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§11–330.

(a) In this section, "provision for claim payment" means an estimate, expressed on a per unit of exposure basis, of the monetary amount ultimately to be needed to pay workers' compensation insurance claims, excluding all loss adjustment or claim management expenses, other operating expenses, assessments, taxes, and profit or contingency allowances.

(b) Except as provided in subsection (e) of this section, the Commissioner shall review each workers' compensation insurance filing as soon as reasonably possible after it is made to determine whether it meets the requirements of this subtitle.

(c) (1) (i) Except as otherwise provided in this subsection, the effective date of a workers' compensation insurance filing is the date specified in the filing.

(ii) The effective date of a workers' compensation insurance filing may not be earlier than 30 days after:

1. the date on which the Commissioner receives the filing; or

2. the date on which the Commissioner receives information in support of the filing, if the Commissioner requires information to be provided in support of the filing.

(2) By written notice to the filer during the initial 30-day waiting period that the Commissioner needs additional time for consideration of the filing, the Commissioner may extend the waiting period for an additional period not exceeding 30 days.

(3) On written application by the filer, the Commissioner may authorize a filing that the Commissioner has reviewed to become effective before the expiration of the waiting period or any extension of the waiting period.

(4) A filing is deemed approved unless disapproved by the Commissioner during the waiting period or any extension of the waiting period.

(d) 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) 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) 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) 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.

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