

**State:** Missouri **Filing Company:** NCCI  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0004 Standard WC  
**Product Name:** B-1423 Elimination of Ex-Medical Coverage  
**Project Name/Number:** /

## Filing at a Glance

Company: NCCI  
Product Name: B-1423 Elimination of Ex-Medical Coverage  
State: Missouri  
TOI: 16.0 Workers Compensation  
Sub-TOI: 16.0004 Standard WC  
Filing Type: Rule  
Date Submitted: 05/24/2011  
SERFF Tr Num: NCCI-127176855  
SERFF Status: Closed-APPROVED  
State Tr Num:  
State Status: APPROVED  
Co Tr Num: B-1423 (MJ)  
  
Effective Date: 01/01/2012  
Requested (New):  
Effective Date: 01/01/2012  
Requested (Renewal):  
Author(s): Lesley O'Brien, Alison Herwig, Frank Gnolfo, Roy Wood, Robert Dalton  
Reviewer(s): Karen Rimel (primary)  
Disposition Date: 06/08/2011  
Disposition Status: APPROVED  
Effective Date (New): 01/01/2012  
Effective Date (Renewal): 01/01/2012

State Filing Description:

**State:** Missouri  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0004 Standard WC  
**Product Name:** B-1423 Elimination of Ex-Medical Coverage  
**Project Name/Number:** /

## General Information

Project Name: Status of Filing in Domicile:  
 Project Number: Domicile Status Comments:  
 Reference Organization: Reference Number:  
 Reference Title: Advisory Org. Circular:  
 Filing Status Changed: 06/08/2011  
 State Status Changed: 06/08/2011 Deemer Date:  
 Created By: Frank Gnolfo Submitted By: Frank Gnolfo  
 Corresponding Filing Tracking Number: NCCI-127180335  
 State TOI: 16.0 Workers Compensation State Sub-TOI: 16.0004 Standard WC

### Filing Description:

This item eliminates the ex-medical coverage rules in the following NCCI manuals: Basic Manual for Workers Compensation and Employers Liability Insurance, Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance, Statistical Plan for Workers Compensation and Employers Liability Insurance.

## Company and Contact

### Filing Contact Information

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 11430 Gravois Road 314-843-4001 [Phone]  
 Suite 310 314-842-3188 [FAX]  
 St. Louis, MO 63126

### Filing Company Information

NCCI CoCode: State of Domicile: Florida  
 901 Peninsula Corporate Circle Group Code: Company Type:  
 Boca Raton, FL 33487 Group Name: State ID Number:  
 (561) 893-3186 ext. [Phone] FEIN Number: 65-0439698

## Filing Fees

Fee Required? No

Retaliatory? No

Fee Explanation:

## State Specific

NAIC Number: RO99985

Have you reviewed the General Instructions document? (yes/no)(General Instructions updated 9/14/07): Yes

If this is a rate filing, was rate data added on the rate/rule schedule? (yes/no): No

State: Missouri Filing Company: NCCI  
TOI/Sub-TOI: 16.0 Workers Compensation/16.0004 Standard WC  
Product Name: B-1423 Elimination of Ex-Medical Coverage  
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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
APPROVED	Karen Rimel	06/08/2011	06/08/2011

SERFF Tracking #:

NCCI-127176855

State Tracking #:

Company Tracking #:

B-1423 (MJ)

**State:** Missouri **Filing Company:** NCCI  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0004 Standard WC  
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## Disposition

Disposition Date: 06/08/2011  
 Effective Date (New): 01/01/2012  
 Effective Date (Renewal): 01/01/2012  
 Status: APPROVED

Comment:

Rate data does NOT apply to filing.

