

No. **2025-9216**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 03/27/2025

Subject Considered:

**National Council on Compensation Insurance Filing
*Item 01-TX-2024—Revisions to NCCI's Basic Manual for Texas for Classifications
and Table of Classifications by Hazard Group***

The subject of this order is the adoption of amendments as proposed in *Item 01-TX-2024—Revisions to NCCI's Basic Manual for Texas for Classifications and Table of Classifications by Hazard Group* (TDI ECase No. 36164; SERFF Tracking No. NCCI-134325689).

Background

The National Council on Compensation Insurance (NCCI) filed *Item 01-TX-2024* to amend the NCCI *Basic Manual for Workers Compensation and Employers Liability Insurance for Texas* (Basic Manual). Under the workers' compensation classification system, employers with similar operations are grouped by classification so that loss costs and rates may be calculated to reflect overall employee exposure to injury.

The amendments replace some Texas classifications and phraseologies with multistate ones. An additional amendment revises a rule for non-F-classification operations subject to the United States Longshore & Harbor Workers' Compensation Act.

After considering the filing, the commissioner of insurance adopts the following findings of fact and conclusions of law.

Findings of Fact

1. NCCI filed *Item 01-TX-2024* with TDI on November 21, 2024, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.

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2. *Item 01-TX-2024* amends the Basic Manual by making the following changes:
 - a. Makes changes to several Texas codes and phraseologies to implement multistate codes and phraseologies. (See Exhibit A for details.)
 - b. Revises the "Rule for including premium for non-F-classification operations subject to the United States Longshore & Harbor Workers' Compensation Act, related to increasing Admiralty law classification rates." (Rule BM-FEDE-RF018)
3. NCCI states that the code changes will help streamline the classification approach in Texas. This will make both the Texas and multistate classifications more uniform and will better align exposure to pricing within an individual class code.
4. NCCI states that some phraseologies that are reassigned to the same code will experience no premium impact due to this filing. Some phraseologies that are reassigned to different class codes as well as Texas class codes that are reassigned to the multistate class codes will experience a premium impact. The change for two of these class codes, concrete block and brick manufacturers and drivers for bag or sack manufacturing, will be implemented over multiple years, to limit the annual impact to employers.
5. *Item 01-TX-2024* also makes nonsubstantive style and formatting changes, and changes for consistency in the Basic Manual.
6. For Rule BM-FEDE-RF018, this filing removed duplicative language in a U.S. Longshore and Harbor Workers rule to avoid confusion.
7. NCCI proposed that the changes in *Item 01-TX-2024* apply to new and renewal policies that are effective on or after 12:01 a.m. on July 1, 2025.
8. *Item 01-TX-2024* has been available for public inspection in SERFF and at TDI since the filing date.
9. The filing, including exhibits, is incorporated by reference into this order.
10. On January 13, 2025, TDI published notice of the filing on the TDI website at www.tdi.texas.gov/rules/2024/nccimannual.html and distributed notice of the filing to electronic news subscribers.
11. TDI received no comments by the February 27, 2025, deadline.

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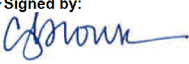
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Conclusions of Law

1. TDI has jurisdiction over this matter under Insurance Code §§ 2051.002, 2051.201, 2053.002, 2053.011, 2053.051, and Article 5.96.
2. TDI gave notice in compliance with Commissioner's Order No. 3142.
3. The amendments to the Basic Manual are consistent with Insurance Code Chapters 2051 and 2053, and Article 5.96.
4. Applying the changes in *Item 01-TX-2024* to new and renewal policies that are effective on or after 12:01 a.m. on July 1, 2025, is reasonable.

Order

It is ordered that NCCI's filing, *Item 01-TX-2024—Revisions to NCCI's Basic Manual for Texas for Classifications and Table of Classifications by Hazard Group*, is approved. The changes in *Item 01-TX-2024* apply to new and renewal policies that are effective on or after 12:01 a.m. on July 1, 2025.

Signed by:

FC5D7EDDFB4F8...
Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:

Signed by:

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Mark Worman, Deputy Commissioner

Signed by:

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Jessica Barta, General Counsel

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Exhibit A

The following table displays the changes to the classification phraseologies. It can also be found in the filing.

