



Minnesota Workers' Compensation
Insurers Association, Inc.
7701 France Avenue South ▪ Suite 450
Minneapolis, MN 55435-3200

June 29, 2004

ALL ASSOCIATION MEMBERS

Circular Letter No. 04-1423

**RE: Permissible Charge For Waiver Of Our Right To Recover From Others
Endorsement**

The Minnesota Department of Commerce wishes to clarify its past position regarding the method carriers are permitted to use to calculate the premium charge for the Waiver of Our Right to Recover From Others Endorsement WC 00 03 13.

Please be advised that there is no limit to the maximum charge for the endorsement. Carriers may use any premium calculation method for this endorsement as long as it complies with Minn. Stat. §79.55. Specifically, this statute prohibits rates that are excessive, inadequate or unfairly discriminatory.

Carriers that would like to revise the premium calculation method will need to submit a filing reflecting the change. These filings should contain the following:

1. the NAIC Property and Casualty Transmittal Document,
2. a filing fee of \$75 per company,
3. a cover letter or explanatory memorandum briefly describing the carrier's rationale for the new premium calculation method, and
4. a revised manual page.

Questions regarding this matter should be directed to Tammy L. Lohmann, Chief Workers' Compensation Analyst at the Minnesota Department of Commerce at (651) 296-2327 or tammy.lohmann@state.mn.us