



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

September 29, 2005

ALL ASSOCIATION MEMBERS

Circular Letter No. 05-1468

**RE: Amended Note on the Policy Termination/Cancelation/Reinstatement
Notice (WC 89 06 09 B)**

The Minnesota Department of Commerce has approved the above filing to become effective 12:01 a.m., September 13, 2005.

The purpose of this filing is to amend note number three on the Policy Termination/Cancelation/Reinstatement Notice (WC 89 06 09 B) to clarify how this endorsement should be used when a carrier is complying with either Minnesota Statutes 60A.36 and 60A.37 or Minnesota Statute 176.185, subd. 1 and 1a. The notes section on the Policy Termination/Cancelation/Reinstatement Notice (WC 89 06 09 B) has been broadened to provide clarification on how this endorsement should be used.

The Minnesota Legislature has passed changes in the law governing the form and timing of notice carriers must give to policyholders and to the Commissioner of the Department of Labor & Industry in the event of cancellation, termination, expiration or nonrenewal. The new changes are contained in Minn. Stat. 176.185, subd. 1 and 1a. The new changes do not affect the requirements set forth in Minn. Stat. 60A.36 governing midterm cancellations and 60A.37 governing notice of nonrenewal of a policy.

The Policy Termination/Cancelation/Reinstatement Notice (WC 89 06 09 B) is currently being used by carriers to satisfy the notice requirements set out in Minn. Stat. 60A.36 and 60A.37. If WC 89 06 09 B is also used to give notice to the insured before policy cancellation, termination or nonrenewal under Minn Stat. 176.185, subd. 1, a carrier may add or attach to WC 89 06 09 B, the required notice statement set forth in Minn. Stat. 176.185, subd. 1(b). When a carrier uses the WC 89 06 09 B as notice to the Commissioner of cancellation or termination under Minn. Stat. 176.185, subd. 1a., that notice should not be filed until after the specified cancellation or termination date.

Exhibit I illustrates the changes to the Policy Termination/Cancelation/Reinstatement Notice (WC 89 06 09 B) needed to implement this filing. Please note that the underlining represents new language added to note number three.

Please note: If a carrier chooses to use form WC 89 06 09 B as their 60-day notice to the policyholder under Minn. Stat. 176.185, the carrier **should not** send a copy of the 60-day notice to MWCIA. Form WC 89 06 09 B **needs to be sent to MWCIA** within **10 calendar days** of the actual cancellation, termination, expiration or nonrenewal date. When a carrier is using form WC 89 06 09 B for giving notice under Minn. Stat. 60A.36 and 60A.37, the carrier **should not** send a copy of the notice to MWCIA.

Please direct any questions you may have regarding this filing item to one of MWCIA's Member & Customer Services staff by calling 952.897.1737 (Option 1) or via e-mail at info@mwcia.org.

3rd Reprint

Issued July 1, 1996

POLICY TERMINATION/CANCELATION/REINSTATEMENT NOTICE

Carrier Name/NCCI Carrier Code _____
 Insured's Name _____
 Federal ID No. _____
 Insured's Address _____

Policy Number	Policy Effective Date	Policy Expiration Date
_____	_____	_____

_____ **Termination/Cancellation/Nonrenewal**
 The coverage provided by the policy number shown above is being _____ nonrenewed or _____ terminated/canceled, _____ flat, _____ pro rata, or _____ short rate, effective _____ 12:01 a.m. standard time at the insured's mailing address for the following reason(s):

_____ **Reinstatement**
 The coverage provided by the policy number shown above and previously nonrenewed, canceled, or scheduled for cancellation is being reinstated effective _____ 12:01 a.m. standard time at the insured's mailing address.

Issue Date _____

Issuing Office _____

Producer's Name _____

Date Stamp
(For NCCI use only):

- Notes:**
1. If a member of a carrier group, report the name of the specific carrier within the group providing the coverage and the NCCI carrier code identifying the specific carrier.
 2. If not a member of a carrier group, report the carrier name and the NCCI carrier code.
 3. See manual note pages for special state provisions concerning effective date of notice. In Minnesota, carriers should refer to Minn. Stat. §§ 60A.36 governing midterm cancellations and 60A.37 governing notice of nonrenewal of a policy. If this form is used to give notice to the insured before policy cancellation, termination or nonrenewal under Minn. Stat. § 176.185, subd. 1, a carrier may add or attach to this form the required notice statement set forth in Minn. Stat. § 176.185, subd. 1(b). When a carrier uses this form as notice to the Commissioner of cancellation or termination under Minn. Stat. § 176.185, subd. 1a, that notice should not be filed until after the specified cancellation or termination date.
 4. The effective date of a nonrenewal must be that of the policy expiration date. The "reason" should be shown as "nonrenewal" and may, at the insurer's option or as required by statute, list specific reasons for the nonrenewal.