Current Texas Phraseologies (Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes)	Adopted Multistate Phraseologies (Multistate classification treatment to be applicable in Texas)
<p>Code 0008: Texas-specific phraseologies and notes to be eliminated and reassigned to multistate Code 0008:</p> <ul style="list-style-type: none">• Farm—Gardening—Market or Truck & Drivers• Farm—Vegetable & Drivers <p>Code 0008: Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 0008:</p> <ul style="list-style-type: none">• Harvesting by Contract Using Hand Labor Exclusively & Drivers• Rogueing Crew for Field Crops & Drivers	<p>Code 0008:</p> <ul style="list-style-type: none">• Farm—Gardening—Market or Truck & Drivers• Farm—Vegetable & Drivers
<p>Code 0011: Texas-specific Code 0011 to be eliminated in its entirety and reassigned to multistate Code 0037: Farm—NOC & Drivers</p>	<p>Code 0037: Farm—NOC & Drivers</p>
<p>Code 0113: Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 0034:</p> <ul style="list-style-type: none">• Apiaries & Drivers• Bee Keeping—Honey Production & Drivers• Broiler and/or Egg Producers & Drivers• Chicken Catchers—By Contract & Drivers• Emu and/or Ostrich Raising & Drivers• Ostrich and/or Emu Raising & Drivers• Poultry and Egg Producing & Drivers <p>Texas-specific phraseologies to be eliminated and reassigned to multistate Code 0034:</p> <ul style="list-style-type: none">• Farm—Egg or Poultry Producer & Drivers• Farm—Poultry or Egg Producer & Drivers <p>No changes are proposed to the remaining phraseologies in Texas-specific Code 0113.</p> <p>Code 0034: Texas-specific phraseology to be eliminated and reassigned by analogy to multistate Code 0034: Hatchery—Poultry—Store Operations Only</p>	<p>Code 0034:</p> <ul style="list-style-type: none">• Farm—Apiary & Drivers• Farm—Egg or Poultry Producer & Drivers• Farm—Poultry or Egg Producer & Drivers

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Current Texas Phraseologies Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes	Adopted Multistate Phraseologies Multistate classification treatment to be applicable in Texas
<p>Code 0035: Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 0035:</p> <ul style="list-style-type: none"> • Aquatic Plants—Growing & Harvesting & Drivers • Hydroponics & Drivers • Mushroom Growing and Harvesting & Drivers • Nursery—Wholesale—With Hothouse or Greenhouse Growing Operations & Drivers • Wholesale Nursery with Hothouse or Greenhouse Growing Operations & Drivers <p>Texas-specific phraseology to be eliminated and reassigned to multistate Code 0035:</p> <p>Farm—Florist & Drivers</p> <p>Code 0035: Texas-specific phraseology to be eliminated and reassigned by analogy to multistate Code 0034:</p> <ul style="list-style-type: none"> • Farm—Worm & Drivers • Worm Farms & Drivers 	<p>Code 0035: Farm—Florist & Drivers</p> <p>Code 0034:</p> <ul style="list-style-type: none"> • Farm—Apiary & Drivers • Farm—Egg or Poultry Producer & Drivers • Farm—Poultry or Egg Producer & Drivers
<p>Texas-specific phraseology to be eliminated and reassigned to multistate Code 0037: Farm—Field Crops & Drivers</p> <p>Code 0037: Texas-specific phraseologies to be eliminated and reassigned to multistate Code 0050:</p> <ul style="list-style-type: none"> • Farm Machinery Operation—By Contractor & Drivers • Hay Baling & Drivers <p>Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 0050:</p> <ul style="list-style-type: none"> • Anhydrous Ammonia Application—Agricultural—By Contract & Drivers • Crop Spraying or Dusting—By Contract—Not Aerial & Drivers • Fertilizer Application—By Contract With Farm Machinery & Drivers • Harvesting by Contract Using Farm Machinery & Drivers 	<p>Code 0037: Farm—Field Crops & Drivers</p> <p>Code 0050:</p> <ul style="list-style-type: none"> • Brush or Weed Control by Contractor Chemical & Drivers • Farm Machinery Operation—By Contractor & Drivers • Hay Baling & Drivers

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Current Texas Phraseologies	Adopted Multistate Phraseologies
<p>Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes</p>	<p>Multistate classification treatment to be applicable in Texas</p>
<p>Code 0083: Texas-specific phraseology to be eliminated and reassigned to multistate Code 0036: Farm—Dairy & Drivers</p> <p>No changes are proposed to the remaining phraseologies in Texas-specific Code 0083 for Texas.</p>	<p>Code 0036: Farm—Dairy & Drivers</p>
<p>Code 0908: Texas-specific Code 0908 phraseology and note to be eliminated and reassigned to multistate Code 0908 phraseology and note: Domestic Workers—Residences—Part-Time</p>	<p>Code 0908: Domestic Workers—Residences—Part-Time</p>
<p>Code 0913: Texas-specific Code 0913 phraseology and note to be eliminated and reassigned to multistate Code 0913 phraseology and note: Domestic Workers—Residences—Full-Time</p>	<p>Code 0913: Domestic Workers—Residences—Full-Time</p>
<p>Code 2040: Texas-specific Code 2040 to be eliminated in its entirety and reassigned to multistate Code 2039: Ice Cream Mfg.</p>	<p>Code 2039: Ice-Cream Mfg. & Drivers</p>
<p>Code 2041: Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 2021:</p> <ul style="list-style-type: none"> • Beet Sugar Mfg. • Honey Processing • Molasses or Syrup Refining, Blending or Mfg. • Sugar Mfg. or Refining • Syrup or Molasses Refining, Blending, or Mfg. <p>Texas-specific phraseology to be eliminated and reassigned by analogy to multistate Code 2039: Frozen Confectionery Bar Mfg.</p> <p>Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 2041:</p> <ul style="list-style-type: none"> • Chewing Gum Mfg. • Chocolate or Cocoa Mfg. • Cocoa or Chocolate Mfg. • Confection Mfg. 	<p>Code 2021: Sugar Manufacturing or Refining From Sugar Cane or Sugar Beets</p> <p>Code 2039: Ice-Cream Mfg. & Drivers</p> <p>Code 2041: Candy, Chocolate, and Confection Mfg.</p>

