



## Pennsylvania Compensation Rating Bureau

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April 5, 2002

### **BUREAU CIRCULAR NO. 1439**

To All Members of the Bureau:

Re: **WAIVER OF SUBROGATION ENDORSEMENT**  
**EFFECTIVE OCTOBER 1, 2002**

The Pennsylvania Compensation Rating Bureau has filed and the Insurance Commissioner has approved a Waiver of Our Right to Recover from Other Endorsement, WC 00 03 13 (Waiver of Subrogation), which will become **effective 12:01 a.m., October 1, 2002** with respect to new and renewal policies only.

The following are the Manual amendments which are necessitated by this revision with deleted wording bracketed:

#### **SECTION 5**

#### **[WAIVER OF SUBROGATION – WORKERS COMPENSATION]**

[It is not permissible for an insurance company to waiver rights of subrogation in endorsements to standard workers compensation policies in Pennsylvania. (For more details, refer to Section 319 of the Pennsylvania Workers Compensation Act, June 21, 1939 P.L. 520, as amended by Act of May 18, 1945, P.L. 671, as amended March 29, 1972, P.L. 159, Number 61.)]

Attached is a copy of the national endorsement form that has been filed on behalf of all Bureau members. No company filings are necessary to adopt or use this form beginning October 1, 2002.

Manual reprints will be distributed at a later date.

Questions about this endorsement should be directed to Betty Ann Campbell, Director, Rating Rules & Policy Reporting, at Extension 218 or bcampbell@pcrb.com.

Timothy L. Wisecarver  
President

TLW/kg  
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Attachment

***Remember to visit our web site at [www.pcrb.com](http://www.pcrb.com) for more information about this and other topics.***

## Workers Compensation and Employers Liability Insurance Policy

WC 00 03 13

### WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

This agreement shall not operate directly or indirectly to benefit any one not named in the Schedule.

Schedule

- Note 1:** Use this endorsement to waive the company's right of subrogation against named third parties who may be responsible for an injury.
- Note 2:** The sentence in ( ) is optional with the company. It limits the endorsement to apply only to specific jobs of the insured, and only to the extent that the insured is required to obtain this waiver.