

Unit Reporting State Programs and Exceptions

Presented by:
Cheryl Nye and Bruce Hallman

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Unique State Programs Agenda

- Unique Deductible Programs
- Employer-Paid/Compensation Reimbursement Programs
- State Experience Rating Impact Programs
- Audit Noncompliance
- Other State Exceptions

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Where to Find State Rules

Statistical Plan

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NCCI Manuals Library

Filter By State Historical Table of Contents - Show

- Underwriting Manuals
- Data Manuals
 - DCI Reporting Guidebook 2009 Edition
 - Electronic Transmission User's Guide
 - Financial Call Reporting Guidebook
 - Medical Data Call Reporting Guidebook
 - Policy and POC Reporting Guidebook
 - Pool Data Reporting Guidebook
 - Statistical Plan Manual 2008 Edition**
 - National
 - States**
 - Alphabetical Index
 - Unit Statistical Reporting Guidebook
- Reference Manuals
- Previous Editions

Where to Find State Rules

Statistical Plan

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NCCI Manuals Library

Filter By State Historical Table of Contents - Show

<input checked="" type="checkbox"/> All States	<input type="checkbox"/> Illinois	<input type="checkbox"/> Montana	<input type="checkbox"/> Rhode Island
<input type="checkbox"/> Alabama	<input type="checkbox"/> Indiana	<input type="checkbox"/> Nebraska	<input type="checkbox"/> South Carolina
<input type="checkbox"/> Alaska	<input type="checkbox"/> Iowa	<input type="checkbox"/> Nevada	<input type="checkbox"/> South Dakota
<input type="checkbox"/> Arizona	<input type="checkbox"/> Kansas	<input type="checkbox"/> New Hampshire	<input type="checkbox"/> Tennessee
<input type="checkbox"/> Arkansas	<input type="checkbox"/> Kentucky	<input type="checkbox"/> New Jersey	<input type="checkbox"/> Texas
<input type="checkbox"/> California	<input type="checkbox"/> Louisiana	<input type="checkbox"/> New Mexico	<input type="checkbox"/> Utah
<input type="checkbox"/> Colorado	<input type="checkbox"/> Maine	<input type="checkbox"/> New York	<input type="checkbox"/> Vermont
<input type="checkbox"/> Connecticut	<input type="checkbox"/> Maryland	<input type="checkbox"/> North Carolina	<input type="checkbox"/> Virginia
<input type="checkbox"/> Delaware	<input type="checkbox"/> Massachusetts	<input type="checkbox"/> North Dakota	<input type="checkbox"/> Washington
<input type="checkbox"/> District of Columbia	<input type="checkbox"/> Michigan	<input type="checkbox"/> Ohio	<input type="checkbox"/> West Virginia
<input type="checkbox"/> Florida	<input type="checkbox"/> Minnesota	<input type="checkbox"/> Oklahoma	<input type="checkbox"/> Wisconsin
<input type="checkbox"/> Georgia	<input type="checkbox"/> Mississippi	<input type="checkbox"/> Oregon	<input type="checkbox"/> Wyoming
<input type="checkbox"/> Hawaii	<input type="checkbox"/> Missouri	<input type="checkbox"/> Pennsylvania	<input type="checkbox"/> Apply Filter
<input type="checkbox"/> Idaho			

Where to Find State Rules

Statistical Plan

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NCCI Manuals Library

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 - Policy and POC Reporting Guidebook
 - Pool Data Reporting Guidebook
 - Statistical Plan Manual 2008 Edition
 - National
 - Change Tracking Guide
 - Preface
 - Part 1 - General Rules
 - A. Recording of Statistics
 - B. Preparation and Completion of Unit Statistical

Statistical Plan - 2008 Edition

Part 1 - General Rules

Effective 02 Sep 2009 12:00:01

(Exceptions: VA)
(Additional Rules: KS)

A. Recording of Statistics

Data providers may use any method for the internal recording of statistical data submitted to NCCI. This includes any type of format convenient to the data provider's statistical and accounting procedures and codes other than those set forth in this Plan, provided the required data elements are reported by the data provider within the required time frames, as provided by this Plan.

