



August 15, 2016

VIA SERFF

The Honorable Karen Weldin-Stewart, CIR-ML
Insurance Commissioner
Department of Insurance
State of Delaware
841 Silver Lake Boulevard
Dover, DE 19904-2465

Attention: W. Harding (Hardy) Drane

**RE: DCRB Filing No. 1604 – Proposed Effective December 1, 2016
Proposed Section 2 Manual Language Revisions for Code 941, Social
Rehabilitation Facility, and Code 986, Shelter or Halfway House –
Residential – Non-Medical**

Dear Commissioner Weldin-Stewart:

Resulting from a staff review and on behalf of the members of the Delaware Compensation Rating Bureau, Inc. (DCRB), we submit this filing to clarify the Code 941 and Code 986 classification descriptions. These revisions are proposed to be effective 12:01 a.m. December 1, 2016. The proposed effective date is intended to be concurrent with the DCRB's December 1, 2016 loss cost filing revision, submitted to the Department on August 2, 2016, and with the next anticipated electronic edition of the Delaware Basic Manual. This proposal does not affect the loss costs for any Delaware employers.

A Code 941 Study Report and an Executive Summary, both dated May 25, 2016, are included with this filing. The Study Report and the Executive Summary describe the proposed Code 941 Manual language revisions, as well as the reasoning for the revisions. Also included is a staff memorandum dated May 20, 2016 describing and explaining the proposed Code 986 Manual language revisions. The revisions are intended to assist in the administration of Code 941 and Code 986 and do not revise the scope of either classification. These proposals were reviewed and accepted by the Classification and Rating Committee at its meeting held on June 22, 2016. The filing includes the Code 941 and Code 986 Manual language revisions.

Thank you in advance for your prompt attention and review of this filing. The DCRB will be pleased to answer any questions that you or the Department of Insurance staff may have regarding the proposals.

Sincerely,

A handwritten signature in black ink that reads "William V. Taylor". The signature is written in a cursive, flowing style.

William V. Taylor
President

The Honorable Karen Weldin-Stewart, CIR-ML
State of Delaware
August 12, 2016
Page 2 of 2

WVT/jf

Enclosures:

May 25, 2016 Code 941 Class Study Report
May 25, 2016 Code 941 Executive Summary
May 20, 2016 Code 986 Staff Memorandum
Proposed Manual Language Revisions



TO: Delaware Compensation Rating Bureau Classification and Rating Committee

FROM: Jeffrey Pfaff, Senior Classification Analyst
David T. Rawson, Technical Director – Classification & Field Operations

DATE: May 25, 2016

RE: **Executive Summary** – Classification Study Report – Code 941, Social Rehabilitation Facility

DCRB has completed a class study of Code 941, which contemplates non-medical residential care facilities providing a group setting which emphasizes, through guidance and counseling, the social rehabilitation and the eventual reintegration of residents into the community. The types of facilities historically assigned to Code 941 include, but are not necessarily limited to, group homes for the intellectually and developmentally disabled, group homes for the mentally ill, homes for orphaned children, and other child residential care facilities.

The purpose of the study was to determine the feasibility of updating the DCRB manual language for Section 2 to more clearly distinguish the types of facilities assignable to Code 941 by citing the specific Delaware Department of Health and Social Services (DHSS) licenses in a similar manner to recent updates to the April 1, 2016 Pennsylvania Compensation Rating Bureau (PCRB) manual language.

Pursuant to research on DHSS licensing procedures and completion of a file-by-file review of the Delaware employers assigned to Code 941 staff recommends the following:

- That the Code 941 Manual language be clarified to better show the scope of Code 941, which should assist in the administration of Code 941 going forward. Among staff's proposals is a summary of the different Delaware licensed residential facilities that are contemplated by Code 941.
- That the Manual language revisions become effective upon new and renewal policies of December 1, 2016 and later.



TO: Delaware Compensation Rating Bureau Classification and Rating Committee

FROM: Jeffrey Pfaff, Senior Classification Analyst
David T. Rawson, Technical Director – Classification & Field Operations

DATE: May 25, 2016

RE: Class Study Report – Code 941, Social Rehabilitation Facility

INTRODUCTION

The Delaware Compensation Rating Bureau (DCRB) has completed a study of Code 941, Social Rehabilitation Facility.

