Professional Employer Organization (PEO) Arrangements

West Virginia—*as of 7/1/2026*

Market Type	Policy Issuance[1]	Experience Rating Modification Application—While in a PEO Arrangement[2]	Data Reporting for Experience Rating—While in a PEO Arrangement	Data Reporting for Experience Rating—Upon Termination of a PEO Arrangement	Experience Rating Modification Calculation—Upon Termination of a PEO Arrangement[2]	Experience Rating Modification Application—Upon Termination of a PEO Arrangement[2]	Additional Information
Voluntary Market	**Master** **PEO Policy** Policy provides coverage for covered employees and the PEO's direct employees who are required to be covered pursuant to law.	**Master** **PEO Policy** The PEO's experience rating modification applies.	**Master** **PEO Policy** The insurance provider submits the combined experience of multiple clients' leased workers and the PEO's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**Master** **PEO Policy** If separate records are maintained, the insurance provider submits the former client's data (ER Split Data) developed during the PEO arrangement for each policy period in accordance with NCCI's ***Experience Rating Plan Manual.*** Refer to NCCI's ***Experience Rating (ER) Split Data Reporting Guide*** for instructions to report the former client's ER Split Data. **Note:** The insurance provider must continue to submit the former client's experience in the unit report of the Master PEO Policy.	**Master** **PEO's Experience Rating Modification** If the insurance provider submits ER Split Data, NCCI revises the PEO's experience rating modification to remove the experience reported for the former client. If the insurance provider does not submit ER Split Data, NCCI does not revise the PEO's experience rating modification. **Former Client's Experience Rating Modification** The former client's experience rating modification is calculated with • the former client's data, if reported, and • any other unit report data applicable to the experience period.	**Master** **PEO's Experience Rating Modification** No special treatment is necessary for the PEO's experience rating modification application. **Former Client's Experience Rating Modification** If the insurance provider submits the client's data and is eligible for experience rating, the former client's experience rating modification is calculated with • the client's data, and • any other unit report data applicable to the experience period. If the insurance provider submits the client's data and it does not qualify for experience rating based on the client's experience for covered and noncovered employees during the experience period, a unity (1.00) factor applies to the client's policy until the client is eligible for an experience rating modification. If the insurance provider cannot submit the client's data and an experience rating modification cannot be developed, the PEO's experience rating modification applies to the client's policy • until the client is eligible for its own experience rating modification, and • for not more than three years.	**Policy Data Reporting** For PEO policy reporting requirements and the PEO Policy Type Codes, refer to NCCI's ***Policy and POC Reporting Guidebook***. **PEO Endorsements** For information regarding the application of available countrywide and state-specific endorsements, refer to NCCI's ***Forms Manual***.
	Multiple Coordinated Policy (MCP) **Client Policy** Policy provides coverage for covered employees per client. Direct employees of the client company are not covered under the MCP basis. **PEO Policy** Policy provides coverage for the PEO's direct employees.	**MCP** **Client Policy** The client's experience rating modification applies to • the client's policy, and • any other policies covering the client's nonleased employees. **PEO Policy** The PEO's experience rating modification applies.	**MCP** **Client Policy** The insurance provider separately submits the experience of the client's leased workers using the standard submission of the unit report. **PEO Policy** The insurance provider separately submits the experience of the PEO's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**MCP** **Client Policy** The insurance provider continues to separately submit the experience of the former client company's leased workers using the standard submission of the unit report. **PEO Policy** The insurance provider continues to submit the experience of the PEO's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**MCP** No special treatment is necessary to calculate an experience rating modification for the client.	**MCP** No special treatment is necessary for the application of an experience rating modification for the client.	
			Client Policy The insurance provider submits the experience of the client's covered employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**Client Policy** The insurance provider continues to submit the experience of the client's covered employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**Client Policy** No special treatment is necessary to calculate an experience rating modification for the client.	**Client Policy** No special treatment is necessary for the application of an experience rating modification for the client.	
	Client's Direct Employees Policy Direct employees of the client are covered under a separate policy.	**Client's Nonleased Employees Policy** The client's experience rating modification • applies subject to premium eligibility requirements, and • includes all the client's experience, if any, prior to the PEO arrangement. **Note:** If the client does not qualify for experience rating based on its experience prior to the PEO arrangement, a unity (1.00) factor applies to • the policy covering the client's nonleased employees, and • subsequent policies until the client is eligible for an experience rating modification.	**Client's Nonleased Employees Policy** The insurance provider submits the experience of the client's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**Client's Nonleased Employees Policy** The insurance provider continues to submit the experience of the former client's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**Client's Nonleased Employees Policy** No special treatment is necessary to calculate an experience rating modification for the client.	**Client's Nonleased Employees Policy** No special treatment is necessary for the application of an experience rating modification for the client**.**	

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Residual Market[3]	**MCP** **Client Policy** Each client has its own policy covering its leased workers. **PEO Policy** Each PEO must have its own policy covering only its direct workers.	**MCP** **Client Policy** The client's experience rating modification applies to • the client's policy, and • any other policies covering the client's nonleased employees. **PEO Policy** The PEO's experience rating modification applies.	**MCP** **Client Policy** The insurance provider separately submits the experience of the client's leased workers using the standard submission of the unit report. **PEO Policy** The insurance provider separately submits the experience of the PEO's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**MCP** **Client Policy** The insurance provider continues to separately submit the experience of the former client's leased workers using the standard submission of the unit report. **PEO Policy** The insurance provider continues to submit the experience of the PEO's direct employees using the standard submission of the unit report. Refer to NCCI's ***Statistical Plan*** for data reporting rules.	**MCP** No special treatment is necessary to calculate an experience rating modification for the client.	**MCP** No special treatment is necessary for the application of an experience rating modification for the client.	**Policy Data Reporting** For PEO policy reporting requirements and the PEO Policy Type Codes, refer to NCCI's ***Policy and POC Reporting Guidebook***. **PEO Endorsements** For information regarding the application of available countrywide and state-specific endorsements, refer to NCCI's ***Forms Manual***. **Residual Market Forms** The supplemental forms used for residual market policies are available on **ncci.com** under the Industry Information tab, Professional Employer Organizations (PEO) page within the category **PEO - Assigned Risk Forms.**

[1] Refer to NCCI's ***Basic Manual*** for rules related to policy issuance.
[2] Refer to NCCI's ***Experience Rating Plan Manual*** for rules that govern employee leasing arrangements and professional employer organizations.
[3] NCCI is the Plan Administrator for the residual market in West Virginia.

This comparison is provided as a reference only. All information is subject to change and dependent on notification from the state. In the event that there is a conflict between the applicable state statute and/or regulation and this chart, the applicable state statute and/or regulation will control. Please refer to the state's website for additional information.

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