STATE OF MICHIGAN

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Bulletin 2013-09-INS

In the matter of

Workers' Compensation
_____/

Issued and entered
This 1st day of April 2013
by R. Kevin Clinton
Director

The Michigan Worker's Disability Compensation Act, MCL 418.101 *et seq*., since its inception has set forth the requirements for insurers providing coverage to employers to meet their statutory obligations under the Act. This Bulletin reminds insurers and employers that Michigan law requires every policy of workers' compensation insurance in Michigan to contain the provisions set forth in MCL 418.621, including but not limited to a provision that states that the insurance policy "shall for all purposes be held and deemed to cover all the businesses the said employer is engaged in at the time of the issuance of this contract or policy and all other businesses, if any, the employer may engage in during the life of this contract or policy, and all employees the employer may employ in any of his or her businesses during the period covered by this policy." MCL 418.621(4)(e).

In addition, MCL 418.621(2) requires each insurer issuing a workers' compensation insurance policy to "insure, cover, and protect in the same insurance policy, all the businesses, employees, enterprises, and activities of the employer." Accordingly, every employer listed on the contract or policy will be considered a named insured or insured employer and thus subject to coverage under the Act. Any workers' compensation insurance policy that does not include all required provisions set forth in MCL 418.621 is in violation of the Worker's Disability Compensation Act.

In addition, MCL 418.625 and 1980 Annual Admin Code Supp, R.408.41 require a notice of issuance of insurance policy to be filed on a form provided by the Worker's Compensation Agency, namely Form 400. This form will be deemed to accurately reflect the scope of coverage of any insurance policy or contract issued in the state, the requirements of which are set forth in MCL 418.621(2) and quoted above. Insurers must file an updated Form 400 to reflect any changes to the named insureds or scope of coverage under a particular policy or contract.

Any questions regarding this Bulletin should be directed to:

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