Code 941 contemplates non-medical residential care facilities providing a group setting which emphasizes, through guidance and counseling, the social rehabilitation and the eventual reintegration of residents into the community. The types of facilities historically assigned to Code 941 include, but are not necessarily limited to, group homes for the intellectually and developmentally disabled, group homes for the mentally ill, homes for orphaned children, and other child residential care facilities.

The DCRB's present reexamination of Code 941 results from the Pennsylvania Compensation Rating Bureau's (PCRB) restudy of the classification completed in early 2015. PCRB's reexamination was triggered by two employer classification appeals. The thrust of the two appeals suggested that the Code 941 class description and Underwriting Guide entries could and should be clarified.

PCRB's study found the scope of Code 941 to be sound. PCRB also found that that the description of the class could be clarified and that Underwriting Guide entries should be added to, revised or deleted. PCRB's proposals were first reviewed by their Classification and Rating Committee and then filed with, reviewed and approved by the Pennsylvania Insurance Department to become effective upon new and renewal policies of April 1, 2016 or later.

CLASS HISTORY

The class study that resulted in the erection of Code 941 was completed in 1994. The proposal to create Code 941 resulted from staff's study of Code 976, which was then entitled "YMCA, YWCA." The objective was to review the hypothesis that Code 976 was overly broad as Code 976 at that time contemplated YMCA's, YWCA's, Community Centers and in addition thereto various types of residentially based social service providers. Pursuant to observed differences in operations and incurred experience Code 976 was retained for non-residential organizations including but not necessarily limited to: YMCA's and YWCA's, and community centers. Examples of the types of residentially based social service providers separated from Code 976 to Code 941 included but are not necessarily limited to: alcohol and drug halfway houses, psychiatric halfway houses, pre-parole or probation halfway houses, homes for unwed mothers providing neither adoption nor medical services, domestic abuse shelters and community living arrangements (CLA) for the intellectually or developmentally disabled having eight or fewer residents. Code 941 is "all employees including office" because the bulk of the experience reassigned to Code 941 was previously classified by Code 976, which has been "all employees including office" since its creation effective new and renewal policies of January 1, 1936 and later. The phrase "all employees including office" means a

class so designated does not provide for payroll division with either Code 951 or Code 953. Code 941 and the concurrent revisions to Code 976 became effective upon new and renewal policies of August 1, 1994 and later.

A restudy of Code 941 which narrowed the scope of the classification was completed in early 1997. The restudy was performed for two reasons. The first was to clarify the differences between Code 941 and Code 958, Rehabilitation Hospital. The second was to make an in-depth review of several informal classification appeals from shelter and/or halfway house providers then also contemplated by Code 941. Staff's proposed revisions focused Code 941's scope upon the various residential services providers for the intellectually or developmentally disabled, those with mental health problems and other types of clients (e. g., children and youth residential services). As a result of the study a new classification, Code 986 was erected for residentially based social service providers for adults including but not necessarily limited to shelters for the homeless, domestic abuse shelters, homes for unwed mothers, alcohol and drug halfway houses, and pre-parole or probation halfway houses.

CLASSIFICATION PROCEDURE IN OTHER JURISDICTIONS

Staff finds that there is no single National Council on Compensation Insurance Inc. (NCCI) classification that is a direct equivalent to Delaware Code 941. NCCI Code 8842, Group Homes – All Employees & Salespersons, Drivers, applies to residential facilities where clients will stay overnight at the facility for the duration of the program or until they no longer need living assistance. These types of facilities include group homes, children's homes, and training centers for youths, adults, or physically, mentally or emotionally handicapped individuals. Delaware Code 941 is an all employees including office classification, whereas NCCI Code 8842 provides for payroll division with NCCI's Code 8810, Office.

