

## **4123-21-01 Procedures for subscription to the coal-workers' pneumoconiosis fund.**

(A) As used in sections 4131.01 to 4131.06 of the Revised Code, "operator" and "operator of a coal mine" have the same meaning as "operator" as defined in the "Federal Coal Mine Health and Safety Act of 1969," 83 Stat. 742, 30 U.S.C. 801 et seq., as now or hereafter amended, and as implemented by the regulations of the secretary of labor under Title IV of the act, who, by reason of operations within the territorial boundaries of Ohio is amenable to Title IV of the act, including claims reviewed and allowed under 30 U.S.C. 945. Any operator as herein defined may elect to become a subscriber as defined in division (D) of section 4131.01 of the Revised Code by applying for coverage and paying the premiums required in this chapter.

(B) An employer wishing to subscribe to the coal-workers' pneumoconiosis 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. On reasonable advance notice, the applicant shall provide the bureau with access to all records pertinent to the application for subscription. The administrator of workers' compensation has the authority to accept or reject an application for subscription to the coal-workers' pneumoconiosis fund.

(C) Employers who are active subscribers to the coal-workers' pneumoconiosis fund on the date of adoption of these rules shall not be required to reapply for coverage. However, renewal of the subscription to the fund thereafter shall be deemed acceptance of the terms, conditions and duties contained in these rules.

Effective: 2/22/90

Prior Effective Dates: 6/3/82, 12/18/89 (Emer.)