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Unique Deductible Programs

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Unit Statistical Reporting Guidebook

Part 8—Deductible Programs

- A. Small and Large Deductible Programs
- B. Gross and Net Deductible Programs
- C. Statistical Codes
- D. NCCI Small Deductible Programs
- E. Gross Deductible Reporting Example
- F. Net Deductible Reporting Example

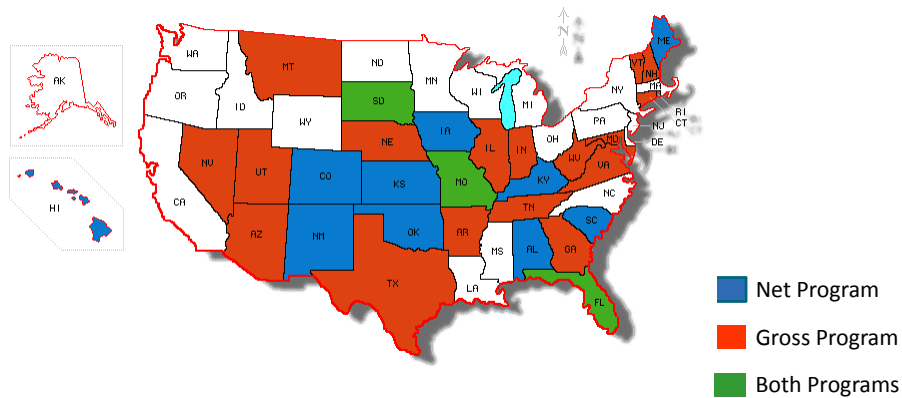
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NCCI-Filed Deductible Programs



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South Dakota Deductible

Five NCCI Small Deductible Programs

Indemnity and Medical	Gross
Two Voluntary—Medical Only	Gross and Net
Two Assigned Risk—Medical Only	Gross and Net

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Unique Deductible Rules

Anticipated Reimbursement

- Colorado (Eff. 1/1/13)
- Kansas (Eff. 1/1/12)

Report Corrections for Reimbursement

- Georgia

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States With Reimbursement Caps

Colorado
(15,500)

Georgia
(2,500)

Maine
(5,000)

Oklahoma
(1,000)

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Example

ABC Construction Company has a claim with a total amount of 20,000. It has an NCCI-filed 15,500 small deductible for Colorado and the employer has not yet reimbursed the carrier. What is reported as the deductible reimbursement?

Colorado Net Program

Indemnity Losses 10,000	Medical Losses 10,000	Deductible Reimbursement 15,500
----------------------------	--------------------------	------------------------------------

Incurred Loss – Policy Deductible (15,500 cap) = Losses Used for Experience Ratings

Applies to Small and Large Deductible Programs

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Unit Statistical Reporting Guidebook

Small Deductible State Programs

Colorado Small Deductible Programs						
Effective Date	Header Record			Exposure Record	Experience Rating Net or Gross Deductible Program	Loss Record
	Type of Deductible (Code)	Type of Plan (Code)	Deductible Amount Per Claim/Accident	Statistical Code		Deductible Reimbursement Amount
1/1/2015	Indemnity and Medical	Per Claim	\$500, 1,000, 1,500, 2,000, 2,500, 5,000, 10,000, 13,500, 15,500	9664	Net	Report with an upper limit of \$15,500
01/01/14-12/31/14	Indemnity and Medical	Per Claim	\$500, 1,000, 1,500, 2,000, 2,500, 5,000, 10,000, 13,500	9664	Net	Report with an upper limit of \$13,500
07/01/13-12/31/13	Indemnity and Medical	Per Claim	\$500, 1,000, 1,500, 2,000, 2,500, 5,000, 10,000	9664	Net	Report with an upper limit of \$10,000
07/01/91-06/30/13	Indemnity and Medical	Per Claim	\$500, 1,000, 1,500, 2,000, 2,500, 5,000	9664	Net	Report with an upper limit of \$5,000
Other Rules:						
Deductible Reimbursement applies to small and large deductible programs.						
Report the policy deductible amount associated with the loss in the Deductible Reimbursement Amount. This amount is limited to the value of the incurred loss or upper limit based on the policy effective date.						