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Filing Memorandum	REVIEWED	Yes
Rate	Exhibit 1	APPROVED	Yes
Rate	Exhibit 2	APPROVED	Yes
Rate	Exhibit 3	APPROVED	Yes
Rate	Exhibit 4	APPROVED	Yes

**SERFF Tracking #:**

NCCI-127176855

**State Tracking #:****Company Tracking #:**

B-1423 (MJ)

**State:** Missouri  
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**Filing Company:** NCCI

## Rate/Rule Schedule

Item No.	Schedule Item Status	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Attachments
1	APPROVED 06/08/2011	Exhibit 1	Rule 3-A-10	Withdrawn	B-1369	Countrywide Exhibit 1.pdf
2	APPROVED 06/08/2011	Exhibit 2	Rule 5-B	Withdrawn	E-1379	Countrywide Exhibit 2.pdf
3	APPROVED 06/08/2011	Exhibit 3	Part 6-G	Replacement	U-1397	Countrywide Exhibit 3.pdf
4	APPROVED 06/08/2011	Exhibit 4	State rule exceptions	Withdrawn	B-1369	MO Only - B-1423.pdf

**ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE**

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**EXHIBIT 1**

**BASIC MANUAL—2001 EDITION**

**RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS**

**A. EXPLANATION AND APPLICATION**

(Applies in: AL, CO, CT, FL, HI, IA, ID, IL, IN, KY, LA, MD, MO, MT, NV, NM, NC, RI, SC, SD, VT)

**10. ~~Exclusion of Statutory Medical Benefits—Ex Medical Coverage~~ (RESERVED FOR FUTURE USE)**

~~Ex medical rating is the rating of workers compensation policies that excludes medical coverage. In states where ex medical coverage is permitted, the carrier does not provide medical payment coverage, and a reduced manual rate applies.~~

- ~~• For any location insured on an ex medical basis, use the ex medical rates to calculate premium for the applicable classifications.~~
- ~~• Ex medical loss costs and rates are printed on the state pages of this manual for hospital classifications.~~
- ~~• Ex medical rates for hospital and other classifications may be obtained from the carrier in competitive rating jurisdictions. Otherwise, such rates may be obtained from NCCI or other licensed rating organization.~~

ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE

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EXHIBIT 2  
EXPERIENCE RATING PLAN MANUAL—2003 EDITION  
RULE 5—SPECIAL RATING CONDITIONS

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

**B. ~~EX-MEDICAL EXPERIENCE~~(RESERVED FOR FUTURE USE)**

~~If coverage is provided on an ex-medical basis as permitted by the *Basic Manual* rules, the experience-rating modification is calculated using the formula described in Rule 2-D of this Plan, with the following exception:~~

~~Apply the ex-med multiplier to convert the total expected losses for each classification to an ex-medical basis. The ex-med multiplier is determined by the following formula:~~

$$\del{1.00 - (1.30 \times \text{Classification Ex Medical Ratio})}$$

~~Refer to the rating organization for state ex-medical ratios.~~

**ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE**

**EXHIBIT 3  
STATISTICAL PLAN—2008 EDITION  
PART 6—CODING VALUES**

(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)

**G. EXPOSURE ACT/EXPOSURE COVERAGE CODE**

This is a two-digit code that identifies the type of exposure coverage.

<b>Code</b>	<b>Type of Exposure Coverage</b>
<b>00</b>	<b>For Use With Statistical Codes Only</b>
<b>01</b>	<b>State Act or Federal Act Excluding USL&amp;HW and Federal Coal Mine Health and Safety Act:</b> Coverage for benefits paid to employees injured as the result of a workplace accident under the state workers compensation law or federal compensation laws, excluding coverage under the United States Longshore and Harbor Workers' Compensation Act and the Federal Coal Mine Health and Safety Act.
<b>02</b>	<b>USL&amp;HW F-Classes or USL&amp;HW Coverage on Non-F-Classes:</b> <ul style="list-style-type: none"> <li>• Coverage for benefits paid to employees injured as the result of a workplace accident under the USL&amp;HW Act.</li> <li>• Extension of the USL&amp;HW Act to non-F-class operations, which involve some employees subject to the USL&amp;HW Act for an additional premium charge.</li> </ul>
<b>03</b>	<b>Coverage Under the Federal Coal Mine Health and Safety Act Only:</b> <ul style="list-style-type: none"> <li>• Coverage by endorsement for benefits paid to employees injured as the result of a workplace accident under the Federal Coal Mine Health and Safety Act excluding the state act for coal mine class codes. Disease is covered under the Federal Coal Mine Health and Safety Act only.</li> <li>• Coverage by endorsement for benefits paid to employees injured as the result of a workplace accident under the Federal Coal Mine Health and Safety Act for non-coal mine class codes.</li> </ul>
<b>04</b>	<b>Coverage Under the Federal Coal Mine Health and Safety Act and the State Act:</b> <ul style="list-style-type: none"> <li>• Coverage by endorsement for benefits paid to employees injured as the result of a workplace accident under the Federal Coal Mine Health and Safety Act in addition to the state act for coal mine class codes. Coverage for disease is provided under both the state act and the Federal Coal Mine Health and Safety Act.</li> <li>• Coverage by endorsement for benefits paid to employees injured as the result of a workplace accident under the Federal Coal Mine Health and Safety Act in addition to the state act for non-coal mine class codes.</li> </ul>
<b>06</b>	<b>Coverage Under State Act Excluding Medical Coverage:</b> Coverage described under the Standard Workers Compensation Including Employers Liability Policy, except that the insured pays for all medical and hospital services as required by workers compensation law.  <u>In accordance with the state's rate effective date and approval of Item B-1423, Code 06 is discontinued. Refer to Item B-1423 to determine the date when the state(s) discontinued Code 06.</u>
<b>07</b>	<b>Excess Benefits Coverage:</b> Applies in Maryland and West Virginia only, as follows:  <b>Maryland Exception:</b> Code 07 for Excess Benefits Coverage applies in Maryland. Coverage described under the Standard Workers Compensation Including Employers Liability Policy, except



**ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE**

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**EXHIBIT 3 (CONT'D)  
STATISTICAL PLAN—2008 EDITION  
PART 6—CODING VALUES**

**(Applies in: AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV)**

**Code    Type of Exposure Coverage**

coverage that was endorsed by the Excess Special Endorsement. When excess benefits coverage is provided in Maryland, the following rules govern the reporting of loss data:

- Each loss must be valued separately under the Maryland Workers Compensation Law.
- The valuation on the basis of the Maryland law must be reported according to the rules of this Plan.
- The valuation under the excess benefits (e.g., Maryland law subcontracted from the valuation under the District of Columbia law) must be reported.

**West Virginia Exception:** Code 07 applies in West Virginia in connection with Deliberate Intent (Mandolidis) Coverage only, when endorsed on a workers compensation/employers liability policy or when provided as an excess policy.

**08    Reserved for Future Use**

**09    Endorsed Maritime Coverage:** Coverage described under the Standard Workers Compensation Including Employers Liability Policy, which is endorsed to provide coverage for bodily injury to a master or member of the crew of any vessel.

**Louisiana Exception:** Code 09 for Endorsed Maritime Coverage applies in Louisiana only.

**ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE**

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**EXHIBIT 4  
RETROSPECTIVE RATING PLAN MANUAL  
1984 EDITION  
PART ONE DESCRIPTION OF THE PLAN  
I. INTRODUCTION  
A. GENERAL EXPLANATIONS  
(Applies in FL)**

**12. ~~Exclusion of Statutory Medical Benefits—Ex Medical Coverage~~**

- a. ~~A policy on an ex-medical basis requires prior approval by the National Council or other licensed rating organization. Approval is not required if the insured is a hospital. Refer to Rule IX of the **Basic Manual for Workers Compensation and Employers Liability Insurance**.~~
- b. ~~If an approved ex-medical policy is subject to this Plan, the Notice of Election to apply retrospective rating shall indicate the ex-medical status, loss limitations and other factors which have been selected. Refer to Table of Loss Limitations for Ex Medical Policies in Part Four of this Plan.~~

ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE

EXHIBIT 4  
RETROSPECTIVE RATING PLAN MANUAL  
1984 EDITION  
PART FOUR—H  
TABLE OF LOSS LIMITATIONS  
(Applies in FL)