There is no single Workers' Compensation Insurance Rating Bureau of California (WCIRB) classification that is a direct equivalent to Code 941. The WCIRB has three classifications that are equivalent in part to portions of Code 941. WCIRB Code 9085, Residential Care Facilities For The Developmentally Disabled, applies to the operation of residential facilities for adults or children who are developmentally disabled. WCIRB Code 9085 is also equivalent in part to PCR Code 940, Residential Care Facility for Individuals with Intellectual Disabilities. WCIRB Code 8823, Residential Care Facilities For Children – NOC – All Employees applies to non-medical residential care facilities for children who are neglected, delinquent or emotionally disturbed. Lastly, Code 8804(2), Social Rehabilitation Facilities For Adults, applies to non-medical psychiatric residential care facilities that provide services in a group setting. California Codes 8804(2), 8823 and 9085 all provide for payroll division with WCIRB Codes 8742 (1) Salespersons – Outside and 8810 (1) Clerical Office Employees.

FILE-BY-FILE-REVIEW

During the recent PCR Code 941 study staff created historical experience exhibits for each of the different types of residential facilities assigned to Code 941. PCR also performed rigorous statistical analysis of selected study groups that found the scope of Pennsylvania Code 941 to be sound. Thus, PCR did not propose any revision to the classification's scope.

Delaware Code 941 has a smaller payroll volume than Pennsylvania Code 941, specifically 6.8% the volume of Pennsylvania's Code 941 five-year payroll for 2007 through 2011. Due to the smaller payroll and smaller number of total files that could be assigned to any of the study groups it is anticipated that the statistical credibility would be lower than that of Pennsylvania. For that reason, and the fact that no changes to the structure of Code 941 are being proposed, DCRB has not created historical experience exhibits.

DCRB has performed a file-by-file review of the employers classified to Code 941. DCRB's purpose in performing the file-by-file review was to determine the feasibility of updating the DCRB manual language for Section 2 to more clearly distinguish the types of facilities assignable to Code 941 by citing the specific Delaware Department of Health and Social Services (DHSS) licenses in a similar manner to recent updates to the April 1, 2016 Pennsylvania manual language. In order to assist both the staff's and the membership's administration of Code 941 the updated Pennsylvania manual language cites both the type of licensed facility and the specific Title and Chapter of the Pennsylvania Code where the regulations for that type of facility are found. Staff's preliminary research showed that the types of licenses issued by DHSS varied somewhat from those issued by Pennsylvania's Department of Human Services (DHS). Specifically Delaware licenses are issued by several different divisions within DHSS and differ from their analogous Pennsylvania DHS licenses in terms of the name of the facility, type of clients, and maximum number of residents.

The file-by-file review of the 51 employers classified to Code 941 divided those employers into the study groups shown below. The study groups were structured based on the DHSS licenses applicable to social rehabilitation facilities in Delaware. Where the file-by-file review showed an employer to have operations under two different DHSS licenses, the slotting to a class study group was based upon how the employer was principally engaged.

Group No.	Study Group	Number of Employers
1	Neighborhood Homes for Persons with Developmental Disabilities with 5 or fewer clients per facility (Title 16, Ch. 3310 DE Admin Code)	18
2	Group Homes for Persons with Mental Illness – 10 or fewer clients. (Title 16 Ch. 3305 DE Admin Code)	6
3	Group Home Facilities for Persons with AIDS – 16 or fewer clients. (Title 16, Ch. 3301 DE Admin Code)	1
4	Rest (Family) Care Homes – 3 or fewer clients per home (Title 16, Ch. 3315 DE Admin Code)	1
5	Residential Child Care Facilities – any count (Title 9, Ch. 105 DE Admin Code)	9
6	No Current Coverage Unable To Determine (NCC/UTD)	8
7	Misclassified	8

DEFINITIONS AND OPERATIONS

Group 1: Title 16, Chapter 3310, Neighborhood Homes for Persons with Developmental Disabilities

Employers assigned to this group are operating homes for five or fewer individuals with developmental disabilities, which are licensed by the DHSS Division of Long Term Care Residents Protection. These homes are distinct from Rest (Family care) Homes where three or fewer persons live in a home with care and supervision provided by persons who also reside on the premises. "Neighborhood Home" is defined as a stand-alone house within the community that serves up to 5 individuals with developmental disabilities in a single-family home setting. These homes must meet the state's minimum acceptable standards for living conditions and supports. In addition to the Division of Long Term Care Residents Protection, Neighborhood Homes are also inspected by Division of Developmental Disability Service, a separate division of DHSS.

