

MEMORANDUM

NEW YORK STATE RACING AND WAGERING BOARD

To: New York State Racing and Wagering Board Licensed Trainers

From: Nicole D. Robilotto, Director of Licensing

Re: Workers' Compensation Insurance- New Form CE-200

****PLEASE READ THE FOLLOWING****
IMPORTANT CHANGE IN WORKERS' COMPENSATION COVERAGE REQUIREMENTS

Section 57 of the Workers' Compensation Law requires the heads of all State and municipal entities to ensure that businesses applying for any permits, licenses or entering into contracts have appropriate workers' compensation insurance coverage prior to issuing those permits, licenses or entering into contracts. This is reflected in New York State Racing and Wagering Board Rules 9 NYCRR 4006.3 and 4101.31.

Form WC/DB-100 Will Be Retired

As directed by the New York State Workers' Compensation Board (WCB), Form WC/DB-100, currently used to demonstrate exemption from workers' compensation and/or disability benefits insurance, will be retired **on December 1, 2008**. Accordingly, a WC/DB-100 will not be accepted after that date. Instead, Form CE-200, which replaces Form WC/DB-100, must be used for applicants seeking exemptions starting on December 1, 2008.

New Form CE-200

Form CE-200 reflects a new process for granting exemptions from workers' compensation and disability benefits insurance coverage requirements.

Historically, the WC/DB-100 exemption forms had to be notarized, and had to be stamped by the New York State Workers' Compensation Board. Effective December 1, 2008, this process will change. **Exemptions** will no longer have to be notarized, nor do they have to be stamped by the NYS Workers' Compensation Board. Starting December 1, 2008, applicants eligible for exemptions must file a new CE-200 for each and every new or renewed license application. Each CE-200 will specifically list the issuing government agency and the specific type of license requested by the applicant.

To make this process as easy and as efficient as possible, applicants will be able to fill out the CE-200 on-line through the WCB's website (www.wcb.state.ny.us, under the heading "Forms"). Immediately upon completion, the applicant will be able to print out a copy of the CE-200 and submit it to the Racing and Wagering Board along with their racing license application. Applicants without access to a computer may obtain a paper application from any Racing and Wagering Board office located at each track or from the Board's Licensing Bureau.

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For Those Who Hire Help

No change has been made in relation to the Workers' Compensation requirements associated with all employers being required to carry a full, statutory New York State workers' compensation insurance policy.

The Racing and Wagering Board (RWB) will not issue a license or permit to participate unless the individual has submitted proof of New York coverage on a State Insurance Fund form U-26.3 or WCB form C105.2. Please contact your insurance agent to ensure your policy meets the requirements prior to participation in NY. **ACORD forms are NOT acceptable proof of New York State workers' compensation insurance coverage!**

In order to avoid possible difficulties associated with this transition, the RWB strongly urges you to review these changes and take steps to ensure compliance. As with any licensing requirement, failure to comply will result in the refusal of the applicant's license.

IMPORTANT NOTICE: The name of the individual applying for a license MUST appear on the certificate of insurance or CE-200 form submitted to the Board.

If the policy is held by a corporation, or stable name (such as ABC Racing Stables, LLC), the licensee must be added as a separate legal entity to that policy. An individual may be added as a separate legal entity to that policy as long as the individual has common majority ownership of the corporation or the legal entity operating the stable.

Questions regarding Workers' Compensation requirements may be directed to the **WCB's Bureau of Compliance at (866) 546-9322**. Questions pertaining to licensing requirements may be directed to the Racing and Wagering Board office located at each track or to the Board's Licensing Bureau at (518) 395-5400.