~~TABLE OF LOSS LIMITATIONS  
FOR EX-MEDICAL POLICIES~~

<del>Eligibility Total Estimated Standard Premiums</del>	<del>Accident Limitation</del>	
	<del>Full Coverage</del>	<del>Ex Medical Coverage</del>
<del>\$100,000</del>	<del>\$25,000</del>	<del>\$20,000</del>
<del>over 100,000</del>	<del>30,000</del>	<del>24,000</del>
<del>over 100,000</del>	<del>35,000</del>	<del>28,000</del>
<del>over 100,000</del>	<del>40,000</del>	<del>32,000</del>
<del>over 100,000</del>	<del>50,000</del>	<del>40,000</del>
<del>150,000</del>	<del>75,000</del>	<del>60,000</del>
<del>200,000</del>	<del>100,000</del>	<del>80,000</del>
<del>250,000</del>	<del>125,000</del>	<del>100,000</del>
<del>300,000</del>	<del>150,000</del>	<del>120,000</del>
<del>350,000</del>	<del>175,000</del>	<del>140,000</del>
<del>400,000</del>	<del>200,000</del>	<del>160,000</del>
<del>500,000</del>	<del>250,000</del>	<del>200,000</del>
<del>600,000</del>	<del>300,000</del>	<del>240,000</del>
<del>1,000,000</del>	<del>500,000</del>	<del>400,000</del>
<del>2,000,000</del>	<del>1,000,000</del>	<del>800,000</del>

**ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE**

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**EXHIBIT 4  
BASIC MANUAL—2001 EDITION  
MISSOURI STATE RULE EXCEPTIONS  
RULE 3—RATING DEFINITIONS AND APPLICATION OF PREMIUM ELEMENTS  
A. EXPLANATION AND APPLICATION**

**10. ~~Exclusion of Statutory Medical Benefits—Ex Medical Coverage~~**

~~Add the following to Rule 3 A 10:~~

~~No policy may be written eliminating statutory medical aid unless the Missouri Workmen's Compensation Commission, acting under the authority conferred upon it by Section 287.280 of the Missouri Workmen's Compensation Law, has authorized the employer to do so. Evidence of this authorization must be furnished to the Bureau.~~

SERFF Tracking #:

NCCI-127176855

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B-1423 (MJ)

**State:** Missouri **Filing Company:** NCCI  
**TOI/Sub-TOI:** 16.0 Workers Compensation/16.0004 Standard WC  
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## Supporting Document Schedules

<b>Satisfied - Item:</b>	Filing Memorandum
<b>Comments:</b>	
<b>Attachment(s):</b>	Filing Memorandum - B-1423.pdf
<b>Item Status:</b>	REVIEWED
<b>Status Date:</b>	06/08/2011

## FILING MEMORANDUM

### ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE

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#### PURPOSE

This item eliminates the ex-medical coverage rules in the following NCCI manuals:

- ***Basic Manual for Workers Compensation and Employers Liability Insurance***
- ***Experience Rating Plan Manual for Workers Compensation and Employers Liability Insurance***
- ***Statistical Plan for Workers Compensation and Employers Liability Insurance***

#### BACKGROUND

In states where a policy is permitted to be written on an ex-medical coverage basis, the carrier does not provide medical payment coverage, and a reduced manual rate applies to the policy. An employer written on an ex-medical coverage basis assumes the liability for medical payments for its injured employees and holds the carrier harmless via an endorsement to the policy. Ex-medical coverage policies are usually written for hospitals or other medical facilities equipped to treat employees in case of disease or injury.

Currently, ex-medical loss costs and rates for hospital classifications are provided on the footnotes page of the loss costs and rates pages of the ***Basic Manual***.

A review of NCCI's data identified only one current Indiana policy with the applicable ex-medical coverage code. No other policies have been reported to NCCI with that code for the current and past four years. Based on this research, NCCI is proposing to eliminate all ex-medical coverage rules from our manuals and discontinue ex-medical rating value calculations.

#### PROPOSAL

The revisions proposed in this item include:

- Elimination of ex-medical coverage in NCCI's ***Basic Manual, Experience Rating Plan Manual, and Statistical Plan***
- Discontinuation of ex-medical values from the footnotes pages of the loss cost and rate pages of the ***Basic Manual***
- Discontinuation of promulgation of ex-medical experience rating modifications and ex-medical ratios

This item is being filed in conjunction with Item P-1409—Withdrawal of Ex-Medical Coverage Endorsements WC 00 03 06 and WC 00 03 07. Item P-1409 proposes that the ex-medical endorsements located in NCCI's ***Forms Manual of Workers Compensation and Employers Liability Insurance*** be withdrawn from use. Item B-1423 and P-1409 should be adopted concurrently.