During the file-by-file review staff observed that certain employers operating Neighborhood Homes For Persons With Developmental Disabilities also operated similar facilities which were referred to simply as Community Living Arrangements or CLA. Such facilities are apartments, condominiums or townhomes

which provide residential services for intellectually or developmentally disabled adults similar to Neighborhood Homes but which are not issued a license by the Division of Long Term Care Residents Protection or any other Delaware Department. The main distinction between a Neighborhood Home and Community Living Arrangement appears to be the type of building. Although not issued any license CLA's are still required to be inspected by Division of Developmental Disability Service. Typically employers operating CLA homes would also operate licensed Neighborhood Homes. Staff did not identify any employers principally engaged in operating the unlicensed CLA homes and consequently did not create a separate study group.

Group 2: Title 16, Chapter 3305 Group Homes for Persons with Mental Illness

Employers assigned to this group are operating homes providing mental health treatment, rehabilitation and housing, staffed full-time when residents are present for between three (3) and ten (10) adults with primary diagnosis of psychiatric disabilities.

The purpose of a group home is to provide a supportive and rehabilitative environment for consumers of mental health services who are unable to live independently at a given time, who demonstrate a willingness to develop the skills for independent living, and who would benefit from group living as an alternative to their existing living situation. A group home shall be limited to adults 18 years of age or older with a psychiatric disability who require a 24 hour supervised community residence because of a primary diagnosis of serious mental illness and require intensive home and community-based support services as a result of the degree of their psychiatric disability, but do not require the services of a psychiatric hospital.

Group Homes for Persons with Mental illness are licensed by Division of Long Term Care Residents Protection but also fall under the jurisdiction of DHSS Division of Substance Abuse and Mental Health which may also inspect but does not issue licenses for the facilities.

Group 3: Title 16, Chapter 3301 Group Home Facilities for Persons with AIDS

The employer assigned to this group operates a home for sixteen (16) or less persons with AIDS. Only those residents shall be admitted with an established diagnosis and disease progression such that the resident requires a routine and frequent combination of physician, professional nursing and supportive services. Provisions shall be made for the transfer and/or discharge of residents when acute care (hospital) services are required or requested.

The group home shall provide for medical and nursing services either directly or through contract arrangements with organizations or individuals licensed as applicable by the State of Delaware. There must be a sufficient number of trained personnel to provide for direct care of residents with a minimum of two (2) nursing service personnel on duty at all times. However, should all residents be ambulatory and capable of self-evacuation, only one nursing service personnel shall be required on duty at all times. Each nurse assistant employed by the group home shall have met the training and testing requirements for certification and be registered in good standing on the Delaware Nurse Aide Registry.

Group 4: Title 16, Chapter 3315 Rest (Family) Care Homes

Employers assigned to this group are providing clients with a home (physical structure and necessary equipment) that provides beds and personal care services for 2 or 3 residents who cannot live independently and who need or could benefit from a family living situation. The home provides shelter, housekeeping services, food/meals and personal care for residents. DHSS regulations provide that admission to a family care home shall be limited to residents whose needs can be met with the following

services: assistance with activities of daily living where the resident needs moderate, standby or "hands on" assistance; assistance with/and or administration of medications, interventions to manage occasional behaviors and; scheduling of and, if necessary, transportation to scheduled treatments or therapies. The holder of the license must be living in the home full-time. These homes are licensed by the Division of Long Term Care Residents Protection and must meet minimum acceptable standards for living conditions and supports. In addition to Division of Long Term Care Residents Protection, Neighborhood Homes are also inspected by Division of Developmental Disability Service.

Group 5: Title 9, Chapter 105 Residential Child Care Facilities and Day Treatment Programs

The facilities assigned to this group include five types of child residential facility all of which are licensed by the Department of Services for Children, Youth and Their Families which is also known as the Delaware Children's Department.

