



**DOMESTIC AND FOREIGN INSURERS BULLETIN NO. 119**

**TO: ALL INSURANCE COMPANIES AUTHORIZED TO WRITE WORKERS' COMPENSATION POLICIES IN THE STATE OF DELAWARE**

**RE: DELAYS IN WORKPLACE SAFETY PROGRAM PREMIUM CREDITS DUE TO THE NECESSITY OF IMPLEMENTING CORONAVIRUS (COVID-19) PRECAUTIONARY MEASURES**

**DATED: April 28, 2020**

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The purpose of this Bulletin is twofold:

1. To inform insurers that approval of workers' compensation insurance premium credits associated with the Delaware Insurance Department Workplace Safety Program may be delayed due to the current State of Emergency safety measures in place in response to the COVID-19 pandemic; and
2. To request that insurers who write workers' compensation insurance allow at least three to six months additional time for 2020 discounts to be applied and, where possible, allow additional time for premiums to be paid.

The Workplace Safety Program helps to lower workers' compensation insurance premiums for qualifying employers and helps to create safer work environments for employees in the State. The money-saving attributes of the program are critical for many small businesses, particularly those now suffering under the burden of significantly reduced revenue.

Under normal conditions, the Department is generally able to approve insurance premium discount credits approximately four months before the workers' compensation insurance policy renewal, thereby ensuring that the discount is available when the insurance policy is reissued. However, under the current state of emergency, some businesses are closed completely, while others are operating under limited hours and reduced staff in compliance with Governor Carney's March 13, 2020 State of Emergency Order and eleven subsequent modifications, all of which are available on <https://coronavirus.delaware.gov/>. Therefore, the Department's inspectors' ability to review 36 months of workplace injury data and conduct

*NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.*

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the prerequisite physical walk-through inspections are severely impaired. As a result, most discount approvals cannot be timely submitted to the Delaware Compensation Rating Bureau for their monthly export to carriers.

Carriers may conduct Workplace Safety inspections for their policyholders in place of the Department's inspectors if all applicable guidelines, regulations, and current State of Emergency measures are followed. Domestic and Foreign Insurers Bulletin No. 64, published July 15, 2013, contains additional information; it may be downloaded from the Legal dropdown menu on the front page of the Department's website, <https://insurance.delaware.gov/>.

Additionally, the Governor's Sixth Modification of the Declaration of a State of Emergency, which was issued on Tuesday, March 24, 2020, requires carriers to refrain from cancelling policies due to nonpayment. For more information, see Domestic and Foreign Insurers Bulletin No. 116/Producers and Adjusters Bulletin No. 32, published March 20, 2020, revised on March 26, 2019, and available for download from the Legal dropdown menu on the front page of the Department's website.

Questions concerning this bulletin should be emailed to [safety@delaware.gov](mailto:safety@delaware.gov).

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.

*Trinidad Navarro*  
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