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Current Texas Phraseologies Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes	Adopted Multistate Phraseologies Multistate classification treatment to be applicable in Texas
<p>Code 2068: Texas-specific Code 2068 is being eliminated in its entirety and being reassigned as follows: Texas-specific phraseology to be eliminated and reassigned to multistate Code 2065: Milk Products Mfg. NOC</p> <p>Texas-specific phraseologies to be eliminated and reassigned to multistate Code 2070:</p> <ul style="list-style-type: none"> • Butter or Cheese Mfg. • Cheese or Butter Mfg. • Creamery <p>Texas-specific phraseologies to be eliminated and reassigned by analogy to multistate Code 2070: Milk Plant or Depot—Receiving or Distributing</p>	<p>Code 2065:</p> <ul style="list-style-type: none"> • Condensed Milk Mfg. • Malted Milk Mfg. • Milk Products Mfg. NOC <p>Code 2070:</p> <ul style="list-style-type: none"> • Butter or Cheese Mfg. & Route Supervisors, Drivers • Cheese or Butter Mfg. & Route Supervisors, Drivers • Creamery or Dairy & Route Supervisors, Drivers. • Dairy or Creamery & Route Supervisors, Drivers. • Milk Bottle Exchange—All Employees & Drivers • Milk Depot or Milk Dealer & Route Supervisors, Drivers
<p>Code 2081: Texas-specific phraseologies to be eliminated and reassigned to multistate Code 2081:</p> <ul style="list-style-type: none"> • Butchering • Slaughtering <p>Texas-specific phraseology to be eliminated and reassigned to multistate Code 2089: Packing House—All Operations</p>	<p>Code 2081:</p> <ul style="list-style-type: none"> • Butchering. • Slaughtering. • Stockyard—Butchering <p>Code 2089: Packing House—All Operations.</p>
<p>Code 2095: Texas-specific Code 2095 phraseologies to be eliminated and reassigned by analogy to multistate Code 2095:</p> <ul style="list-style-type: none"> • Beef Jerky Mfg. • Dehydrating of Meats for Canning or Packing • Dog Food Mfg. <p>Texas-specific Code 2095 phraseologies to be eliminated and reassigned to multistate Code 2095:</p> <ul style="list-style-type: none"> • Meat Products Mfg. NOC • Sausage or Sausage Casing Mfg. 	<p>Code 2095:</p> <ul style="list-style-type: none"> • Fish Curing • Meat Products Mfg. NOC. • Sausage or Sausage Casing Mfg.
<p>Code 2578: Texas-specific Code 2578 to be eliminated in its entirety and reassigned to multistate Code 2501:</p> <ul style="list-style-type: none"> • Bag or Sack Mfg. • Bag Renovating • Sack or Bag Mfg. <p>This change will require a two-phase transition program.</p>	<p>Code 2501:</p> <ul style="list-style-type: none"> • Bag or Sack Mfg.—Cloth. • Bag Renovating