#### State-Specific Proposal for Florida:

It is proposed that the references to ex-medical coverage in Part One-I.A.12 and Part Four-H, Table of Loss Limitations for Ex-Medical Policies in the ***Retrospective Rating Plan for Workers Compensation and Employers Liability Insurance—1984 Edition***, be eliminated.

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## FILING MEMORANDUM

### ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE

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#### State-Specific Proposal for Indiana:

In Indiana, ex-medical coverage is currently being utilized. As a result, any Indiana workers compensation ex-medical policy with an effective date prior to the effective date of this item filing will continue to be included in the calculation of a risk's experience rating modification(s), where applicable, subject to the **Experience Rating Plan Manual** Indiana state exception to Rule 2-D being filed as part of this item. This rule will remain in effect until there are no longer any Indiana ex-medical coverage policies eligible for inclusion in an experience rating modification. After that date, the **Experience Rating Plan Manual** Indiana state exception to Rule 2-D will be removed from the manual.

#### IMPACT

There will be no statewide premium impact as a result of the elimination of ex-medical coverage.

#### IMPLEMENTATION

The following is a summary of exhibits included in this item:

- **Exhibit 1** displays elimination of ex-medical coverage in NCCI's **Basic Manual** Rule 3-A-10
- **Exhibit 2** displays elimination of ex-medical coverage in NCCI's **Experience Rating Plan Manual** Rule 5-B
- **Exhibit 3** displays changes to NCCI's **Statistical Plan** Part 6-G
- **Exhibit 4** displays state-specific exception changes that are needed to eliminate ex-medical coverage
- **Exhibit 5** displays state rule exception for Indiana in NCCI's **Experience Rating Plan Manual** as Rule 2-D-4

In applicable NCCI Plan Administered states, references to Ex-Medical Coverage are being discontinued with Item RM-W-8038 – Establishment of Basic Manual Rule 4-G – Available Coverages.

This item is applicable to new and renewal, voluntary and assigned risk, policies. It will become effective concurrently with each state's approved rate/loss cost filing for the 2012<sup>1</sup> filing cycle. For example, this item will be effective January 1, 2012 for approved rate/loss cost filings that have a January 1, 2012 effective date. Similarly, this item will be effective July 1, 2012 for approved rate/loss cost filings that have a July 1, 2012 effective date. If there is no rate/loss cost filing for a state in a given year, this item will take effect on that state's "normal" rate effective date. (The "normal" rate effective date is the anniversary date of the state's previous year's rate effective date.)

The following chart shows the proposed effective dates for each state:

<sup>1</sup> Unless otherwise noted.

FILING MEMORANDUM

ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE

State	Proposed* Effective Date
Alabama	March 1, 2012
Alaska	January 1, 2012
Arizona	January 1, 2012
Arkansas	July 1, 2012
Colorado	January 1, 2012
Connecticut	January 1, 2012
District of Columbia	November 1, 2012
Florida	January 1, 2012
Georgia	March 1, 2012
Hawaii	This item will be implemented in Hawaii's loss cost filing proposed to be effective January 1, 2012. The effective date will be determined upon regulatory approval of the individual carrier's election to adopt this change.
Idaho	January 1, 2012
Illinois	January 1, 2012
Indiana	January 1, 2012
Iowa	January 1, 2012
Kansas	January 1, 2012
Kentucky	October 1, 2012
Louisiana	May 1, 2012
Maine	January 1, 2012
Maryland	January 1, 2012
Massachusetts	Effective with this state's rate effective date
Mississippi	March 1, 2012
Missouri	All rate changes related to this filing are proposed to be effective January 1, 2012 for the voluntary and assigned risk market.
Montana	July 1, 2012
Nebraska	February 1, 2012

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FILING MEMORANDUM

**ITEM B-1423—ELIMINATION OF EX-MEDICAL COVERAGE**

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State	Proposed* Effective Date
Nevada	March 1, 2012
New Hampshire	January 1, 2012
New Mexico	January 1, 2012
North Carolina	April 1, 2012
Oklahoma	January 1, 2012
Oregon	January 1, 2012
Rhode Island	June 1, 2012
South Carolina	July 1, 2012
South Dakota	July 1, 2012
Tennessee	March 1, 2012
Utah	December 1, 2012
Vermont	April 1, 2012
Virginia	April 1, 2012
West Virginia	November 1, 2012

\* Subject to change

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