- A Residential Child Care Facility is any facility that provides out-of-home, 24-hour care, protection and supervision for children who have either: behavioral dysfunctions; developmental, emotional, mental or physical impairments; or chemical dependencies.
- A Parenting Adolescent Facility is a residential child care facility for adolescent parents caring for their child or children.
- A Secure Residential Care Facility is a residential child care facility that is authorized to use locked doors, both exterior and interior, as the means of preventing a child from leaving the building(s) without authorization. This type of facility shall only admit a child who has been adjudicated delinquent by a court of law or placed by the Delaware Division of Child Mental Health Services or any other in-state or out-of-state governmental agency.
- A Shelter Care Facility is a residential child care facility that provides temporary or emergency care for children for a period of time that does not exceed 30 consecutive calendar days, except as provided for in Requirement 6.4.1. (i.e. they can make exemptions up to 60 days).
- A Transitional Care Facility is a residential child care facility that provides care for 12 or fewer adolescents for the purpose of preparing them to live as self-sufficient adults. Children must be 16 years or older.

CONCLUSION

Staff proposes Section 2 Manual language amendments to clarify the scope of Code 941 by including the DHSS license types as a reference for potential assignment to Code 941. This clarification is intended to further assist both the staff's and the membership's administration of Code 941 going forward. The manual language will also be proposed to update the Underwriting Guide entries.

During the course of the file-by-file review it became evident that there was an additional difference between the licensing procedures for Delaware and Pennsylvania that staff had not anticipated. Unlike Pennsylvania licenses the Delaware license certificate issued by the DHSS Division of Long Term Care Residents Protection and license certificates issued by the Delaware Children's Department do not cite the Title and Chapter of the Delaware Administrative Code where the facility regulations are found. Given the omission of the Title and Chapter regulations from the Delaware license certificates staff has determined that the inclusion of this information in the Delaware manual language would be superfluous and would not improve the reader's ability to correctly classify residential facilities assigned to Code 941.

Manual Language Proposals

- The Code 941 Underwriting Guide entries for Residential Child Care Service – Neglected Deprived Or Abused, Orphanage, and Home For Orphans will be deleted and replaced by a new entry for Child Residential Facilities. The new entry for Child Residential Facilities better encompasses the variety of children’s or youth facilities, all of which are assignable to Code 941.
- The study did not find any residential facilities for children that characterize themselves as orphanages or their residents as orphans, and for that reason those Guide entries are proposed for deletion.
- Also proposed for deletion is the entry for Group Home - Developmentally Disabled (Not Intermediate Care Facility) - 8 Or Fewer Clients Per Facility. Staff research and file-by-file review did not identify any current Delaware license matching this description. The most similar Delaware license would be the Neighborhood Home license which also applies to intellectually or developmentally disabled clients but which calls for a maximum of 5 clients.
- Finally, staff proposes that an entry be added for Community Living Arrangement (CLA) for the Intellectually And/Or Developmentally Disabled and for Rest (Family) Care Homes as there is presently no Underwriting Guide entry specific to these types of facilities which are correctly assigned to Code 941.

The proposed Section 2 Manual language amendments are attached for the Committee’s review.

cc: Bill Taylor
Vince Dean
Joe Lombo
Robert Ferrante



TO: Delaware Compensation Rating Bureau Classification and Rating Committee

FROM: Jeffrey Pfaff, Senior Classification Analyst
David T. Rawson, Technical Director – Classification & Field Operations

DATE: May 20, 2016

RE: Proposed 12/01/16 DCRB Manual language changes for Code 986, Shelter Or
Halfway House – Residential – Non-Medical

Code 986 contemplates shelters for various clienteles including the homeless, victims of domestic abuse, unwed mothers, halfway houses for prison release programs or drug and alcohol programs not otherwise classified. Such are non-medical residential facilities providing counseling and training in daily living skills aimed at reintegrating residents into the community in a non-institutional environment.

The Pennsylvania Compensation Rating Bureau (PCRB) completed a study of Code 986 in early 2015 which found that the scope of Code 986 was sound. A major objective of PCRB's study was to determine whether time parameters should be placed on the average client's residence in a Code 986 facility and, based on a client's average length of stay, to more precisely define the use of "short term" in the Code 986 class description. After performing a file by file review and separating Code 986 facilities based on average length of stay (e.g., less than 90 days vs. more than 90 days), PCRB ultimately determined that length of stay was not meaningfully associated with loss experience. There was no consistent or significant difference in the experience of the two groups of facilities established based on length of stay.

Thus, PCRB proposed the deletion of "short term" from the Code 986 class description. PCRB also found that the description of Code 986 should be clarified by specifically noting that the class applies to facilities for adults and by adding additional "operations not included" entries. PCRB's proposals were first reviewed by their Classification and Rating Committee and then filed with, reviewed and approved by the Pennsylvania Insurance Department and became effective upon new and renewal policies of April 1, 2016 or later.