NCCI-Filed Program Examples

State	Deductible Program	Premium Credit	Correction Reports	Reimbursement Cap	Net or Gross
AL	Small	9664	No	None	Net
CO	Small and Large	9664	No (Anticipated)	15,500	Net
GA	Small and Large	9664	Yes	2,500	Net
IA	Small	None	No	None	Net
KS	Small and Large	9664	No (Anticipated)	None	Net
ME	Small and Large	9664	No	5,000	Net
MO	Small and Large	9664	No	None	Net or Gross
NM	Small	9664	No	None	Net
OK	Small	9663	No	1,000	Net
SD	Small	9664	No	None	Net or Gross (based on PED)





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Employer-Paid/ Compensation Reimbursement Programs

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Employer-Paid/Reimbursement Programs

- Idaho Compensation Reimbursement Program
- Missouri Employer-Paid Medical Program
- Oregon Employer-Paid Medical Program

Rules can be found in the *Unit Statistical Reporting Guidebook*—Part 9

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Idaho Compensation Reimbursement

Claims less than
1,000

- Report reimbursement in Deductible Reimbursement Amount field not to exceed 1,000

Claims greater than
1,000

- Report 0 in Deductible Reimbursement Amount field

Claim is initially
< 1,000 and
subsequently
becomes > 1,000

- Submit corrections to all previous report levels, reducing the deductible reimbursement to 0

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Idaho Compensation Reimbursement

Example:

The claim amounts on the 1st report are 750. The employer reimbursed the carrier for the full amount.

1st Unit Report				
Paid Indemnity	Incurred Indemnity	Paid Medical	Incurred Medical	Deductible Reimbursement
250	250	500	500	750

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Idaho Compensation Reimbursement

Example:

Claim developed to 3,000 between the 1st and 2nd reports. How do you report the deductible reimbursement?

1st Unit Report Correction				
Paid Indemnity	Incurred Indemnity	Paid Medical	Incurred Medical	Deductible Reimbursement
250	250	500	500	0



Idaho Compensation Reimbursement

Example:

Claim developed to 3,000 between the 1st and 2nd reports. How do you report the deductible reimbursement?

2nd Unit Report				
Paid Indemnity	Incurred Indemnity	Paid Medical	Incurred Medical	Deductible Reimbursement
800	1,000	1,200	2,000	0



Missouri Paid Medical Option

Claims less than upper limit

- Report reimbursement in Deductible Reimbursement Amount field not to exceed upper limit (currently 1,000)

Claims greater than upper limit

- Report 0 in Deductible Reimbursement Amount field

Claim is initially < upper limit and subsequently becomes > upper limit

- Submit corrections to all previous report levels, reducing the deductible reimbursement to 0

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Oregon Employer Paid Medical

Oregon employers may reimburse carriers for select medical claims up to 1,900

Subject to annual adjustment by Oregon WCD each January (Bulletin 345)

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Unit Statistical Reporting Guidebook

Oregon Employer-Paid Medical Program				
Effective Date	Header Record			Loss Record
	Type of Deductible Code	Type of Plan Code	Deductible Amount Per Claim/Accident	Deductible Reimbursement Amount
Policies with accident dates 01/01/15 and subsequent	Medical-Only	Per Claim	Up to \$1,900	Report the Employer-Paid Medical Amount, not to exceed \$1,900
Policies with accident dates 01/01/13-12/31/14	Medical-Only	Per Claim	Up to \$1,800	Report the Employer-Paid Medical Amount, not to exceed \$1,800
Policies with accident dates 01/01/11-12/31/12	Medical-Only	Per Claim	Up to \$1,700	Report the Employer-Paid Medical Amount, not to exceed \$1,700
Policies with accident dates 01/01/09-12/31/10	Medical-Only	Per Claim	Up to \$1,600	Report the Employer-Paid Medical Amount, not to exceed \$1,600
Policies with accident dates 01/01/06-12/31/08	Medical-Only	Per Claim	Up to \$1,500	Report the Employer-Paid Medical Amount, not to exceed \$1,500
Policies with accident dates prior to 01/01/06	Medical-Only	Per Claim	Up to \$500	Report the Employer-Paid Medical Amount, not to exceed \$500

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State Experience Rating Impact Programs

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Missouri 50% Rule

If a claim's reserve causes the current experience modification to increase by more than 50% ...

