

TRINIDAD NAVARRO
COMMISSIONER



STATE OF DELAWARE
DEPARTMENT OF INSURANCE

DOMESTIC/FOREIGN INSURERS BULLETIN NO. 91 (REVISED)

**TO: ALL INSURANCE COMPANIES WRITING WORKERS' COMPENSATION
BUSINESS IN THE STATE OF DELAWARE**

**RE: NOTICE TO POLICYHOLDERS OF AVAILABILITY OF WORKPLACE
SAFETY PROGRAM**

DATED: January 9, 2017

REVISED: September 18, 2024

The original purpose of Domestic and Foreign Bulletin No. 91 was to inform employers of the availability of the State of Delaware's Workplace Safety Program and to request that insurance companies writing workers' compensation insurance in Delaware help to educate their insureds on the availability of this program.

The purpose of revised Domestic and Foreign Bulletin No. 91 is to advise employers that the Governor signed [Senate Bill 306](#), with Senate Amendment No. 1 and Senate Amendment No. 2, of the 152nd General Assembly ("the Act") on July 17, 2024. Specifically, the Act amends [19 Del. C. § 2379](#) to revise the eligibility criteria for the Delaware Workplace Safety Program. Previously, employers paying \$3,161 or more in annual workers' compensation premiums could qualify for lower insurance premiums through the program. The Act removes this long-standing fixed premium threshold and ties eligibility to those employers eligible for the uniform experience rating plan. This change better aligns the program with modern standards, provides flexibility for future adjustments, and enables more small employers to participate. As a result of the changes in the Act, the Department will be making conforming amendments to Regulation 802.


The Workplace Safety Program continues to serve two important functions in the State of Delaware: to help lower workers' compensation insurance premiums for qualifying employers and create safer work environments for employees in the State. Given the important functions of the Workplace Safety Program, it is important to make the availability of this program widely known to Delaware employers. The Department of Insurance will notify eligible employers who meet eligibility requirements of the availability of the program. In addition to the notice provided by the Department, the Department requests that insurance companies writing workers' compensation insurance in this State include in its renewal documentation a notification regarding the availability of the Department's Workplace Safety Program, including the potential to reduce insurance premiums through participation in the program, along with the contact information for the Workplace Safety Program.

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.

Additionally, companies writing workers' compensation insurance are also hereby reminded of the ability to conduct insurance company safety inspections in lieu of those conducted under the Department's program. Please refer to Domestic and Foreign [Bulletin No. 64](#) for further information regarding the requirements of carrier-conducted safety inspections.

Questions, comments, or requests for clarification about this Bulletin should be emailed to safety@delaware.gov.

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

A handwritten signature in blue ink that reads "Trinidad Navarro". The signature is written in a cursive style and is positioned above a horizontal line.

Trinidad Navarro
Delaware Insurance Commissioner