In light of the PCRB's study results showing the basic scope of Code 986 to be sound DCRB determined that a file-by-file review of the thirty Delaware employers assigned to Code 986 was unnecessary. DCRB is proposing clarifications to the Code 986 Section 2 Delaware class description to be effective for the December 1, 2016 manual. A copy of the proposed manual language changes is attached the Committee's review.

Cc: Bill Taylor
Vince Dean
Joe Lombo
Robert Ferrante

DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE

Proposed Effective December 1, 2016

INFORMATION PAGE remains unchanged.

PREFACE remains unchanged.

MEMBERSHIP remains unchanged.

SECTION 1 – Underwriting Rules through **SECTION 1 – Appeals Procedure** remain unchanged.

SECTION 2 – Rating Values through **SECTION 2 – Definitions** remain unchanged.

SECTION 2 – Classifications

941 SOCIAL REHABILITATION FACILITY – For adults or children – all employees including office.

Applicable to non-medical residential care facilities providing a transitional non-institutional environment in a group setting which emphasizes through guidance and counseling the social rehabilitation and the eventual reintegration of the resident into the community or reuniting the resident with family. ~~Such facilities include: Group Homes for the Mentally Ill and Neighborhood Homes.~~ The residents of such facilities will normally be either adults or children diagnosed with intellectual disabilities and/or developmental disabilities, adults or children diagnosed with mental illness, adults or children with traumatic brain injuries, children who have been neglected or abused, children with behavioral disorders or court adjudicated children who have been removed from their homes. Clients in these facilities may access daily community based programs appropriate to their condition.

~~Residential facilities for children provide a non-institutional environment focusing on socialization and reintegration into the community. Residents in these facilities are usually pre-teen to 18 years of age. At these facilities individualized programs are designed to rehabilitate the child. Emphasis is placed upon reuniting children with their families, placing children in foster care or moving them into a group home where independent living skills are stressed.~~

~~Neighborhood Homes operating group homes with 5 or fewer mentally disabled residents are community-based residential programs providing supportive services for clients. These facilities have a minimum of one staff member on duty at all times when a client is present. Clients in the group homes access community-based programs for the mentally retarded. These clients do not require the health care provided at an ICF/MR. Many of these clients will become self-sufficient enough to move into minimal supervision apartments.~~

~~Additional programs, e.g., daycare, respite care and prevocational training programs, provided by group home operators shall be included within the scope of this class. Training programs that pay the trainees for services rendered (including sheltered workshops) shall be separately classified.~~

OPERATIONS ALSO INCLUDED:

1. Additional programs, e.g., daycare, respite care and prevocational training programs, provided by group home operators primarily for their residential clients shall be included within the scope of Code 941.
2. Community Living Arrangements are non-licensed apartment or townhome settings offering residential services for persons with intellectual and/or developmental disabilities similar to those provided by Neighborhood Homes
3. Group Homes For Persons With Mental Illness are licensed residences providing mental health treatment, rehabilitation and housing for between 3 and 10 adults with primary diagnosis of psychiatric disabilities
4. Neighborhood Homes for Persons with Developmental Disabilities are licensed facilities defined as a standalone house within the community that serves up to 5 individuals with developmental disabilities

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING
VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective December 1, 2016

- in a single-family home setting.
5. Residential Child Care Facilities and Day Treatment Program are licensed residential child care facilities regardless of client count
 6. Rest (Family) Care Homes which are licensed homes that provide beds and personal care services for 2 or 3 residents who cannot live independently and who need or could benefit from a family living situation. The home provides shelter, housekeeping services, food/meals and personal care for residents.