Paid Indemnity	Paid Medical	Incurred Indemnity	Incurred Medical	Total Incurred Loss
10,000	15,000	55,000	80,000	135,000

... the carrier must revise the claim to equal the paid amount using correction reports.

Paid Indemnity	Paid Medical	Incurred Indemnity	Incurred Medical	Total Incurred Loss
10,000	15,000	10,000	15,000	25,000

Florida Aggravated Inequity

- 1 • Exp Mod calculated using open claim at 2nd report
- 2 • Claim closes between 2nd and 3rd reports
• Calculate a revised Exp Mod using paid claim amount
- 3 • Difference in two Exp Mods causes standard premium to decrease by 5% or more
- 4 • Correction report to 2nd using paid loss
• Close claim at 3rd report

Maine Rule 450

- Excludes claims involving aggravation of prior work-related injuries from experience modifications
- How to report:

Type of Settlement Code	Correction Reports
10 (Aggravation of Prior Work-Related Injuries)	<ul style="list-style-type: none">• If between 1st and 6th report levels, report corrections adjusting settlement type code• If 6th report and beyond, report at the next valuation



State-Specific Subrogation and Second Injury Fund Rules

Anticipated Recovery (no correction reports)

- Oregon—Report subrogation based on anticipated recovery

Received Recovery (correction reports to all report levels)

- Connecticut and Georgia (Subrogation)
- Louisiana (Subrogation and Second Injury Funds)
- South Carolina (Second Injury Funds)



Georgia Experience Rating Verification

- Carriers must provide Unit Statistical data to insureds for experience rating purposes
- Two ways to comply:

Pre-Reported Data

- Sent data from company systems prior to reporting to NCCI

Post-Reported Data

- Print a hard copy of the Unit Statistical data from **DCA Access[®] Online** to provide after reporting



Georgia Experience Rating Verification

- Submit Unit Statistical data along with Form GID-63
- Form GID-63 is used to confirm or dispute the accuracy of the Unit Statistical data

Circular—UNITS-GA-2010-01





Audit Noncompliance

- If the employer is uncooperative and the carrier is unable to verify the necessary data based on ***Basic Manual*** rule
- In some states, the carrier can apply a noncompliance charge
- Charge is reported using Statistical Code 9757 (not part of standard premium)
 - CO, MO, MT, FL (FLJUA Only)

Audit Noncompliance

State	Statistical Code	Basic Manual
CO	9757	Audit Noncompliance Charge—Amount not specified (carrier must file with DOI for approval)
MT	9757	Audit Noncompliance Charge—Amount not specified (carrier must file with DOI for approval)
FL	9757* *FLJUA Only	Audit Noncompliance Charge—Not to exceed three times most recent estimated annual premium
MO	9757	Audit Noncompliance Charge—Equal to estimated annual premium
SC	No	May increase payroll up to a maximum of three times the estimated payroll for purposes of determining the final premium
NC	No	May increase payroll up to a maximum of three times the estimated payroll for purposes of determining the final premium
GA	No	May utilize a payroll amount of three times the estimated payroll for purposes of determining final premium

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Example of Audit Noncompliance Charge Calculation

Up to Two Times the Estimated Annual Premium

- 100,000 Estimated Annual Premium (basis) x 2 (multiplier) = 200,000 Audit Noncompliance Charge
- 200,000 is reported to Statistical Code 9757—Audit Noncompliance Charge (not part of standard premium; charge to policyholder)

100,000 Estimated Annual Premium
 + 200,000 Audit Noncompliance Charge
 Total Amount Due is 300,000

