

304.13-071 Disapproval of rates and rate filings.

- (1) Existing rates in a noncompetitive market may be disapproved pursuant to the rating standards of this chapter after a hearing. Rates that have been filed in a noncompetitive market but that have not become effective may be disapproved pursuant to the rating standards of this chapter without a hearing. However, any insurer whose rates have been disapproved without a hearing shall be given a hearing on a written request made within thirty (30) days after the disapproval order. Hearings conducted under authority of this section shall be conducted in accordance with KRS Chapter 13B. If a rate is disapproved, the commissioner shall issue a final order specifying the reasons for disapproval. Any party aggrieved by the final order of the commissioner may appeal as provided in KRS 304.2-370. The effect of a final order shall be stayed during the pendency of the appeal and the existing rate shall remain in effect until the final conclusion thereof.
- (2) At any hearing concerning an increase in worker's compensation rates conducted pursuant to subsection (1), the commissioner may approve a rate other than one that has been proposed by the filer if it is justified by the evidence presented at the hearing.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1123, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 318, sec. 233, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 93, sec. 21, effective July 15, 1994. -- Created 1982 Ky. Acts ch. 278, sec. 7, effective July 15, 1982.