OPERATIONS NOT INCLUDED:

1. Training programs that pay the trainees for services rendered shall be separately classified as provided in this Manual.
2. Assign Code 940 to facilities licensed as Intermediate Care Facilities (ICF/MR)
3. Assign Code 964 to the separate staff of a work center/sheltered workshop.
4. Assign Code 976 for adult day center or prevocational training programs operated by a residential services provider which are primarily attended by non-residents and which fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of this Manual.
5. Assign Code 979 to facilities licensed as Rest (Residential) Homes
6. Assign Code 986 to drug and alcohol halfway houses, adult shelters for the homeless, victims of domestic abuse, ~~unwed mothers~~ maternity homes or pre-parole halfway houses ~~shall be assigned to Code 986.~~

UNDERWRITING GUIDE

~~Child Care Service, Residential -- (Neglected, Deprived Or Abused)~~
Child Residential Facilities
Community Living Arrangement (CLA) for the Intellectually And/Or Developmentally Disabled
~~Group Home -- Developmentally Disabled (Not Intermediate Care Facility) -- 8 Or Fewer Clients Per Facility~~
Group Homes For Persons With Mental Illness ~~The Mentally Ill~~
~~Home For Orphans~~
~~Neighborhood Homes -- 5 Or Fewer Residents~~
Neighborhood Homes For Persons with Intellectual And/Or Developmental Disabilities ~~For The Mentally Disabled -- 5 Or Fewer Residents~~
~~Orphanage~~
~~Residential Child Care Service -- (Neglected, Deprived Or Abused)~~
Rest (Family) Care Homes

SECTION 3 – Endorsements through **SECTION 6 – Merit Rating Plan** remain unchanged.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING
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SECTION 2 – Rating Values through **SECTION 2 – Definitions** remain unchanged.

SECTION 2 – Classifications

941 SOCIAL REHABILITATION FACILITY – For adults or children – all employees including office.

Applicable to non-medical residential care facilities providing a transitional non-institutional environment in a group setting which emphasizes through guidance and counseling the social rehabilitation and the eventual reintegration of the resident into the community or reuniting the resident with family. The residents of such facilities will normally be either adults or children diagnosed with intellectual disabilities and/or developmental disabilities, adults or children diagnosed with mental illness, adults or children with traumatic brain injuries, children who have been neglected or abused, children with behavioral disorders or court adjudicated children who have been removed from their homes. Clients in these facilities may access daily community based programs appropriate to their condition.

OPERATIONS ALSO INCLUDED:

1. Additional programs, e.g., daycare, respite care and prevocational training programs, provided by group home operators primarily for their residential clients shall be included within the scope of Code 941.
2. Community Living Arrangements are non-licensed apartment or townhome settings offering residential services for persons with intellectual and/or developmental disabilities similar to those provided by Neighborhood Homes
3. Group Homes For Persons With Mental Illness are licensed residences providing mental health treatment, rehabilitation and housing for between 3 and 10 adults with primary diagnosis of psychiatric disabilities
4. Neighborhood Homes for Persons with Developmental Disabilities are licensed facilities defined as a standalone house within the community that serves up to 5 individuals with developmental disabilities in a single-family home setting.
5. Residential Child Care Facilities and Day Treatment Program are licensed residential child care facilities regardless of client count
6. Rest (Family) Care Homes which are licensed homes that provide beds and personal care services for 2 or 3 residents who cannot live independently and who need or could benefit from a family living situation. The home provides shelter, housekeeping services, food/meals and personal care for residents.

OPERATIONS NOT INCLUDED:

1. Training programs that pay the trainees for services rendered shall be separately classified as provided in this Manual.
2. Assign Code 940 to facilities licensed as Intermediate Care Facilities (ICF/MR)
3. Assign Code 964 to the separate staff of a work center/sheltered workshop.
4. Assign Code 976 for adult day center or prevocational training programs operated by a residential services provider which are primarily attended by non-residents and which fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of this Manual.
5. Assign Code 979 to facilities licensed as Rest (Residential) Homes
6. Assign Code 986 to drug and alcohol halfway houses, adult shelters for the homeless, victims of domestic abuse, maternity homes or pre-parole halfway houses.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING
VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective December 1, 2016

UNDERWRITING GUIDE

Child Residential Facilities

Community Living Arrangement (CLA) for the Intellectually And/Or Developmentally Disabled

Group Homes For Persons With Mental Illness

Neighborhood Homes For Persons with Intellectual And/Or Developmental Disabilities

Rest (Family) Care Homes

SECTION 3 – Endorsements through **SECTION 6 – Merit Rating Plan** remain unchanged.

DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE

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SECTION 2 – Rating Values through **SECTION 2 – Definitions** remain unchanged.

SECTION 2 – Classifications

986 ADULT SHELTER OR HALFWAY HOUSE – RESIDENTIAL – NON-MEDICAL – all employees including office.

Applicable to shelters for ~~the~~ adults who are homeless, victims of domestic abuse or unwed mothers or to halfway houses for prison release programs or drug and alcohol residential facilities not otherwise classified. Such are ~~short term~~ non-medical residential facilities providing counseling and training in a non-institutional environment ~~counseling and training in~~ on daily living skills aimed at reintegrating residents into the community. The residents of these facilities are adults, but residents of domestic violence shelters may be accompanied by their minor children. Services provided to clients may also include but are not necessarily limited to: counseling for specific client needs, advocacy services, job training, child care and help in seeking services available to the clients in the community. All provided services and the insured's administrative staff (regardless of location) are included within the scope of this class.

OPERATIONS NOT INCLUDED:

1. Assign Code 940 to residential facilities licensed as Intermediate Care Facilities (ICF/MR or ICF/IID) which house any number of intellectually or developmentally disabled clients.
2. Assign Code 941 to children and youth residential services or to F facilities providing non-medical residential care ~~for mentally ill clients, group homes not licensed as intermediate care facilities for developmentally disabled clients having eight or fewer clients per facility or children and youth residential services shall be assigned to Code 941. such as Group Homes For Persons With Mental Illness, Neighborhood Homes, community living arrangements for intellectually or developmentally disabled clients or Rest (Family) care homes.~~
3. Assign Code 958 to residential drug or alcohol addiction detoxification facilities licensed by the State of Delaware as Medical or Social Setting Detoxification.

UNDERWRITING GUIDE

Alcohol/Drug - Halfway House Or Residential Program Not Licensed As Medical Or Social Setting Detoxification

Halfway House - Pre-Parole Or Probation

~~Home For Unwed Mothers – No Medical Services~~

Maternity Home - No Medical Services

Shelter For The Homeless

Shelters For Victims Of Domestic Abuse

SECTION 3 – Endorsements through **SECTION 6 – Merit Rating Plan** remain unchanged.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING
VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective December 1, 2016

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INFORMATION PAGE remains unchanged.

PREFACE remains unchanged.

MEMBERSHIP remains unchanged.

SECTION 1 – Underwriting Rules through **SECTION 1 – Appeals Procedure** remain unchanged.

SECTION 2 – Rating Values through **SECTION 2 – Definitions** remain unchanged.

SECTION 2 – Classifications

986 ADULT SHELTER OR HALFWAY HOUSE – RESIDENTIAL – NON-MEDICAL – all employees including office.

Applicable to shelters for adults who are homeless, victims of domestic abuse or unwed mothers or to halfway houses for prison release programs or drug and alcohol residential facilities not otherwise classified. Such are non-medical residential facilities providing counseling and training in a non-institutional environment on daily living skills aimed at reintegrating residents into the community. The residents of these facilities are adults, but residents of domestic violence shelters may be accompanied by their minor children. Services provided to clients may also include but are not necessarily limited to: counseling for specific client needs, advocacy services, job training, child care and help in seeking services available to the clients in the community. All provided services and the insured's administrative staff (regardless of location) are included within the scope of this class.

OPERATIONS NOT INCLUDED:

1. Assign Code 940 to residential facilities licensed as Intermediate Care Facilities (ICF/MR or ICF/IID) which house any number of intellectually or developmentally disabled clients.
2. Assign Code 941 to children and youth residential services or to facilities providing non-medical residential care such as Group Homes For Persons With Mental Illness, Neighborhood Homes, community living arrangements for intellectually or developmentally disabled clients or Rest (Family) care homes.
3. Assign Code 958 to residential drug or alcohol addiction detoxification facilities licensed by the State of Delaware as Medical or Social Setting Detoxification.

UNDERWRITING GUIDE

Alcohol/Drug - Halfway House Or Residential Program Not Licensed As Medical Or Social Setting
Detoxification

Halfway House - Pre-Parole Or Probation

Maternity Home - No Medical Services

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SECTION 3 – Endorsements through **SECTION 6 – Merit Rating Plan** remain unchanged.