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Audit Noncompliance Example

Pol Nbr: WC99999 Cov Provider ID: 99990 Pol Eff Dt: 1/1/2015
 Report Nbr: 1 Corr Seq Nbr: 0 State: 05-CO Est. Exp.: **Y**

Update	Class/Stat Code	Exposure	Rate	Premium
A	8810	10,000	0.20	20
A	8742	20,000	0.40	80
A	9757			200



Audit Noncompliance Example

Pol Nbr: WC99999 Cov Provider ID: 99990 Pol Eff Dt: 1/1/2015
 Report Nbr: 1 Corr Seq Nbr: 1 State: 05-CO Est. Exp.: **N**

Update	Class/Stat Code	Exposure	Rate	Premium
C	8810	12,258	0.20	25
C	8742	26,852	0.40	107
D	9757			200








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Other State Exceptions

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Florida Vocational Rehabilitation

Definition includes two services:

<p style="text-align: center;">Reemployment Services</p> <ul style="list-style-type: none"> <li style="background-color: #0072bc; color: white; padding: 5px; margin-bottom: 5px;">Vocational Counseling <li style="background-color: #0072bc; color: white; padding: 5px; margin-bottom: 5px;">Job Skill Training <li style="background-color: #0072bc; color: white; padding: 5px;">Job Analysis or Placement 	<p style="text-align: center;">Medical Care Coordination</p> <ul style="list-style-type: none"> <li style="background-color: #0072bc; color: white; padding: 5px; margin-bottom: 5px;">Coordinating Physical Rehabilitation <li style="background-color: #0072bc; color: white; padding: 5px; margin-bottom: 5px;">Provide Health Training <li style="background-color: #0072bc; color: white; padding: 5px;">Monitor Recovery Process
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Vocational Rehabilitation Expenses

Reported as Indemnity

- Reemployment assessment expenses
- Voluntary medical coordination costs and reemployment services costs for specific injuries
- First 2,500 reemployment services expenses

Reported as ALAE

- Reemployment services over 2,500
- Medical care coordination costs > 0



Penalties for Delays in Making Compensation Payments

National Rule

- **Included** in indemnity loss—Carrier is liable for penalties for reasons **beyond** its control
- **Excluded** from indemnity loss—Carrier is liable for penalties **within** its control

Maine, Florida, and Texas State Exception

- All penalties must be excluded from medical losses, indemnity losses, and ALAE



Nevada

Payroll Cap

- Maximum per employee is 36,000 per year
- Annual period starts with the Anniversary Rating Date

Fraudulent Claims

- Also includes the ruling of the authorized state workers compensation agency or other authorized adjudicator



Texas

Statistical Plan

- Policies effective 1/1/15

Employee Leasing Indicator (E) allows multiple exposure rows for each client

Certified Health Network Program

Negotiated Deductibles

Negotiated Experience Modifications



Missouri—Risk Modeling and Additional Mesothelioma Benefits

Policies Effective 1/1/14

Carrier Independently Filed Programs

Risk Modeling Plan:

- 9147—Risk Modeling Plan—Premium Credit
- 9148—Risk Modeling Plan—Premium Debit

Refer to Circular DR-2014-01 for details.

Additional Mesothelioma Benefits (all premium debits):

- 9723—Independent Carrier Filing (subject to ER)
- 9724—Independent Carrier Filing (not subject to ER)
- 9656—Independent Carrier Filing (not part of standard premium)

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Oklahoma-Certified Workplace Medical Plan

Effective 2/1/14

Nonexperience Rated Employers

10% Premium Reduction

Statistical Code 9756

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Oklahoma and Tennessee Law-Only Filings

- Premium adjustment for outstanding policies
- Three methods to apply the rating adjustments
 - Directly to the rates
 - Total manual premium
 - Split period method
- Circulars
 - OK-2014-01
 - TN-2014-01 and TN-2014-04



Pension Tables State Exceptions

Indemnity that includes lifetime benefits associated with Death and Permanent Total injuries

