 Chapter 1.1. Indiana Occupational Safety and Health Act (IOSHA)

IC 22-8-1.1-45

Safety and health consultation service for employers; tax levy

Sec. 45. If the balance in the special fund for safety and health consultation service on April 1 of each year is less than six hundred thousand dollars (\$600,000) an annual tax is imposed to finance the safety and health consultation service for employers under section 41 of this chapter. *(Formerly: Acts 1971, P.L.356, SEC.1; Acts 1975, P.L.255, SEC.3.) As amended by Acts 1982, P.L.95, SEC.10; P.L.37-1985, SEC.41; P.L.34-1988, SEC.16.*

IC 22-8-1.1-46

Tax; worker's compensation insurance carriers and self-insured employers

Sec. 46. The tax is imposed upon:

- (1) each insurance carrier licensed to do worker's compensation business in the state; and
- (2) each self-insured employer.

(Formerly: Acts 1971, P.L.356, SEC.1.) As amended by P.L.28-1988, SEC.70.

IC 22-8-1.1-47

Tax; amount; loss for purpose of worker's compensation insurance rates

Sec. 47. The annual tax shall be an amount equal to three-fourths of one percent (0.75%) of the total worker's compensation benefits paid in this state by the insurance carrier and self-insured employers as provided in section 46 of this chapter during the preceding calendar year, excluding medical payments. The tax shall constitute an element of loss for the purpose of establishing worker's compensation insurance rates.

(Formerly: Acts 1971, P.L.356, SEC.1.) As amended by P.L.144-1986, SEC.177; P.L.28-1988, SEC.71.

IC 22-8-1.1-48

Use of tax revenues; appropriations; payment date

Sec. 48. (a) The tax shall be paid directly to the director who shall deposit the revenues in a special fund to be used solely for safety and health consultation, education, and training services for employer groups and for onsite consultation service as provided in section 41 of this chapter. These revenues shall not be transferable to any other fund and shall not revert to the general fund at the end of any fiscal year.

(b) Tax revenues as provided for in section 47 of this chapter shall be made available to INSafe only by appropriation of the general assembly based upon the needs of INSafe as determined by the department and submitted in the form of a budget in the manner provided by law.

(c) The annual tax payment is due and payable on or before May 1 of each year in which the tax is imposed.

(Formerly: Acts 1971, P.L.356, SEC.1; Acts 1975, P.L.255, SEC.4.) As amended by Acts 1982, P.L.95, SEC.11; P.L.37-1985, SEC.42; P.L.34-1988, SEC.17; P.L.32-2008, SEC.6; P.L.76-2012, SEC.3.