Vigliaturo Comments on 2024 MWCIA Ratemaking Report

My name is Phil Vigliaturo. I serve in the Minnesota Department of Commerce as the Property and Casualty Actuary. As in past years, I have been asked by the Department of Labor and Industry to provide my observations and insights into the Minnesota Workers' Compensation Insurance Association's (MWCIA) Ratemaking Report, this time for the 2024 version. Please note that my comments are limited to those on MWCIA's ratemaking process instead of discussing more global concerns about the competiveness of the Minnesota Workers' Compensation marketplace as well as what the carriers do with the MWCIA information.

MWCIA uses ratemaking methodologies that are for the most part similar to those used by other organizations providing these types of services in other states. Specific similarities to filings made by rating organizations in other states that provide advisory loss costs (also called pure premiums) for workers compensation include using:

- financial data as a basis for the overall indication,
- under normal circumstances, two policy years and two calendar-accident to set the overall rate level,
- paid losses plus case reserves are used to set the overall rate level,
- medical losses separated from the indemnity losses,
- a variety of alternatives to make loss development selections,
- standard methodologies for the law evaluation analysis, and
- unit statistical data for calculating job class code relativities.

For the 2024 MWCIA Ratemaking Report, MWCIA choose to not use their standard experience period of two calendar-accident years and two policy years for the experience period as a basis for the 2024 advisory pure premiums, as policy year 2020 was greatly impacted by the COVID-19 pandemic. Instead, MWCIA choose to use two calendar accident years (2021 and 2022) and one policy year (2021) for the experience period. In my opinion, this temporary

change in their ratemaking methodology is an appropriate adjustment to account for the distortions caused by the COVID-19 pandemic.

Starting with the 2023 MWCIA Ratemaking Report, trend, to-ultimate and loss adjustment expense (LAE) factors are included as part of the advisory pure premiums that MWCIA produces. In Ratemaking Reports produced by MWCIA prior to the 2023 MWCIA Ratemaking Report, MWCIA produced information for trend and to-ultimate in their ratemaking reports but did not include them as part of the advisory pure premiums (they were not allowed to include them due to the statute and rules). Note that the LAE information was excluded as MWCIA was prohibited from providing any information about expenses prior to the 2022 law change. Instead, insurance carriers had to adjust the pure premiums for these elements as part of their loss cost multiplier (LCM) which is what companies apply to the pure premiums to produce rates.

- For the trend selection, MWCIA looks at historical trends for severity and frequency as well as CPI information for the average weekly wage. For the 2024 filing, the impact of the COVID-19 pandemic needed to be considered as it caused major distortions particularly for 2020.
- For the twenty-seventh to ultimate factor and conversion factors (from paid plus case to carrier ultimate losses), the methodology is a standard methodology historically used by other Workers' Compensation rating bureaus. For the last few years, this conversion also took place after twenty-seven years. In the years prior to 2020, this conversion took place after fewer years as MWCIA gradually moved from making the conversion after eight (last done in 2015) to twenty-seven years.
- LAE is split into two components, adjusting and other expenses (AOE) and defense and cost containment expenses (DCCE). In general, AOE expenses cannot be attributed to specific claims. MWCIA reviewed information from the National Council on Compensation Insurance (NCCI - which is an organization which performs rate services in workers' compensation for the majority of the other states). Since there was no reason to believe Minnesota

would be different from the remainder of the country, MWCIA selected a provision for AOE based on the last five historical years from the NCCI countrywide data. For DCCE (which can be attributed to specific claims) MWCIA made its selection based upon the last ten years of financial statement calendar year data, policy year financial data and accident year financial data for Minnesota workers' compensation.

The process that MWCIA uses when preparing their filing is as follows: MWCIA staff actuaries work with consultants to recommend the overall indication, which is adjusted or approved by MWCIA's actuarial committee, and ultimately approved by the board. I have been involved in some manner in the process, either as a company representative, consultant or regulator for at least 25 years. The methodologies and selection logic has been very stable over this time period. Also, with the exception noted below, the consultants have been the same over the years.

Ten years ago, the consulting firm's partnership dissolved and MWCIA decided to use one of the newly created firms from the old partnership. When this happened, MWCIA sought another consultant firm (one that was not part of the dissolved entity) to opine on their actuarial methodologies. This study was undertaken eight years ago. This consultant found that the MWCIA methods are very similar to those used by similar organizations in other states, and had very few recommendations of substance. MWCIA reviewed the more significant recommendations and either implemented them or found that implementing the recommendations would not make a material difference.

In my opinion, the MWCIA methodologies are similar to those used by other rate advisory organizations which perform similar services in other states. From my observations, the pure premiums produced by MWCIA are not excessive, inadequate or unfairly discriminatory, given the information available.

If you have any questions on this presentation, please send them to phil.vigliaturo@state.mn.us.