Surviving Spouse Pension Tables Use Table I-A unless otherwise noted below		
Jurisdiction/Act	Conditions	Table
Connecticut	All accident dates	I-B
District of Columbia	Accidents on or after 7/26/82	I-B
Maine	Accidents prior to 1/1/93	I-B
Rhode Island	All accident dates	I-B
Vermont	Accident dates on or after 7/1/83, Lifetime Benefits only	I-B
Virginia	Accident dates on or after 7/1/75, if the workers compensation benefit plus Social Security Benefit is less than 80% of the employee's average monthly wage	I-C
USL&HW Act	Accident dates on or after 10/1/72	I-B



Pension Tables State Exceptions

Indemnity that includes lifetime benefits associated with Death and Permanent Total injuries

Surviving Spouse Pension Tables Use Table I-A unless otherwise noted below		
Jurisdiction/Act	Conditions	Table
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District of Columbia	Accidents on or after 7/26/82	I-B
Maine	Accidents prior to 1/1/93	I-B
Rhode Island	All accident dates	I-B
Vermont	Accident dates on or after 7/1/83, Lifetime Benefits only	I-B
Virginia	Security Benefit is less than 80% of the employee's average monthly wage	I-C
USL&HW Act	Accident dates on or after 10/1/72	I-B

Part 7—Statistical Plan

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New Hampshire Lump-Sum Settlements

- For a claim in which a lump-sum agreement has not been approved by the New Hampshire Department of Labor, the lump sum must not be included on unit reports
- If a lump sum is reported and not approved, correction reports are required at all report levels

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Virginia/Maryland Excess Benefits

- Applies only in Maryland (MD) and Virginia (VA)
- As part of union contracts, certain employers agree to provide District of Columbia (DC) benefits
- **MD Excess Coverage**—The manual rate will be the rate in force in DC, except when the DC rate is lower, in which case the MD rate applies
- **VA Excess Coverage**—The manual rate must be increased by the DC additional benefits percentage shown in the Miscellaneous Values of the VA loss cost or rate pages



Virginia/Maryland Excess Benefits

- Exposure Coverage Act Code
 - 07 (Excess Benefits Coverage)
- Loss Conditions—Type of Claim Code
 - 05 (Excess Benefits)

Part 7-C—Unit Statistical Reporting Guidebook



The graphic features a central arrangement of four interlocking gears in blue, orange, green, and purple. The blue gear is the largest and contains a white icon of two people. The orange gear is positioned above the blue one, the green gear is to the left, and the purple gear is to the right. The background consists of four colored squares: teal (top-left), orange (top-right), light green (bottom-left), and dark blue (bottom-right). The NCCI logo is in the top-left teal square. The text "Working together toward data reporting success" is in the top-right orange square. The text "Question & Answer Session" is in the bottom-right dark blue square.

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Question & Answer
Session

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A white sticky note is pinned to a white background with a red pushpin at the top center. The words "THANK YOU" are written on the note in a large, black, handwritten-style font.

THANK
YOU

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Supplemental Information

Presenter Biographies

Cheryl Nye has worked at NCCI for more than nine years, and is currently part of the Data Collection Department on the Development Team of Data Resources. Her primary responsibilities include contributing to the creation of business requirements and providing testing support for new and existing products. Previously, Cheryl worked as a data analyst on NCCI's Customer Support Team in Data Resources where her responsibilities included performing analytical research to identify and resolve unit and DCI data issues and as an analyst in the Customer Service Department.

Cheryl holds a master's degree in business administration from Palm Beach Atlantic University in Florida and a bachelor's degree in management information systems from Florida State University.

Bruce Hallman, AIDM, has worked in NCCI's Data Services Department for 18 years. He is a product support manager, subject matter expert, and the data liaison between NCCI and the independent bureaus. Bruce participates in many projects, including enhancements to Unit and Policy edits. He is actively involved in various industry groups, including the Workers Compensation Insurance Organization, Policy Advisory Task Group, and Advisory Statistical Work Group Committees.

Bruce earned the Associate Insurance Data Manager designation from the Insurance Data Management Association (IDMA). Before joining NCCI, he was employed by the Pennsylvania Compensation Rating Bureau.