

## **4123-20-01 APPLICATION FOR SUBSCRIPTION TO THE MARINE INDUSTRY FUND.**

(A) Any employer doing business in the state of Ohio and having, by reason of operations within the territorial boundaries of this state, exposure to liability under the "United States Longshoremen's and Harbor Workers' Compensation Act," 33 U.S.C. section 901 et seq., may make application to the marine industry fund created by section 4131.13 of the Revised Code.

(B) An employer wishing to subscribe to the marine industry fund shall complete an application for subscription, which shall be provided by the bureau of workers' compensation. No disposition shall be made of any such application until the same is complete, and no such application shall be deemed complete until all information requested by the bureau in connection therewith is supplied. The bureau shall have the right to make reasonable inspections of an applicant's place of business, and of any records which may be pertinent to such applicant's application for subscription at any time prior to reaching a decision regarding an application for subscription.

(C) In determining whether to accept or reject an application for subscription to the marine industry fund, the administrator of workers' compensation shall consider the following criteria, which are set out by way of illustration and not by way of limitation:

(1) The applicant's history with respect to Ohio workers' compensation, including compliance with applicable laws and rules, payment of premiums and assessments, safety record, and experience ratings; and

(2) The applicant's history with respect to Longshoremen's Act insurance, including the names of prior carriers, record of payment of premiums, record of cooperation with carriers in the processing of claims, safety record, and experience rating. The administrator has the authority, in the administrator's discretion, to accept or reject an application for subscription to the marine industry fund. The decision of the administrator shall be final.

Effective: 2/2/90

Prior Effective Dates: 3/23/81, 12/18/89 (Emer.)