



January 3, 2012

**NOTICE No.138**

TO: ALL AUTHORIZED CARRIERS REPORTING WORKERS' COMPENSATION POLICIES THROUGH THE WORKERS' COMPENSATION INSURANCE RATING BUREAU OF CALIFORNIA, DELAWARE COMPENSATION RATING BUREAU, INC., INDIANA COMPENSATION RATING BUREAU, WORKERS' COMPENSATION RATING AND INSPECTION BUREAU OF MASSACHUSETTS, COMPENSATION ADVISORY ORGANIZATION OF MICHIGAN, MINNESOTA WORKERS' COMPENSATION INSURERS ASSOCIATION, INC., NEW JERSEY COMPENSATION RATING AND INSPECTION BUREAU, NEW YORK COMPENSATION INSURANCE RATING BOARD, NORTH CAROLINA RATE BUREAU, PENNSYLVANIA COMPENSATION RATING BUREAU, OR WISCONSIN COMPENSATION RATING BUREAU, AND OTHER INTERESTED PERSONS

**SUBJECT:** ELECTRONIC REPORTING OF ISSUANCE OF POLICIES AND ENDORSEMENTS AND NOTICE OF CANCELLATIONS OF POLICIES PROVIDING COVERAGE UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT

Authorized carriers are required to report the issuance of policies and endorsements under the Longshore and Harbor Workers' Compensation Act and its extensions, the Defense Base Act, Outer Continental Shelf Lands Act and Non-Appropriated Fund Instrumentalities Act, to the Department of Labor's Office of Workers' Compensation Programs (OWCP). 20 CFR § 703.116. The current manner of submission of these reports with respect to Longshore employers located in California, Delaware, Indiana, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, Pennsylvania, and Wisconsin is by mailing a paper, signed original DOL Form LS-570 to the District Director, OWCP. Effective January 2010, the Form LS-570 (Carrier's Report of Insurance Issuance) replaced the 3 x 5 index card Form LS-570 (Card Report of Insurance). The Form LS-570 (January 2010) is accessible, fillable, and printable online at <http://www.dol.gov/owcp/dlhwc/ls-570.pdf>. It is not possible to submit the form electronically, however. The Card Report of Insurance (3 x 5 index card) is no longer accepted.

In addition, carriers are also prohibited from cancelling a policy of insurance under the Longshore and Harbor Workers' Compensation Act and its extensions prior to the expiration date specified in the policy unless the carrier satisfies the notice requirements under the Act and regulations. 33 U.S.C. § 936(b); 20 C.F.R. § 703.114. To cancel an insurance policy prior to its specified expiration date, the carrier must provide both the insured and the District Director with 30 days advance notice of the proposed cancellation.

It is our intention to eventually phase out hard-copy reporting to OWCP of policy issuance, endorsement, cancellation and renewal information and replace it with electronic data

interchange (EDI) to the national office of OWCP's Division of Longshore and Harbor Workers' Compensation (DLHWC).

We have authorized the Workers' Compensation Insurance Rating Bureau of California, Delaware Compensation Rating Bureau, Inc., Indiana Compensation Rating Bureau, Workers' Compensation Rating and Inspection Bureau of Massachusetts, Compensation Advisory Organization of Michigan, Minnesota Workers' Compensation Insurers Association, Inc., New Jersey Compensation Rating and Inspection Bureau, New York Compensation Insurance Rating Board, North Carolina Rate Bureau, Pennsylvania Compensation Rating Bureau and the Wisconsin Compensation Rating Bureau to act on the industry's behalf, as Data Collection Organizations (DCOs), to collect, translate and electronically transmit reports of policy issuance, endorsement, and notices of cancellation, in approved format to the National Council on Compensation Insurance, Inc. (NCCI), for EDI transmission to DLHWC. Carriers who submit Longshore insurance policy data to DLHWC through DCOs/NCCI are not required to report policy issuance and endorsements to the District Director using Form LS-570.

**PLEASE NOTE** that with respect to notice of cancellation, electronic submission through EDI transmission from NCCI to DLHWC does not eliminate the requirements under the Act and regulations for 30 days advance written notice to the insured of an intended policy cancellation. To cancel an insurance policy prior to its specified expiration date, the carrier must provide both the insured and the District Director with 30 days advance notice. Notice to the District Director of cancellation may be satisfied by EDI data transmittal from NCCI to DLHWC. The date indicated in the electronic data field "Cancellation Mailed to Insured Date" will be considered the date of notice to the District Director. However, notice to the *Insured* of cancellation must be delivered to the insured or be sent by mail.

We emphasize that each DCO acts on behalf of the reporting entities to submit this information by electronic means. The DCOs and the NCCI are not under contract with the US Department of Labor. Please direct any technical questions to the appropriate DCO.

If you have any questions relating to this notice, please contact Brandon Miller at 202-693-0925 or [miller.brandon@dol.gov](mailto:miller.brandon@dol.gov). Thank you for your cooperation.



MIRANDA CHIU

Director

Division of Longshore and Harbor Workers' Compensation