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To Our Valued Clients:

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Workers' Compensation You May Not Have Coverage In New Hampshire

It has been brought to our attention that New Hampshire recently began enforcing its Workers' Compensation law requiring employers to provide New Hampshire workers' compensation for any non-resident employee who works in the state for even one day.

The provisions in the WC law that said that the chapter did not apply to non-resident employees was repealed back in 2006, but they have only recently begun enforcing it. New Hampshire law states that an employer subject to the WC chapter shall secure Workers' Compensation insurance in this state and file evidence of such coverage with the commissioner.

In order for a carrier to file evidence of coverage with the commissioner, employers with any employees doing any work in New Hampshire must show NH in item 3A of its Workers' Compensation policy and show payroll by classification for New Hampshire in Item 4. Just having Other States Coverage for the State of New Hampshire in your policy under item 3C, is not adequate to meet this requirement as there would be no payroll shown for NH, and no filing made to evidence coverage.

If you have any employees working in New Hampshire and your current carrier is unable to add coverage for that state, you would need to purchase a separate NH Workers' Compensation policy.

Failure to properly list any work being done by employees in New Hampshire can result in fines of up to \$2,500 plus up to \$100 per day per employee retroactive to day one once the State of New Hampshire discovers the situation. So be sure to tell us if you now have operations, or begin operations at any time in New Hampshire, or any other state, if it is not listed in item 3.A. of your policy with payroll shown for that state. We can then determine whether we can endorse your current policy, or whether an additional policy is needed to properly cover your "other state" work.

To help explain the issue further, we felt it might be helpful to resend the enclosed bulletin regarding "Other States" coverage which we have mailed in the past.

If you have any questions at all, please let us know.

Very truly yours,

DeSanctis Insurance Agency, Inc.