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Current Texas Phraseologies Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes	Adopted Multistate Phraseologies Multistate classification treatment to be applicable in Texas
Code 2790: Texas-specific Code 2790 phraseology to be eliminated and reassigned to multistate Code 2790: <ul style="list-style-type: none">• Pattern Making NOC• Shoe Form or Last Mfg.	Code 2790: <ul style="list-style-type: none">• Last or Shoe Form Mfg.• Patternmaking NOC.• Wood Carving—By Hand or Machine
Code 3004: Texas-specific Code 3004 phraseologies to be eliminated and reassigned to multistate Code 3004: <ul style="list-style-type: none">• Iron or Steel Mfg.—All Types & Drivers• Rolling Mill—Iron or Steel & Drivers	Code 3004: Iron or Steel—Manufacturing—Steelmaking & Drivers.
Code 4045: Texas-specific Code 4045 to be eliminated in its entirety and reassigned to multistate Code 4034: <ul style="list-style-type: none">• Cement Pave Stone Mfg. & Drivers• Concrete Block and Brick Mfg. & Drivers <p>This change requires a three-phase transition program.</p>	Code 4034: <ul style="list-style-type: none">• Coffin and Casket Mfg. and Installation— Concrete & Drivers• Concrete Products Mfg. & Drivers
Code 4150: Texas-specific Code 4150 to be eliminated in its entirety and reassigned to multistate Code 4149: <ul style="list-style-type: none">• Lens Mfg.—Ground• Optical Goods Mfg. NOC Note: Code 8013: Texas-specific Code 8013 is not being eliminated; it is to be revised to update the reference to surface grinding from Texas-specific Code 4150 to multistate Code 4149 as a result of the elimination of Texas-specific Code 4150.	Code 4149: Optical Goods Mfg. NOC
Code 4239: Texas-specific Code 4239 phraseology to be eliminated and reassigned to multistate Code 4239: Paper Mfg.	Code 4239: <ul style="list-style-type: none">• Paper Mfg.• Particleboard Mfg.

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Current Texas Phraseologies (Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes)	Adopted Multistate Phraseologies (Multistate classification treatment)
<p>Code 4243: Texas-specific phraseology to be eliminated and reassigned to multistate Code 4240: Box Mfg.—Setup Paper</p> <p>Texas-specific phraseology to be eliminated and reassigned by analogy to multistate Code 4240: Milk Carton Mfg.</p> <p>Texas-specific phraseology to be eliminated and reassigned to multistate Code 4243: Box Mfg.—Folding Paper—NOC</p>	<p>Code 4240: Box Mfg.—Set-Up Paper</p> <p>Code 4243: Box Mfg.—Folding Paper—NOC</p>
<p>Code 4362: Texas-specific Code 4362 to be eliminated in its entirety and reassigned to multistate Code 7610:</p> <ul style="list-style-type: none"> • Film Exchange • Motion Picture—Film Exchange and Projection Rooms 	<p>Code 7610: Motion Picture—Production— in Studios or Outside—All Operations & Clerical, Drivers</p>
<p>Code 8017: Texas-specific Code 8017 phraseology to be eliminated and reassigned to multistate Code 8001: Florist—Retail & Drivers</p> <p>Code 8018: Texas-specific Code 8018 phraseology to be eliminated and reassigned to multistate Code 8001: Florist—Wholesale & Drivers</p> <p>No changes are proposed to the remaining phraseologies for Texas-specific Code 8017 and Code 8018.</p>	<p>Code 8001:</p> <ul style="list-style-type: none"> • Florist—Store & Drivers • Store—Florist & Drivers.
<p>Code 8607: Texas-specific Code 8607 to be eliminated in its entirety and reassigned to multistate Code 8606:</p> <ul style="list-style-type: none"> • Ecology Studies—Water, Fish, Animals, Etc. & Drivers • Geophysical Exploration NOC—All Employees & Drivers <p>Code 8606: Texas-specific Code 8606 phraseology to be eliminated and reassigned to multistate Code 8606: Geophysical Exploration—Seismic—All Employees & Drivers</p>	<p>Code 8606: Geophysical Exploration—All Employees & Drivers</p>

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Current Texas Phraseologies (Texas-specific codes and phraseologies to be eliminated or reassigned to the same or multiple multistate codes)	Adopted Multistate Phraseologies (Multistate classification treatment)
Code 8828: Texas-specific Code 8828 to be eliminated in its entirety and reassigned to multistate Code 8835: <ul style="list-style-type: none">• Home Healthcare—All Other Employees• Homemaker Service• Visiting Nurses Associations—All Other Employees	Code 8835: <ul style="list-style-type: none">• Homemaker Service—Physical Assistance• Home, Public, and Traveling Healthcare—All Employees
Code 8901: Texas-specific Code 8901 phraseologies to be eliminated and reassigned by analogy to multistate Code 8810: <ul style="list-style-type: none">• Alarm Monitoring & Clerical• Security Alarm Monitoring & Clerical• Telephone Answering Service & Clerical Texas-specific Code 8901 phraseologies to be eliminated and reassigned by analogy to multistate Code 8901: <ul style="list-style-type: none">• Telephone or Telegraph Co.—Office or Exchange Employees & Clerical• Television Community Coaxial Cable Company— Studios or Exchange Employees & Clerical	Code 8901: Telecommunications Co.: Office or Exchange Employees & Clerical
Code 9014: Texas-specific phraseologies to be eliminated and reassigned to multistate Code 0917: <ul style="list-style-type: none">• Dog Sitting Service• Maid Service—By Contract• Pet Sitting Service <p>No changes are proposed to the remaining phraseologies in Texas-specific Code 9014.</p>	Code 0917: <ul style="list-style-type: none">• Pet Sitting Service• Residential Cleaning Services by Contractor—Inside